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PAGES
33961–34085

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highlights

PART I:

WAR RISK INSURANCE
Executive order delegating to the Secretary of Transportation authority to conduct study and prepare report on expansion 33961

BLOOD AND BLOOD COMPONENTS
HEW/FDA reestablishes agency responsibility for approval of containers for collection or processing; effective 8–13–75 33971

AIR POLLUTION
EPA makes technical amendments to regulations for new motor vehicles; effective 8–13–75 33973

ATLANTIC TUNA
Commerce/NOAA establishes regulations for fisheries; effective 8–13–75 33978

EGGS
USDA/AMS issues recommended decision on proposed national research and promotion order; comments by 9–22–75 33982

MEETINGS—
VA: Station Committee on Educational Allowances, 8–31–75 34067
NASA: Panel on Aeronautical Operating Systems, 9–10 and 9–11–75 34068
Federal Prevailing Rate Advisory Committee: Advisory Committee, 9–4, 9–11 and 9–18–75 34076

CONTINUED INSIDE

PART II:

NATIONAL HEALTH SERVICE CORPS
HEW/PHS issues final regulations for personnel; effective 8–13–75 34077

PART III:

POLITICAL CAMPAIGNING
Federal Election Commission issues advisory opinion on certain contributions by banks, corporations and labor unions; effective 10–1–75 34083

HIGHLIGHTS—Continued

Civil Service Commission: Federal Employees Pay Council, 8–27–75 34023
USDA/FS: North End District Grazing Advisory Board, 9–23–75 34013
Cibola National Forest Grazing Advisory Board, 9–4–75 34012
ASCS: National Tobacco Advisory Committee, 8–29–75 34012
AMS: Flue-Cured Tobacco Advisory Committee, 8–28–75 34012
Interior: Water Research and Education Advisory Committee, 9–8–75 34012
BLM: National Advisory Board, 9–8 thru 9–10–75 34010
Wyoming State Multiple Use Advisory Board, 8–26 and 8–27–75 34010
State: Government Advisory Committee on International Book and Library Programs, 9–24–75 34009
DOD: Joint Strategic Target Planning Staff Scientific Advisory Group, 10–7–75 thru 10–9–75 34010
Justice/LEAA: Advisory Committee to the Administrator on Standards for the Advisory Committee on Juvenile Justice and Delinquency Prevention, 8–25–75 34010
NRC: Advisory Committee on Reactor Safeguards: Working Group on Plutonium Shipping Packages, 8–28–75 34028
Subcommittee on Westinghouse Water Reactors, 8–28–75 34031
HEW: National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, 9–12 thru 9–14–75 34021
ADAMHA: 19 advisory committees, 9–75 34014
NIH: Contraceptive Evaluation Research Contract Review Committee, 10–1–75 34019
Division of Cancer Control and Rehabilitation 9–5–75 34019
Lipid Metabolism Advisory Committee, 9–25–75 34020
Mental Retardation Research Committee, 9–25 and 9–26–75 34019
National Commission on Arthritis and Related Musculoskeletal Diseases, 9–8 thru 9–10–75 34020
Vision Research Program Committee, 9–12–75 34020
Cooperative Group Chairmen, Division of Cancer Treatment, 9–16–75 34019
Animal Resources Advisory Committee, 10–7 and 10–8–75 34019
Center for Disease Control: Veneral Disease Control Advisory Committee, 9–18 and 9–19–75 34018

CHANGED MEETING—

NASA: Space Systems Committee; Space Program Advisory Council, 11–3 and 11–4–75 34069

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

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contents

THE PRESIDENT

Executive Orders

War risk insurance, expansion; delegation of authority to the Secretary of Transportation to study and prepare report 33961

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT

See Agricultural Marketing Service; Agricultural Stabilization and Conservation Service; Forest Service; Soil Conservation Service.

AGRICULTURAL MARKETING SERVICE

Rules

Grade, size and maturity standards:
- Avocados grown in south Fla ... 33963
- Grapes, tokay, grown in Calif ... 33964

Limitations of handling and shipping:
- Potatoes, Irish, grown in Colo ... 33964

Proposed Rules

Egg research and promotion order; recommended decision and opportunity to file written exceptions 33982

Notices

Meetings:
- Flue-Cured Tobacco Advisory Committee 34012

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Notices

Meetings:
- National Tobacco Advisory Committee 34012

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

Notices

Meetings:
- Advisory Committees 34014

ALCOHOL, TOBACCO, AND FIREARMS BUREAU

Proposed Rules

Wine; labeling and advertising:
- Appellation of origin and viticultural area; definitions, extension of comment period ... 33982

Notices

Firearms; granting of relief 34009

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
- Airlift International, Inc 34022
- Local service class subsidy rate ... 34023
- Servicio Aereo de Honduras, S.A 34023

CIVIL SERVICE COMMISSION

Rules

Excepted service:
- Commodity Futures Trading Commission 33963
- Equal Employment Opportunity Commission 33963
- Treasury Department 33963

Notices

Meetings:
- Federal Employees Pay Council ... 34023

COAST GUARD

Rules

Security zones:
- Corpus Christi, Tex 33972

Boats; inboard safe loading standard 33973

Merchant Marines; licensing and registration of officers and seamen apprentice mates 33974

Proposed Rules

Tank vessels:
- Air compressors; cargo handling room bilges 33996

COMMERCE DEPARTMENT

See also Domestic and International Business Administration; Maritime Administration; National Oceanic and Atmospheric Administration.

Rules

Household appliances; labeling ... 33966

COMMITTEE FOR THE PURCHASE OF PRODUCTS FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Notices

Privacy Act; system of records ... 34023

DEFENSE DEPARTMENT

Notices

Meetings:
- Joint Strategic Target Planning Staff Scientific Advisory Group 34010

DISEASE CONTROL CENTER

Notices

Meetings:
- Venereal Disease Control Advisory Committee 34018

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

Proposed Rules

Defense Priorities System; basic rules 33996

EDUCATION OFFICE

Notices

Handicapped children; early education; application deadline ... 34021

Special projects grants; application deadline 34021

ENGRAVING AND PRINTING BUREAU

Notices

Authority delegation:
- Deputy Director et al 34010

ENVIRONMENTAL PROTECTION AGENCY

Rules

Air pollution control, new motor vehicles and engines:
- Certification and test procedures; technical amendments 33973

Air quality implementation plans:
- Massachusetts; correction 33973

Federal Insecticide, Fungicide, and Rodenticide Act; registration and classification procedures; correction 33974

Notices

Ambient air monitoring reference and equivalent methods; designation 34024

FEDERAL AVIATION ADMINISTRATION

Rules

Control zones and transition areas 33965

Proposed Rules

Transition area (3 documents) ... 33997, 33998

FEDERAL ELECTION COMMISSION

Notices

Advisory opinions:
- Contributions by banks, corporations, and labor unions to defray constituent service expenses 34083

FEDERAL ENERGY ADMINISTRATION

Notices

Environmental statements:
- Electric Power Facility Construction Incentive Act of 1975 34025

FEDERAL MARITIME COMMISSION

Rules

Foreign trade; unfavorable shipping conditions 33976

Notices

Agreements filed:
- Atlantic Container Line (G.I.E.) and Hapag Lloyd Aktiengesellschaft 34025
- Japan-East Coast U.S.A. containership service agreement ... 34025
- North Atlantic United Kingdom Freight Conference 34025
- Port of Astoria and Kerr Grain Corp 34026

FEDERAL POWER COMMISSION

Proposed Rules

Natural gas:
- Accounts, uniform system 33939
- National rates for jurisdictional sales 33998

Notices

Hearings, etc.:
- Amoco Production Co 34069
- Belco Petroleum Corp 34069
- Cities Service Oil Co 34070
- Colorado Interstate Gas Co 34070
- Commonwealth Edison Co 34071
- Connecticut Light & Power Co ... 34071
- Hartford Electric Light Co 34071
- Indiana & Michigan Electric Co ... 34071
- Kansas Gas & Electric Co 34073
- Laurie, Thayer H. et al 34076
- Michigan Wisconsin Pipe Line Co 34073
- Natural Gas Pipe Line Company of America (2 documents) ... 34074

New England Power Co. 34074
Pacific Power & Light Co. 34075
Tennessee Gas Pipeline Co. 34075
Texas Eastern Transmission Corp 34075

FEDERAL PREVAILING RATE ADVISORY COMMITTEE
Notices
Meetings 34076

FEDERAL TRADE COMMISSION
Rules
Rulemaking authority; further implementation 33966
Notices
Corporate patterns survey; authorization of collection of economic reports 34026

FISH AND WILDLIFE SERVICE
Rules
Endangered and threatened wildlife:
Grizzly bear; correction 33978
Hunting:
Waubay National Wildlife Refuge, S. Dak 33978
Notices
Endangered species permits; applications 34011

FOOD AND DRUG ADMINISTRATION
Rules
Human drugs:
Blood and components; containers 33971
Notices
Committees; renewal of:
Anti-infective Agents Advisory Committee 34018
Allergenic Extracts Review Panel 34018
Blood and Blood Derivatives Review Panel 34018
Skin Test Antigens Review Panel 34018
Surgical Drugs Advisory Committee 34018

FOREST SERVICE
Notices
Environmental statements:
Clarkdale-Williams Highway Proposal 34013
Meetings:
Cibola National Forest Grazing Advisory Board 34012
North End District Grazing Advisory Board 34013

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See also Alcohol, Drug Abuse, and Mental Health Administration; Disease Control Center; Education Office; Food and Drug Administration; Health Resources Administration; Health Services Administration; National Institutes of Health.
Notices
Meetings:
National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research 34021

HEALTH RESOURCES ADMINISTRATION
Notices
Annual committee reports; notice of filing 34018

HEALTH SERVICES ADMINISTRATION
Notices
Annual report; Indian Health Advisory Committee; notice of filing 34019

INTERIOR DEPARTMENT
See also Fish and Wildlife Service; Land Management Bureau.
Notices
Meetings:
Water Research and Education Advisory Committee 34012

INTERNAL REVENUE SERVICE
Rules
Taxable years, Dec. 1953, intercompany pricing rules; correction 33972

INTERNATIONAL TRADE COMMISSION
Proposed Rules
Import injury to industries or market disruption; investigations for relief 34005
Notices
Import and export investigations:
New, on-the-highway, four-wheeled, passenger automobiles 34027

INTERSTATE COMMERCE COMMISSION
Rules
Car service orders:
Chicago, Milwaukee, St. Paul and Pacific Railroad Co. 33977
Notices
Hearing assignments 34032
Motor carriers:
Alternate route deviation notices 34033
Applications and certain other proceedings (2 documents) 34034, 34054
Irregular route property carriers; gateway elimination 34034
Temporary authority applications 34065
Temporary authority termination 34034
Transfer proceedings 34033

JUSTICE DEPARTMENT
See Law Enforcement Assistance Administration.

LABOR DEPARTMENT
See Occupational Safety and Health Administration; Wage and Hour Division.

LAND MANAGEMENT BUREAU
Notices
Meetings:
National Advisory Board 34010
Wyoming State Multiple Use Advisory Board 34010

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
Notices
Meetings:
National Advisory Committee on Juvenile Justice and Delinquency Prevention; subcommittee 34010

MARITIME ADMINISTRATION
Notices
Applications, etc.:
American President Lines, Inc. 34014

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
Notices
Meetings:
NASA Research and Technology Advisory Council, Panel on Aeronautical Operating Systems, Ad Hoc Panel on Terminal Configured Vehicles 34068
Space Systems Committee of the Space Program Advisory Council; rescheduled 34069

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
Rules
Motor vehicle safety standards:
Occupant crash protection 33977
Steering control system 33977
Notices
Motor vehicle safety standards; temporary exemption termination; Intermeccanica Automobili 34022

NATIONAL INSTITUTES OF HEALTH
Notices
Committees; establishment, renewals, etc.:
Heart and Lung Research Review Committee A and B 34020
Meetings:
Animal Resources Advisory Committee 34019
Clinical Application and Prevention Advisory Committee; correction 34021
Contraceptive Evaluation Research Contract Review Committee 34019
Cooperative Group Chairmen 34019
Lipid Metabolism Advisory Committee 34020
Mental Retardation Research Committee 34020
National Cancer Institute workshop 34019
National Commission on Arthritis and Related Musculoskeletal Diseases 34020
Vision Research Program Committee 34020

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
Rules
Fisheries; Atlantic tuna 33978

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Rules

State plans for enforcement of standards:
Wisconsin 33972

Proposed Rules

State plans for enforcement of standards:
California 33995

NUCLEAR REGULATORY COMMISSION

Notices

Applications, etc.:
Consumers Power Co 34030
Detroit Edison Co 34028
Duke Power Co 34028
Public Service Company of New Hampshire, et al 34029
Public Service Company of Oklahoma, Inc 34029
Meetings:
Reactor Safeguards Advisory Committee; Plutonium Shipping Packages Working Group 34028
Reactor Safeguards Advisory Committee; Westinghouse Water Reactors Subcommittee 34031
Regulatory guides; issuance and availability 34029

PUBLIC HEALTH SERVICE

Rules

National Health Service Corps; personnel 34077

SECURITIES AND EXCHANGE COMMISSION

Rules

Variable annuities; exemptive rule 33970

Notices

Hearings, etc.:
Canadian Javelin, Ltd 34067

SOIL CONSERVATION SERVICE

Notices

Environmental statements; Watershed Projects; negative declarations:
East Fork Above Lavon (Trinity), Tex 34013
Jacobs Creek, Pa 34013
Patterson Creek Subwatershed Project, W. Va 34014

STATE DEPARTMENT

Notices

Meetings:
Government Advisory Committee on International Book and Library Programs 34009

TRANSPORTATION DEPARTMENT

See also Coast Guard; Federal Aviation Administration; National Highway Traffic Safety Administration.

Rules

Delegations of authority:
Assistant Secretary for Environment, Safety and Consumer Affairs 33976

TREASURY DEPARTMENT

See Alcohol, Tobacco, and Firearms Bureau; Engraving and Printing Bureau; Internal Revenue Service.

VETERANS ADMINISTRATION

Notices

Meetings:
Station Committee on Educational Allowances 34067

WAGE AND HOUR DIVISION

Notices

Full-time students employed in retail and service establishments; certificates authorizing employment at subminimum wages; correction 34068

list of cfr parts affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, follows beginning with the second issue of the month.

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

3 CFR

EXECUTIVE ORDERS:

11875 33961

5 CFR

213 (3 documents) 33963

7 CFR

915 33963
926 33964
948 33964
980 33964

PROPOSED RULES:

1251 33982

14 CFR

71 33965

PROPOSED RULES:

71 (3 documents) 33997, 33998

15 CFR

9 33966

16 CFR

1 33966
3 33969
4 33970

17 CFR

270 33970

18 CFR

PROPOSED RULES:

2 33998
101 33999
104 33999
141 33999
154 33998
157 33998
201 33999
204 33999
260 33999

19 CFR

PROPOSED RULES:

206 34005
207 34005

21 CFR

3 33971
312 33971
314 33972

26 CFR

1 33972

27 CFR

PROPOSED RULES:

4 33982

29 CFR

1952 33972

PROPOSED RULES:

1952 33995

32A CFR

PROPOSED RULES:

Chapter VI 33996

33 CFR

127 33972
183 33973

40 CFR

52 33973
85 33973
86 33973
162 33974

42 CFR

23 34078

46 CFR

10 33974
12 33974
506 33976

PROPOSED RULES:

32 33996
35 33996

49 CFR

1 33976
571 (2 documents) 33977
1033 33977

50 CFR

17 33978
32 33978
285 33978

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during August.

1 CFR

Ch. I 32305

PROPOSED RULES:

410 33177

3 CFR

PROCLAMATIONS:

4335 (Revoked in Part by Proc. 4382) 33425

4382 33425

EXECUTIVE ORDERS:

11875 33961

4 CFR

351 ..... 32747, 33819

403 ..... 32747, 33819

411 32823

5 CFR

213 ..... 32727, 32823, 33963

1303 32727

7 CFR

2 33023

26 ..... 32942, 33427

68 33649

271 33195

301 33026

908 33195

910 ..... 32305, 33430

915 ..... 32306, 32823, 33963

917 33196

921 32730

922 32730

923 33028

926 33964

944 32824

947 32730

948 33964

958 ..... 32307, 33649

967 33196

980 ..... 32308, 33964

1434 32732

1804 32309

1808 33197

PROPOSED RULES:

1 32756

52 33043

919 32338

946 33458

993 33047

1098 32338

1099 ..... 32751, 33458

1251 33982

1822 33222

8 CFR

212 33431

214 32312

9 CFR

78 32732

92 33649

PROPOSED RULES:

101 32753

113 ..... 32753, 32754

10 CFR

20 33029

50 33029

70 33651

205 32734

PROPOSED RULES:

9 33833

20 33838

50 33838

211 33832

212 ..... 32348, 33832

213 33474

11 CFR

Ch. I 32950, 33817

PROPOSED RULES:

106 33169

113 32951

12 CFR

11 32735

217 32736

265 32737

329 33198

523 33029

555 32318

564 33030

612 33030

PROPOSED RULES:

226 32350

541 33054

545 33054

546 33054

581 33055

582 33055

582a 33055

582b 33055

603 33831

615 33832

720 33410

13 CFR

121 32824

123 33474

305 32738

14 CFR

39 ..... 32314–32318, 32738–32740, 32827–32829, 33007–33010, 33198, 33432, 33653, 33654, 33819

63 32829

71 ..... 32318, 32319, 32740–32742, 33010, 33199, 33435, 33654, 33655, 33819, 33965

73 33655

97 ..... 32320, 33199

217 33435

PROPOSED RULES:

39 ..... 32342, 32343, 32837–32838, 33049–33052, 33682

71 ..... 32343–32346, 32758, 32839, 33223, 33224, 33461, 33997, 33998

103 32758

15 CFR

9 33966

265 32830

PROPOSED RULES:

4b 32960

16 CFR

1 33966

3 33969

4 33970

13 ..... 33200, 33201, 33656–33658

256 33436

1116 32830

PROPOSED RULES:

257 33832

302 32845

439 32764

1016 32346

17 CFR

210 33032

270 33970

PROPOSED RULES:

146 32839

210 33690

239 33690

240 33690

249 33690

18 CFR

706 32818

PROPOSED RULES:

2 33998

35 32763

101 33999

141 33999

104 33999

154 33998

157 33998

201 33999

204 33999

260 33999

19 CFR

4 32742

6 33203

12 32321

PROPOSED RULES:

4 33038

10 32751

206 34005

207 34005

20 CFR

405 ..... 32742, 33033, 33439

PROPOSED RULES:

401 33828

405 33828

416 33222

21 CFR

3 33971

26 33820

312 33971

21 CFR—Continued
314 ... 33971
436 ... 33204
510 ... 33443
520 ... 32831
558 ... 32831, 33443
561 ... 33033, 33820
610 ... 33821
640 ... 33821
660 ... 33821
PROPOSED RULES:
210 ... 33564
225 ... 33554
310 ... 33459
431 ... 33680
1020 ... 33828

22 CFR
41 ... 33444
214 ... 33205

23 CFR
712 ... 33445

24 CFR
470 ... 33209
860 ... 33445
866 ... 33402, 33406
1914 ... 33010, 33447
1915 ... 33669, 33674, 33821
1920 ... 33210–33213
PROPOSED RULES:
203 ... 33681
1917 ... 33223

25 CFR
221 ... 33214

26 CFR
1 ... 33972
31 ... 32831
601 ... 32322
PROPOSED RULES:
54 ... 33560

27 CFR
PROPOSED RULES:
4 ... 33982

28 CFR
0 ... 33214
16 ... 33214

29 CFR
1952 ... 33972
PROPOSED RULES:
29 ... 33052
97 ... 33920
1952 ... 33995
2510 ... 33561
2602 ... 33838
2606 ... 33839

32 CFR
706 ... 33034
PROPOSED RULES:
641 ... 32837

32A CFR
PROPOSED RULES:
Chapter VI ... 33996

33 CFR
117 ... 32328, 32329, 33449–33450
127 ... 32831, 33034, 33972
183 ... 33973
PROPOSED RULES:
117 ... 32837, 33828

34 CFR
232 ... 32329

36 CFR
606 ... 32744
PROPOSED RULES:
7 ... 33222

38 CFR
1 ... 33944
21 ... 33823

40 CFR
52 ... 32329, 33034, 33215, 33450–33452, 33973
60 ... 33152
85 ... 33973
86 ... 33973
162 ... 32329, 33973
180 ... 32746, 33035, 33453, 33659
PROPOSED RULES:
35 ... 33224
52 ... 32346, 32347, 32761
120 ... 33470
142 ... 33228
180 ... 32348
418 ... 33052

41 CFR
9–7 ... 32746
9–15 ... 32746
14–1 ... 33216
14–4 ... 33216
14H–1 ... 33454
101–26 ... 33035
101–32 ... 33454
101–45 ... 33216
114–42 ... 33217
114–43 ... 33217
114–45 ... 33217
114–47 ... 33217
PROPOSED RULES:
60–12 ... 33680
60–14 ... 33680
101–32 ... 32761
105–61 ... 33243

42 CFR
23 ... 34078
71 ... 33659
110 ... 33520
PROPOSED RULES:
306 ... 33526

43 CFR
4 ... 33172
2650 ... 33174

45 CFR
16 ... 33936
46 ... 33526
156 ... 32329
205 ... 32954, 33217
206 ... 32954
233 ... 32954
235 ... 33035
250 ... 33036
PROPOSED RULES:
102 ... 33047
144 ... 32540
160f ... 33802
175 ... 32540
176 ... 32540
233 ... 33461

46 CFR
10 ... 33974
12 ... 33974
283 ... 32832
506 ... 33976
PROPOSED RULES:
Ch. 1 ... 33681
32 ... 33996
33 ... 32339
35 ... 33996
75 ... 32339
78 ... 32339
94 ... 32339
97 ... 32339
146 ... 32341, 32758
167 ... 32339
176 ... 32339
192 ... 32339
536 ... 33688

47 CFR
0 ... 33217
1 ... 33218
2 ... 32746, 33454
17 ... 33662
73 ... 33218, 33662, 33665
76 ... 33664
87 ... 33219, 33667
89 ... 33454
91 ... 32747, 33454
95 ... 33667
PROPOSED RULES:
0 ... 33239
1 ... 33239, 33242, 33685
2 ... 33471
61 ... 33685
73 ... 32762, 32763, 33243, 33686
89 ... 33471
91 ... 33471

49 CFR
1 ... 33976
173 ... 33036
391 ... 32335
393 ... 32336
395 ... 32336
571 ... 32336, 33036, 33825, 33977
1033 ... 33037, 33977
1036 ... 33220
1300 ... 32832
1305 ... 32834
1307 ... 32834
1308 ... 32836
PROPOSED RULES:
107 ... 32758
170 ... 32758
220 ... 33682
571 ... 33828
572 ... 33462
1048 ... 33840
1049 ... 33840
1207 ... 33244
1300 ... 32350
1305 ... 32350
1307 ... 32350
1309 ... 32350

50 CFR
17 ... 33978
20 ... 33016
32 ... 33220, 33221, 33978
33 ... 33221
285 ... 33978

FEDERAL REGISTER PAGES AND DATES—AUGUST

Pages	*Date*
32305–32725	1
32727–32822	4
32823–33006	5
33007–33193	6
33195–33423	7
33425–33647	8
33649–33817	11
33819–33959	12
33961–34085	13

reminders

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

Rules Going Into Effect Today

NOTE: There are no items eligible for inclusion in the list of RULES GOING INTO EFFECT.

Next Week's Deadlines for Comments On Proposed Rules

ADMINISTRATIVE COMMITTEE OF THE FEDERAL REGISTER

Agency publication on assigned days of the week; comments by 8–19–75. 26046; 6–20–75

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

Dried prunes produced in California; undersized regulation and saleable and reserve percentages for 1975–76 crop year; comments by 8–21–75 ..... 33047; 8–6–75

Animal and Plant Health Inspection Service—

Poultry and birds; reservation of import facilities; comments by 8–18–75 ..... 29728; 7–15–75

Viruses, serums, toxins, and analogous products; anthrax spore vaccine; comments by 8–18–75. 25599; 6–17–75

Viruses, serums, toxins and analogous products; porcine parvovirus; comments by 8–18–75 ..... 25598; 6–17–75

Viruses, serums, toxins etc.; Tetanus Toxoid; comments by 8–18–75. 30126; 7–17–75

Office of the Secretary—

Privacy Act of 1974; implementation; comments by 8–20–75 ..... 32756; 8–4–75

CIVIL AERONAUTICS BOARD

Uniform system of accounts; reporting of available seat-miles based on CAB seating standards; comments by 8–20–75 ..... 30497; 7–21–75

DEFENSE DEPARTMENT

Corps of Engineers, Department of the Army—

Navigation of restricted areas; Cooper Rivers and tributaries, Charleston, S.C.; comments by 8–18–75. 30118; 7–17–75

FEDERAL COMMUNICATIONS COMMISSION

FM broadcast stations, Baldwyn and Tupelo, Mississippi; comments by 8–21–75 ..... 32763; 8–4–75

FM Broadcast station, Garden City, Hinesville and Springfield, Georgia; comments by 8–18–75 ..... 30985; 7–24–75

FM broadcast stations, Tex.; comments by 8–22–75; reply comments by 9–12–75 ..... 28098; 7–3–75

Stations in local government radio service; transmission of information to traveling public; comments by 8–18–75 ..... 25601; 6–17–75

Television translators; inquiry and proposed rulemaking; comments by 8–18–75 ..... 30985; 7–24–75

FEDERAL HOME LOAN BANK BOARD

Federal Savings and Loan System; communications among members; comments by 8–18–75 .. 28638; 7–8–75

Federal savings and loan association; insurance agencies—usurpation of corporate opportunity; comments by 8–18–75 ..... 28641; 7–8–75

FEDERAL POWER COMMISSION

Hydroelectric project licenses; specified reasonable rate of return; comments by 8–18–75 ..... 29304; 7–11–75

HEALTH, EDUCATION AND WELFARE DEPARTMENT

Center for Disease Control—

Occupational safety and health investigations of places of employment; comments by 8–24–75. 31248; 7–25–75

Education Office—

Gifted and talented; program for education; comments by 8–21–75. 30662; 7–22–75

INTERIOR DEPARTMENT

Fish and Wildlife Service—

Addition of Sevilleta National Wildlife Refuge to list of areas open to hunting of migratory game birds; comments by 8–18–75 ..... 31795; 7–29–75

Snail darter; endangered status; comments by 8–18–75 ..... 25597; 6–17–75

JUSTICE DEPARTMENT

District of Columbia Correctional Institutions; confinement of persons; comments by 8–22–75 .... 30977; 7–24–75

Drug Enforcement Administration—

Poppy straw; authority to import; comments by 8–21–75 ..... 30117; 7–17–75

NATIONAL TRANSPORTATION SAFETY BOARD

Privacy Act proposal; comments by 8–18–75 ..... 30130; 7–17–75

Privacy Act of 1974; exemption; comments by 8–18–75 .. 30988; 7–24–75

POSTAL RATE COMMISSION

Privacy Act of 1974; routine uses; comments by 8–21–75 .... 33186; 8–6–75

POSTAL SERVICE

Records and information management; revised policies and procedures; comments by 8–18–75 .. 30988; 7–24–75

SECURITIES AND EXCHANGE COMMISSION

Notification to State Securities Administrators; comments by 8–20–75. 30845; 7–23–75

SMALL BUSINESS ADMINISTRATION

Small Business standards; Government timber sales; comments by 8–18–75. 32142; 7–31–75

STATE DEPARTMENT

Board of the Foreign Service; procedures; comments by 8–22–75. 30824; 7–23–75

TRANSPORTATION DEPARTMENT

Federal Aviation Administration—

Aircraft fueling; comments by 8–21–75 ..... 22554; 5–23–75

Airworthiness directive; Pratt & Whitney JT4A model engines; comments by 8–18–75 ..... 30126;

Airworthiness Review Program; type certification standards; comments by 8–18–75 ..... 22111; 2–20–75

Alteration of transition area; Palestine, Tex.; comments by 8–21–75. 30670; 7–22–75

Blue Federal airway; comments by 8–20–75 ..... 30495; 7–21–75

Control zones and transition areas (4 locations; comments by 8–20–75. 30464; 7–21–75

Status of FAA pilots and applicants during flight tests; comments by 8–19–75 ..... 22271; 5–22–75

Transition areas; comments by 8–18–75 ..... 30127, 30128; 7–17–75

Pipeline Safety Office—

Updating of certain material incorporated by reference; comments by 8–22–75 ..... 27245; 6–27–75

TREASURY DEPARTMENT

Alcohol, Tobacco and Firearms Bureau—

Domestic and imported wines; proposed definition; comments by 8–18–75 ..... 30117; 7–17–75

Comptroller of the Currency—

Changes in capital structure; evaluation of debt issues as additions; comments by 8–18–75 .. 29724; 7–15–75

Customs Service—

Antidumping petitions by American manufacturers, producers, and wholesalers; comments by 8–22–75 ..... 30838; 7–23–75

Importation of pleasure boats and equipment; safety requirements; comments by 8–18–75 .. 25595; 6–17–75

Office of the Secretary—

Fiscal assistance to state and local governments; nondiscrimination regulations; comments by 8–21–75 ..... 30974; 7–24–75

VETERANS ADMINISTRATION

Disabilities, rating schedule; comments by 8–18–75 ..... 30502; 7–21–75

Next Week's Public Hearings

COMMISSION ON THE REVIEW OF THE NATIONAL POLICY TOWARD GAMBLING

Hearing to be held in Carson City, Nevada, (open), on 8–18–75. 31026; 7–24–75

Hearing to be held in Las Vegas, Nevada (open), on 8–19–75, 8–21–75. 31026; 7–24–75

Hearing to be held in Phoenix, Arizona (open), on 8–22–75 31026; 7–24–75

Next Week's Meetings

ARMS CONTROL AND DISARMAMENT AGENCY

General Advisory Committee on Arms Control and Disarmament; to be held in Los Alamos, New Mexico (closed), 8–21 and 8–22–75 29116; 7–10–75

CIVIL AERONAUTICS BOARD

Advisory Committee on Procedural Reforms; to be held in Washington, D.C. (open), 8–23–75 32774; 8–4–75

CIVIL RIGHTS COMMISSION

Oklahoma State Advisory Committee; to be held in Lawton, Oklahoma, (open), 8–21–75 32865; 8–5–75

COMMERCE DEPARTMENT

Semiconductor Technical Advisory Committee; to be held in Washington, D.C. (open and closed), 8–20–75. 30518; 7–21–75

DEFENSE DEPARTMENT

Air Force Department—

Scientific Advisory Board; to be held in Washington, D.C. (closed), 8–21–75 32847; 8–5–75

Scientific Advisory Board; to be held at Wright-Patterson AFB, Ohio (open), 8–18–75 31249; 7–25–75

Office of the Secretary—

Department of Defense Wage Committee; to be held in Washington, D.C. (closed), 8–19–75 29307; 7–11–75

DEFENSE MANPOWER COMMISSION

Defense Manpower Commission; to be held at New York, New York (open with restrictions), 8–18–75 23364; 5–29–75

FEDERAL COMMUNICATIONS COMMISSION

Radio Technical Commission for Marine Services; to be held in Washington, D.C. (open), 8–20–75

GENERAL SERVICES ADMINISTRATION

Advisory Committee on Cash Management; to be held at Washington, D.C. (open with restrictions), 8–19–75. 29132; 7–10–75

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Food and Drug Administration—

Conditions for marketing human prescription drugs; comments by 8–19–75 26142; 6–20–75

Drugs for human use; requirements for information in abbreviated new drug applications; comments by 8–19–75 26156; 6–20–75

National Institutes of Health—

Diet, Nutrition and Cancer Program Advisory Committee; to be held in Bethesda, Md. (open), 8–19 and 8–20–75 29316; 7–11–75

Endocrinology study section; to be held in Silver Spring, Md. (open with restrictions), 8–18 through 8–21–75 29316; 7–11–75

Interagency Coordinating Committee for Cancer Control and Rehabilitation; to be held in Bethesda, Md. (open with restrictions), 8–20–75. 29316; 7–11–75

Office of the Secretary—

Review Panel on New Drug Regulation; to be held in Washington, D.C. (open), 8–18 and 8–19–75. 32773; 8–4–75

INTERIOR DEPARTMENT

National Park Service—

Western Regional Advisory Committee; to be held in Redding, Calif. (open), 8–23–75 30147; 7–17–75

JUSTICE DEPARTMENT

Drug Enforcement Assistance Administration—

National Advisory Committee on Criminal Justice Standards and Goals; to be held in Philadelphia, Pennsylvania (open), 8–22 and 8–23–75 32847; 8–5–75

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

Early Childhood Education, Special Concerns, Mandated Studies on site visits and a review of the Committees' position papers reports; to be held in Washington, D.C. (open with restrictions) 8–22 and 8–23–75 32879; 8–5–75

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Space Systems Committee of the Space Program Advisory Council; to be held at Houston, Tex. (open with restrictions), 8–21 and 8–22–75 28137; 7–3–75

NATIONAL ENDOWMENT FOR THE HUMANITIES

Advisory Committee Fellowships Panel; to be held in Washington, D.C. (closed), 8–18–75 29937; 7–16–75

Advisory Committee Fellowships Panel; to be held at Washington, D.C. (closed), 8–20–75 32177; 7–31–75

NATIONAL SCIENCE FOUNDATION

Workshop on Increasing Efficiency and Effectiveness in Electrical Power Generation; to be held in McLean, Virginia (open), 8–21 and 8–22–75 32796; 8–4–75

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards Subcommittee on Emergency Core Cooling Systems (ECCS); to be held in Washington, D.C. (open) 8–21–75 33080; 8–6–75

Advisory Committee on Reactor Safeguards; Subcommittee on Standardized Nuclear Unit Power Plant System; to be held in Washington, D.C. (open with restrictions), 8–19–75. 32797; 8–4–75

TRANSPORTATION DEPARTMENT

National Highway Traffic Safety Administration—

National Highway Safety Advisory Committee Executive Subcommittee; to be held in Washington, D.C. (open), 8–21–75 28846; 7–9–75

TREASURY DEPARTMENT

Internal Revenue Service—

Chief Counsel's Advisory Committee on Rules of Professional Conduct, to be held in Washington, D.C. (open), 8–22 and 8–23–75. 3075; 7–22–75

List of Public Laws

This is a listing of public bills enacted by Congress and approved by the President, together with the law number, the date of approval, and the U.S. Statute citation. Subsequent lists appear each day in the FEDERAL REGISTER, and copies of the laws may be obtained from the U.S. Government Printing Office.

H.R. 5327 Pub. Law 94–74
An act to reserve a site for the use of the Smithsonian Institution
(Aug. 8, 1975; 89 Stat. 407)

presidential documents

Title 3—The President

Executive Order 11875 • August 9, 1975

Delegating Certain Functions to the Secretary of Transportation

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, the Secretary of Transportation is hereby designated and empowered, in consultation with the Secretaries of State and Defense, and the heads of other appropriate agencies, to conduct the full and complete investigation and study, concerning the possible expansion of war risk insurance, required by Section 3 of H.R. 8564 which I have today signed into law, and to prepare a report on the results of the investigation and study, together with any recommendations for legislation. Since Section 3(c) of H.R. 8564 provides for the President to transmit the report to the Congress within 90 days of enactment of this legislation, the proposed report should be submitted to me, through the Director of the Office of Management and Budget, within 70 days.

Gerald R. Ford

THE WHITE HOUSE,
August 9, 1975.

[FR Doc.75-21427 Filed 8-12-75;10:32 am]

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 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of the Treasury

Section 213.3105 is amended to show that 18 additional positions of Customs Patrol Officers in the Papago Indian Agency in the State of Arizona are excepted under Schedule A. This section is further amended to show the change in headnote from Bureau of Customs to U.S. Customs Service.

Effective on August 13, 1975. Section 213.3105(b)(9) is amended as set out below:

§ 213.3105 **Department of the Treasury.**

* * * * *

(b) *U.S. Customs Service.* * * *

(9) Not to exceed 25 positions of Customs Patrol Officers in the Papago Indian Agency in the State of Arizona when filled by the appointment of persons of one-fourth or more Indian blood.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

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

[FR Doc.75-21154 Filed 8-12-75;8:45 am]

PART 213—EXCEPTED SERVICE

Equal Employment Opportunity Commission

Section 213.3377 is amended to show that one position of Special Assistant to the Executive Director is excepted under Schedule C.

Effective on August 13, 1975, § 213.3377 (i) is added as set out below:

§ 213.3377 **Equal Employment Opportunity Commission.**

* * * * *

(i) One Special Assistant to the Executive Director.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

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

[FR Doc.75-21155 Filed 8-12-75;8:45 am]

PART 213—EXCEPTED SERVICE

Commodity Futures Trading Commission

Section 213.3379 is amended to show that one position of Special Assistant to the Commissioner for each of four Commissioners is excepted under Schedule C.

Effective on August 13, 1975, § 213.3379 (k) is added as set out below:

§ 213.3379 **Commodity Futures Trading Commission.**

* * * * *

(k) One position of Special Assistant to the Commissioner for each of four Commissioners.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

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

[FR Doc. 75-21156 Filed 8-12-75;8:45 am]

Title 7—Agriculture

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

[Avocado Regulation 17, Amendment 7]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Maturity Requirements

This amendment revises the maturity requirements for the Waldin, Nesbitt, Beta, and Tower 2 varieties of avocados. These varieties will mature one week sooner than they currently can be shipped because growing conditions in the production area have hastened maturity. Weight or diameters and picking dates are indices used at harvest to assure that avocados are mature and will ripen satisfactorily after picking.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in South Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the maturity requirements for the handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for the amendment stems from the current avocado crop maturity situation. Maturity studies on the specified varieties completed recently indicate that avocados of such varieties will be mature at the hereinafter specified dates, minimum weights, or diameters.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of specified varieties of avocados.

Order. The provisions of subparagraph (a)(2) of § 915.317 (Avocado Regulation 17; 40 FR 24006; 26501; 28048; 29068; 29812; 30793) are amended by revising in Table I the dates applicable to the Waldin, Beta, Nesbitt, and Tower 2 varieties so that after such revision the portion of Table I relating to such varieties of avocados reads as follows:

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Waldin	8-11-75	16 oz/3 9/16 in.	9- 1-75	14 oz/3 7/16 in.	9-15-75	12 oz/3 1/16 in.	9-29-75
Nesbitt	8- 4-75	22 oz/3 13/16 in.	8-11-75	18 oz/3 9/16 in.	8-25-75	16 oz/3 5/16 in.	9-15-75
Beta	8-11-75	18 oz/3 5/16 in.	8-25-75	16 oz/3 5/16 in.	9-15-75		
Tower 2	8-11-75	14 oz.	9- 1-75	12 oz.	9-29-75		

(Secs. 1–19, 46 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, August 8, 1975, to become effective August 11, 1975.

D. S. KURYLOSKI,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-21207 Filed 8-12-75;8:45 am]

[Tokay Grape Reg. 11]

PART 926—TOKAY GRAPES GROWN IN SAN JOAQUIN COUNTY, CALIFORNIA

Regulation of the Grade and Container Markings

This regulation, issued pursuant to the amended marketing agreement and Order No. 926, as amended (7 CFR Part 926), specifies certain grade and container marking requirements for fresh Tokay grapes shipped from San Joaquin County, California, during the period August 15 through September 30, 1975. The requirements are that such grapes meet the grade and size specifications of U.S. No. 1 Table grade and that at least 30 percent, by count, of the berries in the lower 25 percent, by count, of each bunch shall show characteristic color. Each container of such grapes must bear a Federal-State Inspection Service lot number in plain letters and figures on one outside end. These regulatory provisions are the same as the provisions that were in effect during the previous three seasons.

Findings. (1) Pursuant to the amended marketing agreement and Order No. 926, as amended (7 CFR Part 926), which regulate the handling of fresh Tokay grapes grown in San Joaquin County, 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 of the Industry Committee, established under the aforesaid marketing agreement and order, and other available information, it is hereby found that the regulation of Tokay grapes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) This regulation is based upon an appraisal of the current and prospective crop and marketing conditions for Tokay grapes. The committee estimates that 1975 production of Tokay grapes will be 195,094 tons. This is 26,309 tons less than the 1974 crop of 221,403 tons. Fresh shipments are estimated at 34,500 tons as compared to 31,100 tons last season. The grade and container requirements hereinafter provided are necessary to prevent the handling of fresh Tokay grapes of lesser quality so as to provide consumers with good quality fruit, consistent with the overall quality of the crop, while maintaining orderly marketing conditions in the interest of producers and consumers. The requirement for more even distribution of color (30 percent of the grapes in the lower quarter of each bunch showing characteristic color) is also included to assure the availability, to consumers, of Tokay grapes of satisfactory quality. Compliance with the container marking requirement will verify inspection thus assuring compliance with the quality requirements specified herein.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than August 15, 1975. A reasonable determination as to supply of, and the demand for, Tokay grapes must await the development of the crop thereof, and adequate information thereon was not available to the Industry Committee until July 25, 1975, on which date an open meeting was held, after giving due notice thereof, to consider the need for and the extent of regulation of shipments of such grapes. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such grapes are expected to begin on or about August 15, 1975; this regulation should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this regulation are identical with the aforesaid recommendation of the committee, information concerning such provisions and effective time has been disseminated among handlers of such grapes; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

Section 926.312 is revised to read as set forth below:

§ 926.312 Tokay Grape Regulation 11.

(a) *Order.* During the period August 15, 1975, through September 30, 1975, no handler shall ship:

(1) Any Tokay grapes, grown in the production area, which do not meet the grade and size specifications of U.S. No. 1 Table Grapes and the following additional requirement: Of the 25 percent, by count, of the berries of each bunch which are attached to the lower part of the main stem, including laterals, at least 30 percent, by count, shall show characteristic color; or

(2) Any container of Tokay grapes, grown in the production area, unless such container bears, in plain letters and figures on one outside end, a Federal-State Inspection Service lot stamp number showing that such grapes have been inspected in accordance with the established grade set forth in this section.

(b) *Definitions.* As used herein, the terms "handler", "ship", and "production area" shall have the same meaning as when used in the amended marketing agreement and order; "U.S. No. 1 Table Grapes" and "characteristic color" shall have the same meaning as when used in the United States Standards for Table Grapes (7 CFR 51.880–51.912).

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

Dated: August 8, 1975.

D. S. KURYLOSKI,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-21119 Filed 8-12-75;8:45 am]

PART 948—IRISH POTATOES GROWN IN COLORADO

Handling Regulation; Area No. 3

This regulation, designed to promote orderly marketing of Colorado Area No. 3 potatoes, imposes minimum quality standards and requires inspection of fresh shipments to keep low quality potatoes from being shipped to consumers.

Notice of rule making with respect to a proposed handling regulation to be made effective under Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948), regulating the handling of Irish potatoes grown in Colorado, Area No. 3, was published in the FEDERAL REGISTER July 18, 1975 (40 F.R. 30276). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). Interested persons were afforded an opportunity to file written data, views, or arguments pertaining thereto through August 6, 1975. None was filed.

After consideration of all relevant matters presented, including the proposal set forth in the notice which was recommended by the Colorado Area No. 3 Potato Committee, established pursuant to said marketing agreement and order, it is hereby found that the handling regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act.

The recommendations of the committee reflect its appraisal of the composition of the 1975 crop of Colorado potatoes and of the marketing prospects for this season. The grade, size, cleanliness and maturity requirements provided herein, which were the same as those in effect (39 F.R. 27554) through June 30, 1975, are necessary to prevent potatoes

of lesser maturities, lower quality, or undesirable sizes from being distributed in fresh market channels. Also, they will provide consumers with good quality potatoes consistent with the overall quality of the crop.

Exceptions are provided to certain of these requirements to recognize special situations in which such requirements would be inappropriate or unreasonable.

Shipments may be made to certain special purpose outlets without regard to the grade, size, maturity and inspection requirements, provided that safeguards are met to prevent such potatoes from reaching unauthorized outlets. Certified seed is so exempted because requirements for this outlet differ greatly from those for fresh market. Shipments for use as livestock feed are likewise exempt. Since no purpose would be served by regulating potatoes used for charity purposes, such shipments are exempt. Also potatoes for most processing uses are exempt under the legislative authority for this part.

Potatoes for prepeeling may be handled without regard to maturity requirements since skinning of such potatoes is of no consequence.

It is hereby further found that good cause exists for not postponing the effective date of this section until 30 days after its publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of potatoes grown in the production area will begin on or about the effective date specified herein, (2) to maximize benefits to producers, this regulation should apply to as many shipments as possible during the marketing season, (3) information regarding the provisions of this regulation, which are similar to those which were in effect during the previous marketing season, has been made available to producers and handlers in the production area, and (4) compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed by such effective date.

Section 948.373 is added as follows:

§ 948.373 Handling regulation.

During the period August 18, 1975, through June 30, 1976, no person shall handle any lot of potatoes grown in Area No. 3 unless such potatoes meet the requirements of paragraphs (a), (b) and (c) of this section, or unless such potatoes are handled in accordance with paragraphs (d), (e), or (f) of this section.

(a) *Grade and size requirements—All varieties.* U.S. No. 2 or better grade, 1⅞ inches minimum diameter or 4 ounces minimum weight. However, Size B may be handled if U.S. No. 1 or better grade.

(b) *Maturity (skinning) requirements—All varieties.* For U.S. No. 2 grade, not more than "moderately skinned," and for all other grades, not more than "slightly skinned."

(c) *Inspection.* (1) No handler shall handle any potatoes for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto and the certificate is valid at the time of shipment. For purpose of operation under this part it is hereby determined pursuant to paragraph (d) of § 948.40, that each inspection certificate shall be valid for a period not to exceed five days following the date of inspection as shown on the inspection certificate.

(2) No handler may transport or cause the transportation by motor vehicle of any shipment of potatoes for which an inspection certificate is required unless each shipment is accompanied by a copy of the inspection certificate applicable thereto and the copy is made available for examination at any time upon request.

(d) *Special purpose shipments.* (1) The grade, size, maturity and inspection requirements of paragraphs (a), (b) and (c) of this section shall not be applicable to shipments of potatoes for:

(i) Livestock feed;

(ii) Charity;

(iii) Canning, freezing, and "other processing" as hereinafter defined; and

(iv) Certified seed potatoes (§ 948.6).

(2) The maturity requirements set forth in paragraph (b) of this section shall not be applicable to shipments of potatoes for prepeeling.

(e) *Safeguards.* Each handler making shipments of potatoes pursuant to paragraph (d) of this section shall,

(1) Prior to shipment, apply for and obtain a Certificate of Privilege from the committee.

(2) Furnish the committee such reports and documents as required, including certification by the buyer or receiver on the use of such potatoes, and

(3) Bill each shipment directly to the applicable buyer or receiver.

(f) *Minimum quantity.* For purposes of regulation under this part, each person may handle up to but not to exceed 1,000 pounds of potatoes per day without regard to the requirements of paragraphs (a) and (b) of this section, but this exception shall not apply to any shipment of over 1,000 pounds of potatoes.

(g) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "Size B," "moderately skinned" and "slightly skinned," shall have the same meaning as when used in the United States Standards for Grades of Potatoes (§§ 51.1540–51.1566 of this title) including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a prepeeling plant by washing, removing the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (United States Standards for Grades of Peeled Potatoes, §§ 52.2421–52.2433 of this title). The term "other processing" has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. The act of peeling, cooling, slicing, dicing, or applying material to prevent oxidation does not constitute "other processing."

(h) *Applicability to imports.* Pursuant to § 8e of the act and § 980.1, "Import regulations" (7 CFR 980.1), round white varieties of Irish potatoes, except certified seed potatoes, imported into the United States during the period August 1–17, 1975, shall meet the U.S. No. 2 or better grade and 1½ inches minimum diameter requirements specified in § 948.126 General Cull Regulation (7 CFR 948) and during the period August 18, 1975, through June 4, 1976, shall meet the minimum grade, size, quality, and maturity requirements specified in paragraphs (a) and (b) of this section.

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

Dated: August 8, 1975, to become effective August 18, 1975.

D. S. KURYLOSKI,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-21120 Filed 8-12-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 75-EA-45]

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

Alteration of Control Zone and Transition Area

On page 26685 of the FEDERAL REGISTER for June 25, 1975, the Federal Aviation Administration published a proposed rule which would alter the Hagerstown, Md., Control Zone (40 F.R. 387) and Transition Area (40 F.R. 505).

Interested parties were given 30 days after publication in which to submit written data or views. There were several objections originating from the fact that the transition area alteration would overlie Doersom Airport and Hickory Hill Farms Airport; both of Gettysburg, Pennsylvania. The amendment is altered so as to terminate the transition area 6 miles west of Charnita-Gettysburg Airport, which essentially vitiates the basis of the foregoing objections.

A further objection was received from The Soaring Center which sponsors sailplane operations in the subject area. The objection points out the hazard of aircraft operating IFR to Hagerstown Regional Airport and possible conflictions with sailplanes. It is opined that the area of operations would be within designated controlled airspace requiring basic VFR weather for sailplane operation which would preclude an IFR confliction.

Since the changes to the NPRM are less restrictive, further notice and public procedure are unnecessary.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 g.m.t. October 9, 1975, as follows:

Amend Section 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the Hagerstown, Md. Control Zone and by substituting the following in lieu thereof:

Within a 5-mile radius of the center, 39°-42'27" N., 77°43'50" W., of Hagerstown Regional Airport, Hagerstown, Md.; within 3 miles each side of the Hagerstown, Md. VOR 239° radial and 059° radial, extending from 8.5 miles southwest of the VOR to 2 miles northeast of the VOR; within 3 miles each side of the Hagerstown, Md. VOR 084° radial, extending from the 5-mile radius zone to the VOR; within 4.5 miles each side of the Hagerstown Regional Airport ILS Runway 27 localizer course, extending from the localizer to 13.5 miles east of the localizer. This control zone is effective from 0600 to 2230 hours, local time, daily.

Amend Section 71.181 of Part 71 of the Federal Aviation Regulations by deleting the description of the Hagerstown, Md. Transition Area and by substituting the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, 39°42'27" N., 77°43'50" W., of Hagerstown Regional Airport, Hagerstown, Md.; within 3.5 miles each side of the Hagerstown, Md. VOR 239° radial and 059° radial, extending from 11 miles southwest of the VOR to 3 miles northeast of the VOR; within 5 miles each side of the Hagerstown Regional Airport ILS Runway 27 localizer course, extending from the localizer to 14.5 miles east of the localizer.

(Sec. 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on August 5, 1975.

L. J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.75-21081 Filed 8-12-75;8:45 am]

Title 15—Commerce and Foreign Trade

SUBTITLE A—OFFICE OF THE SECRETARY OF COMMERCE

PART 9—PROCEDURES FOR A VOLUNTARY LABELING PROGRAM FOR HOUSEHOLD APPLIANCES AND EQUIPMENT TO EFFECT ENERGY CONSERVATION

Definition of "Manufacturer" and List of Appliances

By notice issued in the FEDERAL REGISTER February 19, 1975 (40 FR 7099), the Department of Commerce announced its intention to amend Part 9 of Title 15, Code of Federal Regulations, providing Procedures for a Voluntary Labeling Program for Household Appliances and Equipment to Effect Energy Conservation.

Two amendments were proposed. The first proposed amendment would revise the definition of the term "manufacturer" to clarify the intention of the Department to include private brand labelers within that term. The second proposed amendment would revise the list of appliances and equipment covered by the Program to include television receivers.

Interested persons were afforded until March 21, 1975, to submit to the Assistant Secretary for Science and Technology written comments or suggestions relative to the proposed amendments. Only one letter of comment was received, and it is available for public inspection at the Department's Central Reference and Records Inspection Facility, Room 7068, Main Commerce Building, 14th Street between Constitution Avenue and E Street N.W., Washington, D.C. 20230. The letter of comment discussed the impracticality of attempting to measure the efficiency of television receivers because of the difficulty of assigning quantitative values to their output (picture and sound) in an objective manner. The letter suggested that television receivers should be in the Program, but should be rated in terms of energy consumption rather than efficiency in the engineering sense. These suggestions are in complete agreement with the present intentions of the Department of Commerce with regard to the labeling of television receivers, so the letter of comment is not considered in opposition to the issuance of the proposed amendments.

In consideration of the foregoing, Part 9 of Title 15, Code of Federal Regulations, is hereby amended as follows:

1. By revising paragraph (b) of § 9.2 to read as follows:

§ 9.2 Definitions.

* * * * *

(b) The term "manufacturer" means any person engaged in the manufacturing or assembling of new appliances or equipment in the United States, or in the importing of such products for sale or resale, or any person whose brand or trademark appears on such products who owns such brand or trademark and has authorized its use on such products, if the brand or trademark of the person actually manufacturing or assembling the products does not appear on the products.

* * * * *

2. By revising the first sentence of § 9.3 to read as follows:

§ 9.3 Appliances and equipment included in program.

The appliances and equipment included in this program are room and central air conditioners, household refrigerators, home freezers, clothes washers, dishwashers, clothes dryers, kitchen ranges and ovens, water heaters, comfort heating equipment, and television receivers.

* * * * *

Effective Date—These amendments shall become effective September 12, 1975.

(Sec. 2, 31 Stat. 1449, as amended, sec. 1, 64 Stat. 371; 15 U.S.C. 272, Reorganization Plan No. 3 of 1946, Part VI; Message From the President of the United States Concerning Energy Resources, April 18, 1973 (119 Cong. Rec. H2886); 15 CFR Part 9)

Issued: August 6, 1975.

BETSY ANCKER-JOHNSON,
Assistant Secretary for Science and Technology.

[FR Doc.75-21077 Filed 8-12-75;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

PROCEDURES AND RULES OF PRACTICE

Trade Regulation Rulemaking Authority

The Commission announces the following rules, which are effective August 13, 1975, to implement further its trade regulation rulemaking authority pursuant to Public Law 93-637. Sections 1.11 and 1.13, which were promulgated on April 4, 1975 (40 FR 15232) are amended by these rules. Sections 1.12 through 1.20, which were proposed by the Commission on April 4, 1975 (40 FR 15237-15239) are promulgated with certain changes. Sections 3.2, 3.13(a), 3.21 (a)(5) and 4.9(b)(5) are amended to correct cross-references to new and renumbered rules.

PART 1—GENERAL PROCEDURES

1. Subpart B (§ 1.11 through § 1.20) is revised to read as follows:

Subpart B—Rules and Rulemaking Under Section 18(a)(1)(B) of the FTC Act As Amended by Public Law 93-637

Sec.
1.11 Initial notice.
1.12 Final notice.
1.13 Rulemaking proceeding.
1.14 Promulgation.
1.17 Compensation for representation in rulemaking proceedings.
1.18 Public availability of rulemaking record.
1.19 Modification of a rule by the Commission at the time of judicial review.
1.20 Expeditious procedure.

AUTHORITY: (Sec. 6, 38 Stat. 721 (15 U.S.C. 46); sec. 18(a)(1)(B), 88 Stat. 2193 (15 U.S.C. 57a); sec. 552, 80 Stat. 378 (5 U.S.C. 552))

Subpart B—Rules and Rulemaking Under Section 18(a)(1)(B) of the FTC Act As Amended by Public Law 93-637

§ 1.11 Initial notice.

A trade regulation rule proceeding shall commence with an initial notice of proposed rulemaking. Such notice shall be published in the FEDERAL REGISTER and, to the extent practicable, otherwise made available to interested persons. The initial notice shall include: (a) the terms or substance of the proposed rule or a description of the subjects and issues involved; (b) reference to the legal authority under which the rule is proposed; (c) a statement describing with particularity the reason for the rule; (d) an invitation to all interested persons to propose issues which meet the criteria of § 1.13(d)(1)(i) for consideration in accordance with §§ 1.13(d)(5) and (d)(6); and (e) an invitation to all interested persons to comment on the proposed rule.

§ 1.12 **Final notice.**

A final notice of proposed rulemaking shall be published in the FEDERAL REGISTER, and to the extent practicable, otherwise made available to interested persons. The final notice shall include: (a) designated issues, unless there are none, which are to be considered in accordance with §§ 1.13(d)(5) and (d)(6); (b) the time and place of an informal hearing; (c) instructions to interested persons seeking to make oral presentations; (d) a requirement that interested persons who desire to avail themselves of the procedures of §§ 1.13(d)(5) and (d)(6) with respect to any issue designated in (a) above must identify their interests with respect to those issues in such manner as may be established by the presiding officer; and (e) an incorporation by reference of the contents of the initial notice.

§ 1.13 **Rulemaking proceeding.**

(a) *Written comments.* After commencement of a trade regulation rule proceeding, the Commission shall accept written submissions of data, views, and arguments on all issues of fact, law, and policy. Written comments other than under subsection (b) of this section shall be accepted until forty-five (45) days before commencement of the informal hearing.

(b) *Comments proposing issues subject to the procedures of §§ 1.13 (d)(5) and (d)(6).* Written comments which propose issues for consideration in accordance with §§ 1.13 (d)(5) and (d)(6) shall be accepted for a period of sixty (60) days after publication of the initial notice, or such other period as the Commission may establish in the initial notice.

(c) *Presiding officer.* Upon commencement of a proposed trade regulation rule proceeding, a presiding officer shall be appointed by the Special Assistant Director for Rulemaking, Bureau of Consumer Protection or, when the Commission or one or more of its members serves as presiding officer, by the Commission.

(1) *Powers of the presiding officer.* The presiding officer shall be responsible for the orderly conduct of the rulemaking proceeding. He shall have all powers necessary to that end including the following: (i) to publish a final notice in accordance with § 1.12 or issue any other public notice that may be necessary for the orderly conduct of the rulemaking proceeding; (ii) to designate or modify, issues for consideration in accordance with §§ 1.13 (d)(5) and (d)(6); (iii) to set the time and place of the informal hearing and to change any time periods prescribed in this subpart; (iv) to prescribe rules or issue rulings to avoid unnecessary costs or delay. Such rules or rulings may include, but are not limited to, the imposition of reasonable time limits on each person's oral presentation; and requirements that any examination; including cross-examination, which a person may be entitled to conduct or have conducted be conducted by the presiding officer on behalf of that person in such a manner as the presiding officer determines to be appropriate and to be required for a full and true disclosure with respect to any issue designated for consideration in accordance with §§ 1.13 (d)(5) and (d)(6); (v) to make rules and rulings limiting the representation of interested persons for the purpose of examination, including cross-examination, and governing the manner in which such examination is limited, including the selection of a representative from among a group of persons with the same or similar interests; (vi) to compel the attendance of persons or the production of documents or to obtain responses to written questions; (vii) to require that oral presentations at the informal hearing or responses to written questions be under oath, (viii) to require that oral presentations at the informal hearing be submitted in writing in advance of presentation; and (ix) to certify questions to the Commission for its determination.

(2) *Review of rulings by the presiding officer.*—(i) *Review after certification by the presiding officer.*—Except as otherwise provided in subsection (ii), applications for review of a ruling will not be entertained by the Commission prior to its review of the record pursuant to § 1.14, unless the presiding officer certifies in writing to the Commission that a ruling involves a controlling question of law or policy as to which there is substantial ground for difference of opinion and that an immediate review of the ruling may materially advance the ultimate termination of the proceeding or subsequent review will be an inadequate remedy. Within five (5) days after a ruling by the presiding officer, any interested person may petition to presiding officer for certification of that ruling to the Commission. Certification of a ruling shall not stay the rulemaking proceeding unless the presiding officer or the Commission shall so order. Within five (5) days after the presiding officer's certification of a question to the Commission for its determination any interested person may file an application for review, not to exceed fifteen (15) pages. Submissions by other interested persons, not to exceed fifteen (15) pages may be made within ten (10) days of the presiding officer's certification. All such filings shall be a part of the rulemaking record. The Commission may thereupon, in its discretion, permit the appeal. Commission review, if permitted, will be based on the application for review and any additional submissions, without oral argument or further briefs, unless otherwise ordered by the Commission.

(ii) *Review without certification by the presiding officer.*—Within ten (10) days after publication of the final notice, any interested person may petiiton the Commission for addition, modification or deletion of a designated issue, accompanied by a filing not to exceed fifteen (15) pages. Additional submissions on the issue by other interested persons, not to exceed fifteen (15) pages may be made within twenty (20) days of the publication of the final notice. The Commission may thereupon, in its discretion, permit the appeal. Commission review, if permitted, will be based on the petition and any additional submissions, without oral argument or further briefs, unless otherwise ordered by the Commission. A petition hereunder shall not stay the rulemaking proceeding unless the presiding officer or the Commission shall so order. All petitions filed under this subsection shall be a part of the rulemaking record. Notice of the filing of any such petition may be obtained from the Office of the Secretary of the Commission. In the event any designated issue is added or substantially modified by the Commission, interested persons shall be given a further opportunity to identify their interests with respect to those issues.

(d) *Informal hearings.* An informal hearing with the opportunity for oral presentations on all issues shall be conducted by the presiding officer. In addition, if an issue is designated pursuant to these rules for consideration in accordance with §§ 1.13(d) (5) and (6), the informal hearing on such issues shall be conducted in accordance with those subsections. For all other issues the presiding officer may in his discretion employ, in whole or in part, the procedures of those subsections.

(1) *Nature of issues for consideration in accordance with §§ 1.13 (d)(5) and (d)(6).*—(i) *Issues that must be considered in accordance with §§ 1.13(d)(5) and (d)(6).* The only issues that must be designated for consideration in accordance with subsections (d)(5) and (d)(6) of this section are disputed issues of fact, that are determined by the Commission or the presiding officer to be material and necessary to resolve.

(ii) *Issues that may be considered in accordance with §§ 1.13 (d)(5) and (d)(6).* The Commission and the presiding officer retain the power to designate any other issues for consideration in accordance with subsections (d)(5) and (d)(6) of this section.

(2) *Addition or Modification of issues for consideration in accordance with §§ 1.31 (d)(5) and (d)(6).* The presiding officer may at any time on his own motion or pursuant to a written petition by interested persons, add or modify any issues designated pursuant to § 1.12(a). No such petition shall be considered unless good cause is shown why any such proposed issue was not proposed pursuant to § 1.13(b).

(3) *Identification of interests.* Not later than twenty (20) days after publication of the final notice each interested person who desires to avail himself of the procedures of subsections (d)(5) and (d)(6) of this section shall notify the presiding officer in writing of his particular interest with respect to each issue designated for consideration in accordance with those subsections. In the event that new issues are designated, each interested person shall promptly notify the presiding officer of his particular interest with respect to each such issue.

(4) *Examination and cross-examination by the presiding officer.* The presid-

ing officer may conduct any examination, including cross-examination, to which a person may be entitled. For that purpose he may require submission of written requests for presentation of questions to any person making oral presentations and shall determine whether to ask such questions or any other questions. All requests for presentation of questions shall be placed in the rulemaking record.

(5) *Examination, cross-examination, and the presentation of rebuttal submissions by interested persons*—(i) *In general.* The presiding officer shall conduct or allow to be conducted examination, including cross-examination of oral presentations and the presentation of rebuttal submissions relevant to the issues designated for consideration in accordance with subsections (d)(5) and (d)(6) of this section. Examination, including, cross-examination, and the presentation of rebuttal submissions, shall be allowed to the extent to which it is appropriate and is required for a full and true disclosure with respect to those issues.

Requests for an opportunity to examine, including cross-examine, or to present rebuttal submissions, shall be accompanied by a specific justification therefor. In determining whether or not to grant such requests, the presence of the following circumstances indicate that such requests should be granted:

(A) An issue for examination including cross-examination, or the presentation of rebuttal submissions, is an issue of specific, in contrast to legislative fact.

(B) A full and true disclosure with respect to the issue can only be achieved through examination including cross-examination rather than through rebuttal submissions or the presentation of additional oral submissions.

(C) Circumstantial guarantees of the trustworthiness of a presentation do not exist.

(D) The particular presentation is required for the resolution of a designated issue.

(ii) *Selection of representatives for cross-examination.* After consideration of the information supplied in response to the final notice, the presiding officer shall identify groups of persons with the same or similar interests in the proceeding. Such groups may be required to select a single representative for the purpose of examination, including cross-examination. If a group is unable to select a representative then the presiding officer may select a representative of each such group.

(iii) *Inability to select representative for examination, including cross-examination.* No person shall be denied the opportunity to conduct or have conducted, examination, including cross-examination, under subsection (d)(5)(i) of this section if he is a member of a group as described in subsection (d)(5)(ii) of this section and is unable to agree upon group representation with other group members after a good faith effort to do so and seeks to present substantial and relevant issues which will not be adequately presented by the group representative. In that event he shall be allowed to conduct or have conducted any examination, including cross-examination, to which he is entitled on issues designated for consideration in accordance with subsections (d)(5) and (d)(6) of this section and which affect his particular interest.

(6) *Requests to compel the attendance of persons or the production of documents or to obtain responses to written questions.* During the course of the rulemaking proceeding the presiding officer shall entertain requests from interested persons to compel the attendance of persons or the production of documents or to obtain responses to written questions on behalf of the Commissions' staff or any interested person. The presiding officer may require the payment of a fee to any person to whom such requests are directed in accordance with § 4.5 of this Chapter. Requests to compel the attendance of persons or the production of documents or to obtain responses to written questions shall contain a statement showing the general relevancy of the material, information or presentation, and the reasonableness of the scope of the request, together with a showing that such material, information or presentation is not available by voluntary methods and cannot be obtained through examination, including cross-examination, of oral presentations or the presentation of rebuttal submissions, and is appropriate and required for a full and true disclosure with respect to the issues designated for consideration in accordance with subsections (d)(5) and (d)(6) of this section. The Commission may, on its own motion, review a determination of the presiding officer under this subsection which requires the production of confidential Commission records or the appearance of an official or employee of the Commission or another government agency.

(e) *Written transcript.* A verbatim transcript shall be made of the informal hearing which transcript shall be placed in the rulemaking record.

(f) *Summary and findings.* After the close of the informal hearing, the presiding officer shall prepare a summary of the record, both written and oral, relating to the issues designated for consideration in accordance with subsections (d)(5) and (d)(6) of this section and make initial factual findings and conclusions as to these issues and other findings and conclusions as he sees fit.

(g) *Staff recommendations.* The staff shall make recommendations to the Commission in a report based on the rulemaking record and taking into account the presiding officer's findings of fact. Such report shall contain its analysis of the record and its recommendations as to the form of the final rule.

(h) *Post record comment.* The findings and conclusions of the presiding officer as well as the staff report shall be the subject of public comment for a period of sixty (60) days after the staff recommendations are placed in the rulemaking record. Such comments shall be confined to information already in the record and may include requests for review by the Commission of determinations made by the presiding officer.

§ 1.14 Promulgation.

(a) The Commission shall review the rulemaking record including the summary, findings, and conclusions of the presiding officer as to the issues designated for consideration in accordance with §§ 1.13 (d)(5) and (d)(6), the verbatim transcript of the informal hearing, the report and recommendations of the staff and any public comments thereon, to determine what form of rule, if any, it should promulgate. The Commission may issue, modify, or decline to issue any rule. Where it believes that it should have further information or additional views of interested persons as to the form and content of the rule, it may withhold final action pending the receipt of such additional information or views. If it determines to issue a rule, it shall adopt a Statement of Basis and Purpose to accompany the rule. If it determines not to issue a rule, it may adopt and publish an explanation for not doing so. The Statement of Basis and Purpose to accompany a rule promulgated under this subpart shall include (1) a statement as to the prevalence of the acts or practices treated by the rule, (2) a statement as to the manner and context in which such acts or practices are unfair or deceptive, and (3) a statement as to the economic effect of the rule, taking into account the effect on small businesses and consumers.

(b) In the event the Commission determines, upon its review of the rulemaking record, to propose a revised rule for further proceedings in accordance with this subpart, such proceedings, including the opportunity of interested persons to avail themselves of the procedures of §§ 1.13 (d)(5) and (d)(6), shall be limited to those portions of the revised rule, the subjects and issues of which were not substantially the subject of comment in response to a previous notice of proposed rulemaking.

(c) The final rule and Statement of Basis and Purpose shall be published in the FEDERAL REGISTER not less than thirty (30) days prior to the effective date of the rule except where the Commission for good cause found and published with the rule sets an earlier effective date.

§ 1.17 Compensation for representation in rulemaking proceedings.

(a) *Purpose of compensation.* The Commission may provide compensation for reasonable attorneys fees, expert witness fees and other costs of participation, including costs necessary for the preparation of oral or written presentations, to any person who has or represents an interest which would not otherwise be adequately represented in a rulemaking proceeding, and representation of which is necessary for a fair determination of the rulemaking proceeding taken as a whole, and who is unable effectively to participate in such proceeding because such person cannot afford to pay costs of making oral presentations, conducting cross-examination, and making rebuttal submissions in such proceeding.

(b) *Level of funding.* At or after the time of the initial notice of proposed rulemaking, the Commission may announce a tentative total level of funding for compensation for participation in that proceeding.

(c) *Applications.* An application for compensation for participation in a rulemaking proceeding may be filed at any time after the publication of the initial notice of proposed rulemaking. An application for compensation shall be filed prior to the time when the costs for which compensation is sought are incurred. Such application shall contain the following:

(1) A description of the interest the applicant has or represents in the rulemaking proceeding;

(2) A statement of the reasons representation of such interest is necessary for a fair determination of the proceeding taken as a whole;

(3) Insofar as possible, the reasons why such interest would not otherwise be adequately represented in the proceeding;

(4) A statement of the reasons the applicant is unable effectively to participate in the rulemaking proceeding without financial assistance including information relating to:

(i) The economic stake of the interest involved as compared with the costs of participation;

(ii) The feasibility of contributions to the costs of participation by individual representatives of the interest;

(iii) The resources of the applicant, or of the interest represented by the applicant;

(5) Insofar as possible, a specific statement of the expenses to be incurred for which compensation is sought, including an estimate of the total anticipated expenses; and

(6) A statement of the applicant's organizational and financial status in such form as the Commission may prescribe.

(d) *Determination of applications*—(1) *By the presiding officer.* The presiding officer shall consider applications for compensation filed under this section and forward initial findings to the Director of the Bureau of Consumer Protection as to whether the applicant meets the criteria of paragraph (a) of this section. In determining whether the representation of an interest is necessary for a fair determination of the proceeding taken as a whole, the presiding officer shall consider, among other factors, the number and complexity of the issues involved and the importance of a fair, balanced representation of all interests. In determining whether an applicant can afford to pay the costs of participation, the presiding officer shall consider, among other factors, the size of the economic stake of the interest involved as compared with the costs of participation; the resources of the applicant; and the feasibility of obtaining contributions from other parties who share the applicant's interest. In connection with his determination the presiding officer may conduct such inquiry of the applicant or require the production of such documents as he deems necessary.

(2) *By the Director of the Bureau of Consumer Protection.* The Director of the Bureau of Consumer Protection shall review applications and the initial findings of the presiding officer and determine, in his discretion, to what extent compensation shall be authorized under this section.

(e) *Payment of compensation*—(1) *In general.* The Commission will compensate the applicant only for those authorized expenses actually incurred. Appropriate proof of actual expenditures may be required by the Commission. The Commission may make any payments under this section in advance where necessary to permit effective participation in the rulemaking proceeding. Payment will be conditioned upon the execution by the applicant of an appropriate agreement setting forth the terms and conditions of the compensation.

(2) *Attorneys' fees; expert witness fees.* Attorneys' fees at a rate in excess of $50 per hour will be considered presumptively unreasonable and compensation will not be provided for such excess in the absence of special justification. Experts and consultants will be compensated at a rate not to exceed the highest rate at which experts and consultants to the Commission are compensated.

§ 1.18 Public availability of rulemaking record.

(a) *Rulemaking record.* For the purposes of these rules the term "rulemaking record" includes the rule, its Statement of Basis and Purpose, the verbatim transcript of the informal hearing, written submissions, the summary and findings of the presiding officer and the staff recommendations as well as any public comment thereon, and any other information which the Commission considers relevant to the rule.

(b) *Public availability of written submissions.* Written submissions commenting on the proposed rule as well as the verbatim transcript of the informal hearing, shall be made publicly available except when the presiding officer, for good cause shown, determines that it is in the public interest to allow any such submissions to be received *in camera* subject to the provisions of § 4.11 of this Chapter.

§ 1.19 Modification of a rule by the Commission at the time of judicial review.

In the event that a reviewing court determines under section 18(e)(2) of the Federal Trade Commission Act, as amended by Public Law 93-637, to allow further submissions and presentations on the rule, the Commission may modify or set aside its rule or make a new rule by reason of the additional submissions and presentations. Such modified or new rule shall then be filed with the court together with an appropriate Statement of Basis and Purpose and the return of such submissions and presentations.

§ 1.20 Expeditious procedure.

Any or all of the procedures established in this subpart may be dispensed with by the Commission, to the extent that they are not otherwise required by law, when it finds, for good cause, that such procedures are impractical, unnecessary, or contrary to the public interest. In that case the Commission shall publish with the rule or amendment a brief statement of its reasons for dispensing with any such procedures.

PART 3—RULES OF PRACTICE FOR ADJUDICATIVE PROCEEDINGS

2. Sections 3.2, 3.13, and 3.21(a)(5) are revised to read as follows:

§ 3.2 Nature of adjudicative proceedings.

Adjudicative proceedings are those formal proceedings conducted under one or more of the statutes administered by the Commission which are required by statute to be determined on the record after opportunity for an agency hearing. The term includes hearings upon objections to orders relating to the promulgation, amendment, or repeal of rules under sections 4, 5 and 6 of the Fair Packaging and Labeling Act. It does not include other proceedings such as negotiations for the entry of consent orders; investigational hearings as distinguished from proceedings after the issuance of a complaint; hearings for the purpose of inquiring into the manner and extent of compliance with outstanding orders; proceedings for the promulgation of industry guides or trade regulation rules; proceedings for fixing quantity limits under section 2(a) of the Clayton Act; investigations under section 5 of the Export Trade Act; rulemaking proceedings under the Fair Packaging and Labelling Act up to the time when the Commission determines under § 1.26(g) of this chapter that objections sufficient to warrant the holding of a public hearing have been filed; or the promulgation of substantive rules and regulations, determinations of classes of products exempted from statutory requirements, the establishment of name guides, or inspections and industry counseling, under sections 4(d) and 6(a) of the Wool Products Labeling Act of 1939, sections 7, 8(b), and 8(c) of the Fur Products Labeling Act, and sections 7(c), 7(d), and 12(b) of the Textile Fiber Products Identification Act.

§ 3.13 Adjudicative hearing on issues arising in rulemaking proceedings under the Fair Packaging and Labeling Act.

(a) *Notice of hearing.* When the Commission, acting under § 1.26(g) of this chapter, determines that objections which have been filed are sufficient to warrant the holding of an adjudicative hearing in rulemaking proceedings under the Fair Packaging and Labeling Act, or when the Commission otherwise determines that the holding of such a hearing would be in the public interest, a hearing will be held before an Administrative Law Judge for the purpose of receiving evidence relevant and material to the issues raised by such objections or other issues specified by the Commission. In such case the Commission will pub-

lish a notice in the FEDERAL REGISTER containing a statement of:

(1) The provisions of the rule or order to which objections have been filed;

(2) The issues raised by the objections or the issues on which the Commission wishes to receive evidence;

(3) The time and place for hearing, the time to be at least thirty (30) days after publication of the notice; and

(4) The time within which, and the conditions under which, any person who petitioned for issuance, amendment, or repeal of the rule or order, or any person who filed objections sufficient to warrant the holding of the hearing, or any other interested person, may file notice of intention to participate in the proceeding.

§ 3.21 Prehearing conferences.

* * * * *

(a) * * *

(5) Matters of which official notice will be taken and matters which may be resolved by reliance upon trade regulation and other rules pursuant to §§ 1.8, 1.22 (c) of this chapter; and

* * * * *

PART 4—MISCELLANEOUS RULES

3. Section 4.9(b)(5) is revised to read as follows:

§ 4.9 Public records.

* * * * *

(b) * * *

(5) Petitions filed with the Secretary of the Commission for the promulgation or issuance, amendment, or repeal of industry guides and of rules or regulations within the scope of §§ 1.7 and 1.21 of this chapter, including petitions for exemptions, or for any other Commission action disclosure of which would not be inconsistent with the general policy established by § 2.2(d) of this chapter;

* * * * *

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46); sec. 18(a)(1)(B), 88 Stat. 2193 (15 U.S.C. 57a); sec. 552, 80 Stat. 378 (5 U.S.C. 552))

Issued by direction of the Commission dated July 29, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-21208 Filed 8-12-75;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-8878, File No. S7-562]

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1974

Variable Annuities; Adoption of Exemptive Rule

On April 30, 1975, the Securities and Exchange Commission published notice that it had under consideration the adoption of Rule 22d-3 [17 CFR 270.22d-3] and an amendment to Rule 0-1(e) [17 CFR 270.0-1(e)] under the Investment Company Act of 1940 [15 U.S.C. 80a-1 et seq.] ("Act") and invited all interested persons to submit their views and comments on the proposal.[1] The Commission has considered all of the comments and suggestions received and has determined to adopt Rule 22d-3 and the amendment to Rule 0-1(e) in the form set forth below. Rule 22d-3 and the amendment to Rule 0-1(e) are adopted pursuant to the authority granted to the Commission by Sections 6(c), 22(d), and 38(a) [15 U.S.C. 80a-6(c), 80a-22(d), and 80a-37(a)] of the Act.

Proposed Rule 22d-3. Section 22(d) of the Act prohibits a registered investment company, its principal underwriter, or a dealer from selling any redeemable security issued by such registered investment company to any person except at a current public offering price described in the prospectus. At the request of Congress, the Commission conducted a study of the possible consequences of the repeal of Section 22(d), at the conclusion of which it published a report, "Mutual Fund Distribution and Section 22(d) of the Investment Company Act of 1940" ("Report"), prepared by its Division of Investment Management Regulation. Based upon this study, the Commission determined not to recommend the repeal of Section 22(d). However, as suggested by the Report, the Commission, on November 4, 1974, announced a comprehensive program to propose revision of the laws and regulations affecting the distribution of shares of open-end investment companies, including mutual funds and variable annuities.[2] One of the recommendations in the Division's Report was that a rule be adopted conditionally exempting the sale of variable annuity contracts from Section 22(d) (See pages 102-3 of the Report). The Commission is hereby adopting such a rule.

The rule provides an exemption from Section 22(d) to permit variations of the sales load and certain other deductions from purchase payments for variable annuities, based upon differences in costs or services, and subject to the conditions set forth in the rule. The Commission believes that Section 22(d) has little relevance to the marketing of variable annuities because: (1) the uniform offering price requirement is unnecessary because variable annuity contracts are typically sold through employees of the sponsoring insurance company, and (2) it is unlikely that a secondary dealer market in variable annuity contracts would develop since such contracts are generally not assignable, and, even if they were, they do not lend themselves to public trading since they are based upon the continuing life of a particular individual. Nevertheless, the rule permits retail price competition in the sale of variable annuity contracts to the extent that such competition is not prohibited by state law. The Commission also expects that adoption of the rule will obviate the need for filing applications for certain types of exemptions from Section 22(d) which have been granted to numerous issuers of variable annuity contracts.[3]

Minor changes have been made in the rule since it was proposed which are intended to clarify its scope and to state more precisely the required basis for variations in sales loads or other deductions from purchase payments. The Commission has also modified the disclosure requirement of the rule to permit a separate account to disclose either the precise circumstances and amount of any variations which shall be available or the general basis for variations and the procedure which the company will employ to determine entitlement.

An additional revision was made to emphasize that variations in any deductions from purchase payments need not precisely equal variations in costs. In this regard, while the rule provides that variations in sales loads or in any administrative charge or other deduction from the purchase payments must be based upon differences in costs or services which might arise, for example, as a result of size, a prior or existing relationship with the prospective purchaser, or the prospective purchaser's performance of certain functions which the insurance company would otherwise be required to perform, such variations need not be precise or exact in their reflection of cost savings. Of course, variations in charges must not be unfairly discriminatory against any person.

COMMISSION ACTION

1. Rule 22d-3 is adopted as follows:

§ 270.22d-3 Exemption from section 22(d) for certain registered separate accounts.

A registered separate account, any principal underwriter for such account, any dealer in contracts or units of interest or participations in such contracts issued by such account and any insurance company maintaining such account shall, with respect to any variable annuity contracts, units, or participations therein issued by such account, be exempted from Section 22(d) to the extent necessary to permit the sale of such contracts, units or participations by such persons at prices which reflect variations in the sales load or in any administrative charge or other deductions from the purchase payments; *Provided, however,* that (a) the prospectus discloses as precisely as possible the amount of the variations and the circumstances, if any, in which such variations shall be available or describes the basis for such variations and the manner in which entitlement shall be determined, and (b) any such variations reflect differences in costs or services and are not unfairly discriminatory against any person.

2. Rule 0-1(e) is hereby amended to read as follows:

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[1] Investment Company Act, Rel. No. 8775 (April 30, 1975) (40 FR 20315).

[2] Investment Company Act Rel. No. 8570, November 4, 1974.

[3] See, for example, Investment Company Act Rel. No. 6261 (November 30, 1970) (35 FR 18566).

The introductory text of paragraph (e) and paragraph (e)(2) of 17 CFR 270.0–1 is revised as follows.

§ 270.0–1 Definition of terms used in this part.

* * * * *

(e) Definition of separate account and conditions for availability of exemptions under §§ 270.14a–2, 270.15a–3, 270.16a–1, 270.22d–3, 270.22e–1, 270.27a–1, 270.27a–2, 270.27a–3, 270.27c–1, and 270.32a–2 of this chapter.

* * * * *

(2) As conditions to the availability of exemptions under §§ 270.14a–2, 270.15a–3, 270.16a–1, 270.22d–3, 270.22e–1, 270.27a–1, 270.27a–2, 270.27a–3, 270.27c–1, and 270.32a–2 of this chapter, the separate account shall be legally segregated, the assets of the separate account shall, at the time during the year that adjustments in the reserves are made, have a value at least equal to the reserves and other contract liabilities with respect to such account, and, at all other times, shall have a value approximately equal to or in excess of such reserves and liabilities; and that portion of such assets having a value equal to, or approximately equal to, such reserves and contract liabilities shall not be chargeable with liabilities arising out of any other business which the insurance company may conduct.

The foregoing shall become effective on August 15, 1975. Required publication of these rules 30 days prior to their effective date under Section 553 of the Administrative Procedures Act is unnecessary because taken together they provide for a substantive change which grants an exemption or relieves a restriction.

By the Commission.

SHIRLEY E. HOLLIS,
Assistant Secretary.

AUGUST 7, 1975.

[FR Doc.75-21141 Filed 8-12-75;8:45 am]

Title 21—Food and Drugs

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

DRUGS FOR HUMAN USE

Containers for Collection or Processing of Blood and Blood Components

The Commissioner of Food and Drugs is amending certain food and drug regulations to reflect the reestablishment of administrative responsibility within the Food and Drug Administration for approval of containers, with and without ingredients such as anticoagulant solutions, intended for blood collection or for use in the processing of blood and blood components; effective August 13, 1975.

The Commissioner has conducted a review concerning the administrative efficiency of the present procedures for approval of the following:

A. CONTAINERS WITH ANTICOAGULANT SOLUTIONS INTENDED FOR BLOOD COLLECTION

When component ingredients, such as anticoagulant solutions, are packaged in containers intended for blood collection, the ingredients together with the container are a new drug which is subject to premarketing clearance pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355). Pursuant to § 312.1 *Conditions for exemption of new drugs for investigational use* (21 CFR 312.1), investigation of these products requires that a Notice of Claimed Investigational Exemption for a New Drug be accepted by the Bureau of Drugs, Food and Drug Administration. Similarly, pursuant to § 314.1 *Applications* (21 CFR 314.1), marketing these products in interstate commerce requires the approval of a new drug application by the Bureau of Drugs, Food and Drug Administration.

In addition, blood is a biological product subject to section 351 of the Public Health Service Act (42 U.S.C. 262). As a requisite for approval of a license application for the shipment of blood in interstate commerce, manufacturers must demonstrate to the Bureau of Biologics that blood prepared in these subject containers is not adversely affected by the container or the anticoagulant solution.

The Commissioner finds that the present procedure requiring that data concerning the safe use of blood collection containers with anticoagulant solutions or other ingredients be submitted, for independent review and approval, to both the Bureau of Drugs and the Bureau of Biologics is administratively inefficient. To avoid duplication, the Commissioner has determined that approval of such blood collection containers shall be the sole responsibility of the Bureau of Biologics. Therefore, the Commissioner concludes that paragraph (g) of § 312.1 and paragraph (a) of § 314.1 should be amended to require that data to support the proposed use of these products be submitted to the Bureau of Biologics, rather than to the Bureau of Drugs.

B. EMPTY CONTAINERS INTENDED FOR USE IN THE COLLECTION AND PROCESSING OF BLOOD AND BLOOD COMPONENTS

Blood collection containers marketed without ingredients, including containers intended for use in the processing of blood and blood components, are medical devices subject to the Federal Food, Drug, and Cosmetic Act. The Bureau of Biologics currently reviews license applications for blood and blood products processed in such containers to be assured that the container material does not interact with the contents under the customary conditions of storage and use in such a manner as to have an adverse effect upon the blood product.

The Commissioner has determined that the regulation of these empty containers intended for the collection of blood or the processing of blood components shall remain the responsibility of the Bureau of Biologics. Inasmuch as the food and drug regulations do not specify the Bureau responsible for approval of such containers, no amendment of the regulations is needed to implement the Commissioner's decision. Inquiries and comments concerning all such containers should be directed to the Bureau of Biologics, 8800 Rockville Pike, Bethesda, MD 20014.

C. CONTAINERS AND SOLUTIONS INTENDED FOR USE IN THE MANUFACTURE OF RED BLOOD CELLS (HUMAN) FROZEN

A Statement of General Policy or Interpretation (21 CFR 3.80), published in the FEDERAL REGISTER of August 14, 1970 (35 FR 12890), established that the Division of Biologics Standards, National Institutes of Health approve containers and solutions used for the manufacture of Red Blood Cells (Human) Frozen. Previously, this responsibility was jointly exercised by the Food and Drug Administration and the Division of Biologics Standards, National Institutes of Health. The Division of Biologics Standards was transferred from the National Institutes of Health to the Food and Drug Administration and elevated to Bureau status as the Bureau of Biologics, notice of which was published in the FEDERAL REGISTER of June 29, 1972 (37 FR 12865). Since responsibility for approval of the containers and solutions is now reestablished within the Food and Drug Administration, the Commissioner finds that 21 CFR 3.80 is no longer necessary and should be revoked. Responsibility for approval of such containers remains with the Bureau of Biologics.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052–1053 as amended (21 U.S.C. 355)) and the Public Health Service Act (sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262)), and under authority delegated to the Commissioner (21 CFR 5.1), Chapter I of Title 21 of the Code of Federal Regulations is amended as follows:

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

§ 3.80 [Revoked]

1. In Subpart A by revoking § 3.80 *Red blood cells (human)—frozen.*

PART 312—NEW DRUGS FOR INVESTIGATIONAL USE

2. In Subpart A by revising § 312.1(g) to read as follows:

§ 312.1 Conditions for exemption of new drugs for investigational use.

* * * * *

(g) A "Notice of Claimed Investigational Exemption for a New Drug" which pertains to a product subject to the licensing provisions of the Public Health Service Act of July 1, 1944 (58 Stat. 682 as amended; 42 U.S.C. 201 et seq.) or to

ingredients packaged together with containers intended for the collection, processing, or storage of blood or blood components, shall be submitted initially to the Director, Bureau of Biologics, 8800 Rockville Pike, Bethesda, MD 20014. Radioactive biological products for human use are not deemed to be subject to the licensing provisions of the Public Health Service Act (see § 310.4 of this chapter) and a "Notice of Claimed Investigation Exemption for a New Drug" which pertains to radioactive biological products shall be submitted to the Division of Oncology and Radiopharmaceutical Drug Products, Bureau of Drugs, 5600 Fishers Lane, Rockville, MD 20852. Amendments of or supplements to such notice, and progress reports, consultations, or other communications with regard to the investigation shall be directed to the same office to which the original notice was sent. A sponsor for a "Notice of Claimed Investigational Exemption for a New Drug" submitted to the Bureau of Biologics shall substitute in reading this section "Bureau of Biologics" for "Bureau of Drugs" wherever it appears.

* * * * *

PART 314—NEW DRUG APPLICATIONS

3. In Subpart A by adding to § 314.1 (a) two new sentences. As revised § 314.1(a) reads as follows:

§ 314.1 Applications.

(a) Applications to be filed under the provisions of section 505(b) of the act shall be submitted in the form described in paragraph (c) of this section and, if for human use, optionally in the form described in paragraph (d) of this section and assembled as required by paragraph (e) of this section; if the drug is intended for human use and is one for which an abbreviated new drug application has been found by the Food and Drug Administration to be sufficient, the application may be limited to the information described in paragraph (f) of this section unless otherwise specified in such finding. If any part of the application is in a foreign language, an accurate and complete English translation shall be appended to such part. Translations of literature printed in a foreign language shall be accompanied by copies of the original publication. The application must be signed by the applicant or by an authorized attorney, agent, or official. If the applicant or such authorized representative does not reside or have a place of business within the United States, the application must also furnish the name and post office address of, and must be countersigned by an authorized attorney, agent, or official residing or maintaining a place of business within the United States. An application, including subsequent amendments and supplements that pertain to ingredients packaged together with containers intended for the collection, processing or storage of blood and blood components should be submitted initially to the Director, Bureau of Biologics, 8800 Rockville Pike, Bethesda, MD 20014. Such applicant should substitute, in reading this Part 314, the unit "Bureau of Biologics" for the "Bureau of Drugs" wherever it appears.

* * * * *

Pursuant to the Administrative Procedure Act (5 U.S.C. 553 (b) and (d)), the Commissioner concludes that notice, public procedure, and delayed effective date are unnecessary for the promulgation of this order inasmuch as it does not impose a duty or burden on any person, but rather (1) provides notice of an internal administrative designation of responsibility concerning review of containers intended for the collection and processing of blood and blood products and (2) deletes an unnecessary and outdated division of function between the Food and Drug Administration and the National Institutes of Health.

Effective date. This order is effective August 13, 1975.

(Sec. 505, 52 Stat. 1052-1053 as amended (21 U.S.C. 355); sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262).)

Dated: August 6, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-21102 Filed 8-12-75;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 7364]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Intercompany Pricing Rules, Including Marginal Costing Rules, for DISC's

Correction

In FR Doc. 75-16997 appearing on page 29836 in the issue for Wednesday, July 16, 1975 the following changes should be made:

The 23rd line of § 1.994-2(a), appearing on page 29836, now reading "meaning of § 1.993-3(c)) the extent", should read "meaning of § 1.993-3(c)) the export".

In Example 1, which appears in § 1.994-2(e), page 29837, item (2) in the first table, now reading "(2) Overall profit percentage limitation (detmerined under paragraph (b)(3) of", should read "(2) Overall profit percentage limitation (determined under paragraph (b)(3) of".

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Withdrawal of the Wisconsin Plan

Notice is hereby given that the State of Wisconsin has withdrawn its approved State plan, effective June 30, 1975. Consequently, Subpart AA of Part 1952 of Title 29, Code of Federal Regulations, is revoked, as of that date.

The State, in a letter from Governor Patrick J. Lucey, dated May 14, 1975, has given notice of its intention to withdraw its approved plan effective June 30, 1975. In accordance with 29 CFR 1951.25(d), the State will also terminate its grant approved under section 23(g) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 672) (hereinafter called the Act) effective June 30, 1975.

In accordance with section 18(f) of the Act, the State may retain jurisdiction in any case commenced before June 30, 1975, the effective date of the withdrawal.

This decision does not preclude the submission of another occupational safety and health plan by Wisconsin under section 18 of the Act at some future time.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Washington, D.C. this 7th day of August 1975.

JOHN T. DUNLOP,
Secretary of Labor.

[FR Doc.75-21132 Filed 8-12-75;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 8-75-01R]

PART 127—SECURITY ZONES

Establishment of Security Zone Corpus Christi, Texas

This amendment to the Coast Guard's Security Zone Regulations, establishes the waters of Corpus Christi Harbor, Texas as a security zone. This security zone is established because of the presence of the Cuban Fishing Vessel "E 82 HB" which, having been duly seized, is in the custody of the United States of America.

This amendment is issued without publication of a notice of proposed rule making and this amendment is effective in less than 30 days from the date of publication, because this security zone involves a foreign affairs function of the United States.

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by adding § 127.801 to read as follows:

§ 127.801 Corpus Christi Harbor, Texas.

That area of the waters of Corpus Christi Harbor, Texas, within a 150 yard (radius) circle drawn from the center of the U.S. Coast Guard Depot Dock on the northern shore of Corpus Christi Harbor, Texas.

(40 Stat. 220, as amended, 6(b), 80 Stat. 937; 50 U.S.C. Art. 191, 49 U.S.C. Art. 1655(b); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR, 1949-1953 Comp. 356, 778, 873, 3 CFR 1964-1965, Comp. 349, 33 CFR Part 6, 49 CFR 1.46(b))

Effective date. This amendment becomes effective on August 4, 1975.

Dated: August 4, 1975.

JOHN E. DE CARTERET,
Commander, United States Coast Guard, Captain of the Port, Corpus Christi, Texas.

[FR Doc.75-21158 Filed 8-12-75;8:45 am]

[CGD 74-83]

PART 183—BOATS AND ASSOCIATED EQUIPMENT

Inboard Safe Loading Standard

This amendment to the safe loading standard in Subpart C, Part 183 of Title 33, Code of Federal Regulations, establishes an alternate formula for the calculation of the maximum weight capacity (W) for inboard and inboard-outdrive boats.

A notice of proposed rulemaking was published in the FEDERAL REGISTER on March 6, 1975, (40 FR 10652) proposing to delete the formula in the regulations and to establish a new formula for the maximum weight capacity for inboard and inboard-outdrive boats.

No public hearing was held; however, the notice did provide that any person who wished to present his comments orally and informally before an appropriate Coast Guard official at Coast Guard Headquarters could do so. A comment period was specified during which any interested person could submit written comments on the proposal. The written comment period ended 21 April 1975. No written or oral comments were received on the proposal.

During the comment period, however, the Coast Guard reviewed the maximum weight capacities on conventional boats which would result under the new formula. The expected reductions in capacity on these boats was discussed in the preamble to the notice of proposed rulemaking. The Coast Guard concluded that no real enhancement of safety would stem from reduction in capacity on conventional boats. Accordingly, this amendment retains the original formula and adopts as an alternative the formula contained in the notice of proposed rulemaking. Thus, a manufacturer may use whichever formula yields the most reasonable and appropriate capicity rating.

The Coast Guard will allow manufacturers, at their option, to use the alternative formula before the effective date of the amendment. Thus, a boat which bears a date of certification of August 13, 1975, or thereafter, and which displays a maximum weight capacity calculated in accordance with the alternative formula will be considered by the Coast Guard to be in compliance with the requirements of §§ 183.23 and 183.33.

In consideration of the foregoing, § 183.33(a) of Title 33, Code of Federal Regulations, is revised to read as follows:

§ 183.33 Maximum weight capacity: Inboard and inboard-outdrive boats.

(a) The maximum weight capacity (W) marked on a boat that has one or more inboard or inboard-outdrive units for propulsion must not exceed the greater value of W obtained from either of the following formulas:

$$W = \frac{(\text{maximum displacement})}{5} - \frac{\text{boat weight} - 4\,(\text{machinery weight})}{5}$$

OR

$$W = \frac{(\text{maximum displacement} - \text{boat weight})}{7}$$

* * * * *

(Sec. 5, 85 Stat. 215 (46 U.S.C. 1456))

Effective date. This amendment takes effect on February 9, 1976.

NOTE: Affected persons may voluntarily comply with this amendment prior to February 9, 1976.

Dated: August 5, 1975.

O. W. SILER,
Admiral, U.S. Coast Guard,
Commandant.

[FR Doc.75-21160 Filed 8-12-75;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 414-8]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Maintenance of National Ambient Air Quality Standards; Corrections

In the FEDERAL REGISTER of Monday, June 2, 1975, the following changes should be made on page 23754, under "Subpart W—Massachusetts", action number 9.

1. Under the Springfield Air Quality Maintenance Area, geographical composition of area, the area under Worcester County should be "the town of Warren," instead of "the city of Warren."

2. Under the Worcester Air Quality Maintenance Area, geographical composition of area, in Worcester County, the last area should be "Westborough," instead of "Westboro."

Dated: August 8, 1975.

ROGER STRELOW,
Assistant Administrator for
Air and Waste Management.

[FR Doc.75-21211 Filed 8-12-75;8:45 am]

[FRL 412-6]

PART 85—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES

PART 86—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES: CERTIFICATION AND TEST PROCEDURES

Technical Amendment

The need for a technical amendment has been identified. The amendment is set forth in this publication and is described in the table below.

The Agency finds that good cause exists for omitting as unnecessary a notice of proposed rulemaking, public rulemaking procedure, and postponement of effective date in the issuance of this amendment, in that (1) the change does not in any way invalidate the test procedures currently used by the manufacturers as prescribed by regulation for the 1975 and 1976 model years and (2) the change places no additional burden on the regulated industry.

EXPLANATION OF TECHNICAL AMENDMENT CHANGE

Section. 1. 86.177-6(a)(2), 86.777-6(b), 85.075-10(b), 85.275-10(b), 85.774-10(b).

Change. Remove language specifying the minimum required lead and phosphorus content in unleaded fuels used for mileage accumulation.

Reason. Minimum amounts of lead and phosphorus were originally specified for unleaded fuel used for mileage accumulation to assure that such fuel would be representative of unleaded fuels expected to be commercially available. Now that unleaded gasoline is generally available, it is unnecessary to specify minimum amounts of lead and phosphorus for that purpose.

Part 85 of Chapter I, Title 40, of the Code of Federal Regulations as applicable to 1975 and 1976 model years and Part 86 of Chapter I, Title 40, of the Code of Federal Regulations as applicable beginning with the 1977 model year are amended as follows, effective on August 13, 1975. These amendments are issued under the authority of sections 202, 206 and 301(a) of the Clean Air Act, as amended (42 U.S..C 1857f-1, 1857f-5, 1857g(a)).

Dated: August 7, 1975.

RUSSELL E. TRAIN,
Administrator.

1. In § 85.075-10 paragraph (b) is amended to read as follows:

§ 85.075-10 Gasoline specifications.

* * * * *

(b) Fuels representative of commercial fuels which will be generally available through retail outlets shall be used in mileage accumulation. For leaded fuel, the minimum lead content shall be 1.4 grams per U.S. gallon, except that where the Administrator determines that vehicles represented by a test vehicle will be operated using fuels of different lead content than that prescribed in this paragraph, he may consent in writing to use of a fuel with a different lead content. The octane rating of the fuel used shall be no higher than 4.0 research octane numbers above the minimum recommended by the manufacturer. The Reid Vapor Pressure of the fuel used shall be characteristic of the motor fuel during the season in which the mileage accumulation takes place.

* * * * *

2. In § 85.275-10, paragraph (b) is revised to read as follows:

§ 85.275-10 Gasoline specifications.

* * * * *

(b) Fuels representative of commercial fuels which will be generally available through retail outlets shall be used in mileage accumulation. For leaded fuel, the minimum lead content shall be 1.4 grams per U.S. gallon, except that where the Administrator determines that vehicles represented by a test vehicle will be operated using fuels of different lead content than that prescribed in this paragraph, he may consent in writing to use of a fuel with a different lead content. The octane rating of the fuel used shall be no higher than 4.0 research octane numbers above the minimum recommended by the manufacturer. The Reid Vapor Pressure of the Fuel used shall be characteristic of the motor fuel during the season in which the mileage accumulation takes place.

* * * * *

3. In § 85.774-10, paragraph (b) is revised to read as follows:

§ 85.774–10 Gasoline specifications.

* * * * *

(b) Fuels representative of commercial fuels which will be generally available through retail outlets shall be used in service accumulation. For leaded fuel, the minimum lead content shall be 1.4 grams per U.S. gallon, except that where the Administrator determines that engines represented by a test engine will be operated using fuels of different lead content than that prescribed in this paragraph, he may consent in writing to use of a fuel with a different lead content. The octane rating of the fuel used shall be no higher than 4.0 research octane numbers above the minimum recommended by the manufacturer.

* * * * *

4. In section 86.177–6, paragraph (a) (2) is revised to read as follows:

§ 86.177–6 Fuel specifications.

(a) * * *

(2) Gasoline representative of commercial gasoline which will be generally available through retail outlets shall be used in mileage accumulation. For leaded gasoline, the minimum lead content shall be 1.4 grams per U.S. gallon, except that where the Administrator determines that vehicles represented by a test vehicle will be operated using gasoline of different lead content than that prescribed in this paragraph, he may consent in writing to use of a gasoline with a different lead content. The octane rating of the gasoline used shall be no higher than 4.0 research octane numbers above the minimum recommended by the manufacturer. The Reid Vapor Pressure of the gasoline used shall be characteristic of the motor fuel during the season in which the mileage accumulation takes place.

* * * * *

5. In § 86.777–6, paragraph (b) is revised to read as follows:

§ 86.777–6 Gasoline specifications.

* * * * *

(b) Fuels representative of commercial fuels which will be generally available through retail outlets shall be used in service accumulation. For leaded fuel, the minimum lead content shall be 1.4 grams per U.S. gallon, except that where the Administrator determines that engines represented by a test engine will be operated using fuels of different lead content than that prescribed in this paragraph, he may consent in writing to use of a fuel with a different lead content. The octane rating of the fuel used shall be no higher than 4.0 research octane numbers above the minimum recommended by the manufacturer.

* * * * *

(Secs. 202, 206, 301(a) of the Clean Air Act, as amended (42 U.S.C. 1857f–1, 1857f–5, 1857g (a)))

[FR Doc.75–21213 Filed 8–12–75;8:45 am]

[FRL 393–4]

PART 162—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Subpart A—Registration, Reregistration and Classification Procedures

Correction

In FR Doc. 75–17018 appearing on page 28242 in the issue for Thursday, July 3, 1975 the following changes should be made:

The eleventh line of paragraph (5) in the second column on page 28251 now reading "approval of applications for registra-", should read "approval of applications for reregistra-".

The third line of footnote twenty-three appearing on page 28257 now reading "HYG. ASSOC. Quart., 93–95 (1949).", should read "HYG. ASSOC. Quart., 93–96 (1949)."

The fourteenth line of the third complete paragraph appearing on page 28260 now reading "be sufficient to protect about 33 percent", should read "be sufficient to protect about 99 percent."

Title 46—Shipping

CHAPTER 1—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CCGD 74–226]

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

PART 12—CERTIFICATION OF SEAMEN APPRENTICE MATES

Issuance of Documents as Apprentice Mate to Persons in the Apprentice Mate Program

● Purpose: The purpose of these amendments is to prescribe regulations governing the issuance of documents as apprentice mate to persons enrolled in an apprentice mate program approved by the Commandant, and to authorize an examination for a license authorizing service as Third mate of ocean steam or motor vessels to successful graduates of such a program. These amendments are based on a notice of proposed rulemaking published in the January 23, 1975, issue of the Federal Register (40 FR 3610). Twenty-eight (28) comments were received which opposed and supported the proposed amendments, often presenting diametrically opposite points of view. ●

Those comments received objecting to the proposed amendments presented such diverse arguments as:

1. The proposed regulations would permit a reduction in the standards for licensing, reduce the quality of deck officers, provide insufficient education, and dilute the quality of training in general.

2. The assumption that career retention is enhanced as the period of training is shortened or the curriculum narrowed presents a simplistic solution to the complex issue of motivation for a career at sea and raises critical questions as to the content and quality of maritime officer education.

3. Adoption of the proposed amendments would discourage rather than attract the high caliber professional type people needed to cope with the increasing complexity of the design and operation of today's modern vessels.

4. There is no shortage of available young officers and the present academies and colleges are producing enough graduates whose full potential is not realized and who become discouraged because of discriminatory practices of unions who close their books to such graduates.

5. If a shortage exists or will exist, then the enrollments at the present federal and state academies and colleges should be increased with the U.S. Maritime Administration providing further funding rather than to experiment with new vocational educational schools.

6. The acceptance of the proposed amendments would defeat industry efforts toward programs to upgrade and provide better trained and more competent officers to man more sophisticated and faster vessels.

7. The apprentice mate program would represent an additional cost burden for vessels not receiving federal subsidies.

8. Adoption of the proposed amendments might jeopardize present training programs whose graduates are equipped to enter any phase of the maritime industry and could lead the states to question the expenditure of large sums to support the present state academies or colleges.

9. Existing academies should be invited to submit proposals for abbreviated deck officer programs to complement the existing professional degree programs.

10. The proposed amendments in their present form may be doing a disservice to the total educational planning effort of a state, and a graduate of a vocational-education program is stigmatized because his education is regarded as subbaccalaureate and terminal.

11. If a program is needed, it should be a cooperative higher education program, not a vocational apprenticeship.

12. The Coast Guard should not be concerned with the supply and demand situation.

13. Manpower forecasts are difficult to project. The U.S. Maritime Administration recommendation, expressed in its 1974 study, that a new supply of officers be encouraged to come from industry schools cannot be justified and such studies are full of implicit assumptions which will not stand up under close scrutiny at a later date.

14. Whether apprentice mates meet the qualifications of junior ratings forming part of a navigational watch required by IMCO Sub-Committee on Standards of Training and Watchkeeping, STW V/II, page 9, paragraph x(f), and STW V/II, Annex VI.

15. Authorization being granted which would allow sea training to be gained aboard vessels registered in other nations which may not meet U.S. safety

and operating standards and which would not be under Coast Guard supervision and inspection. Commenters on this point feel such training would not be comparable to that obtained aboard an American flag vessel.

16. Questioning the ethics of the corporation now prepared to provide accommodations for the sea training portion of such a program and expressing concern that the Coast Guard is seeking to cater to the demands of one management group, the multinational oil companies, which it was alleged, may allow these companies to undermine the remainder of the U.S. fleet.

17. The implementation of the proposed amendments could interfere with existing collective bargaining arrangements which courts have ruled in the past must be considered when considering the imposition of new manning regulations.

18. The adoption of the proposed rule may increase the dangers of inter-union disagreements by the fact they may have the effect of shifting advancement opportunities from one class of maritime workers to another.

19. A traditional avenue of advancement for unlicensed seamen would be closed or throttled by the influx of apprentice mates, and thus deny unlicensed seamen who have gained a knowledge of seamanship an opportunity to fill officer slots aboard U.S. flag vessels.

20. Adoption of the proposed amendments would unquestionably be counterproductive to the expressed intent of the Merchant Marine Act, 1936, in that apprentice mates, and apprentice engineers now at the approved Calhoon MEBA School of Engineering, will not have concurrent training in naval science which is detrimental to the national defense of the United States. The Act provides that all deck and engineering officers employed on vessels on which an operating differential subsidy is paid or on Department of Commerce vessels shall, if eligible, be members of the U.S. Naval Reserve.

Those comments received in support of the proposed amendments raised the following for consideration:

1. The proposed amendments are analogous to the existing regulations concerning apprentice engineers, and it would be discriminatory not to provide similar rules applicable to deck officers, and in view of the success of an existing apprentice engineer program, no reason can be determined as to why a similar program applicable to deck officers would not be equally as successful.

2. The proposed amendments could offer career and educational opportunities to young persons who cannot afford the financial burdens of other schools.

3. There is no question as to the adequacy of the number of persons holding licenses as third mate but that in order to encourage career retention into the mid and upper grades of deck licenses, this alternate means of providing licensed deck officers should be supported.

4. The proposed program is considered to be within the federal guidelines for existing state academies, but it would provide more realistic training.

5. Adding liberal arts subjects to a curriculum to satisfy baccalaureate requirements does not guarantee a more professional merchant marine officer.

6. The absence of covert or overt pressures upon programs at a public institute would only provide another source of supply of qualified personnel, not preclude career advancement in the traditional manners.

7. Objection to an apprentice mate program would, by inference, object as well to the traditional method of advancement from unlicensed ranks and be contrary to tradition by not allowing such an avenue of advancement because a person could not afford a four-year college.

The seatime portion of the training for an apprentice mate is consistent with the seatime required in the apprentice engineer's program presently conducted at the Calhoon MEBA School of Engineering.

A three-year apprentice mate program would not represent a reduction in the standards for licensing. The minimum service to establish eligibility to be examined for a license as third mate of ocean steam or motor vessels of any gross tons upon oceans is 3 years on deck of ocean or coastwise steam or motor vessels of 1,000 gross tons or over of which 6 months shall have been while holding certification as an able seaman. 46 CFR 310.3(c) provides that the minimum period of training required at state academies or colleges is 3 years. For the coastally located schools, at least 6 months of the total time must be aboard a schoolship in cruise status.

The decisions to provide a four-year course leading to a baccalaureate degree at state academies or colleges were not made by the Federal Government, the decisions were made by the states. The states are free to return, at any time, to the minimum program required by federal regulations.

An analysis has been made of the curriculum of the proposed program with the curriculums of 3 of the schools in the same general geographic area. It was found that, insofar as nautical subjects are concerned, the content and depth offered under the proposed program is at least equal to any of the existing schools. Additionally, the proposed program would require twelve months sea service, all aboard the type of vessels the graduate might later be called to serve upon. It is the view of the Coast Guard that this represents a proper professional approach.

The Coast Guard will not require apprentice mates to be listed on any vessels' certificate of inspection, thus not requiring an increase in the cost of operating a vessel. The owners of vessels will determine whether or not the vessels will carry apprentice mates.

The possible jeopardization of existing training programs has been appraised but is not considered valid. Vocational training has been accepted in the maritime industry for training mariners and providing motivation for a seagoing career.

The Coast Guard has not directly concerned itself with the supply and demand situation except to require an applicant for a license to present the required evidence to establish his eligibility to be examined and that a vessel be manned in accordance with its certificate of inspection. However, the Coast Guard does have a responsibility to ensure that competent persons are provided to man U.S. vessels. This has led to the Coast Guard's granting of approval to appropriate programs designed for licensed, as well as unlicensed, personnel where it is shown that such programs will improve the mariner's skills.

The endorsement as apprentice mate does not authorize the holder to fill any of the regular ratings. Thus, an apprentice mate would be in addition to those junior ratings forming part of a navigational watch required by the IMCO Sub-Committee on Standards of Training and Watchkeeping.

An approved apprentice mate program will require an instructor holding a license issued by the Coast Guard to accompany any group of apprentices aboard vessels.

Only one-third of the required sea training would be gained on foreign flag vessels. This method has an advantage over assigning one or two future officers to a vessel where their acceptance and the quality of their training may be in direct proportion to the interest shown by the officers aboard the vessels to which they are assigned and the interest of the trainee himself. Allowing part of the training on foreign flag vessels will provide the trainees an opportunity to broaden their experience and gain a better knowledge of international practices, while retaining their obtainment of practical, on-the-job-training.

The Coast Guard has and will remain open to reviewing training programs submitted for approval, be they from management, labor, or the academic worlds. Where it has been found that the proposed training can fulfill a need, approval has been generally granted. This holds true whether the training be for unlicensed personnel, such as both large maritime unions now provide for their members, or for programs directed towards critical officer skills. Often such training is only available to a limited group of persons. Not all persons employed at sea are affiliated with the organizations sponsoring training programs and cannot avail themselves of training facilities. Further, with the exception of certain organizations' schools, there are few programs offered to upgrade the skills of active mariners. For these reasons, it is concluded that an apprentice program offered at a public institution which has also expressed interest in developing programs for the active mariner regardless of any particular affiliation is to be encouraged. The acceptance and number of persons

licensed as a result of the training received at Southern Maine Vocational Technical Institute will be dependent upon the number of students for whom vessel operators will provide an opportunity to gain the necessary sea service and training.

The comment concerning court rulings on new manning requirements and their impact on labor relations in the maritime industry must be considered in light of the Fifth Circuit Court of Appeals decision in Le Bus v. Seafarers' Union (68 LRRM 2909). In that case, the Court held that an appeal from a denial of an injunction to restrain a union from an alleged violation of section 8(b)(4)(D) of the Labor Management Relations Act jurisdictional strike provision was moot. The Marine Engineers Beneficial Association (MEBA) placed two apprentice engineers aboard vessels belonging to Delta Steamship Lines. Delta had an exclusive collective bargaining agreement with Seafarers' International Union (SIU) for hiring unlicensed personnel, and a similar agreement with MEBA for hiring licensed engineroom personnel. Delta and MEBA included apprentice engineers in the Delta-MEBA contract.

SIU demanded the discontinuance of the employment of unlicensed apprentice engineers and struck Delta. The National Labor Relations Board sought an injunction against the strike. The District Court denied the injunction and there was an appeal to the U.S. Court of Appeals.

Subsequent to the submission of the case to the Court of Appeals, the Executive Council of the AFL–CIO ruled against MEBA and found that MEBA had interfered with the established bargaining relationship between the SIU and Delta. MEBA removed the two apprentice engineers from the Delta vessels. The Court of Appeals held that, since the unions had reached an agreement, the appeal from the denial of the injunction was moot. The Court of Appeals did not rule on the merits, and did not prohibit the use of apprentice engineers.

The requirements of naval reserve membership as expressed in the Merchant Marine Act, 1936 are permissive to the extent that 46 U.S.C. 1132(g) provides that officers on certain vessels shall, if eligible, be members of the U.S. Naval Reserve. The requirement is not applicable to all U.S. vessels. The Navy will make the determination as to whether or not to offer training at institutions providing apprentice training.

After review and consideration of all comments, it is considered that the program proposed by Southern Maine Vocational Technical Institute would be an acceptable course to provide training.

The program offered by Southern Maine Vocational Technical Institute will consist of two academic years of instruction, and twelve months service and training afloat on commercial vessels of 1,000 gross tons or over. Not more than one-third of such sea service and training may be gained on other than vessels of U.S. registry, and students gaining service and training on vessels other than a U.S. registry must be accompanied by an instructor holding a deck officer's license issued by the U.S. Coast Guard. License examinations will not be authorized until such time as a student has successfully completed all academic and sea service requirements. Formal interim approval has been granted to such program as presently offered to extend for two years. Subsequent five-year periods of approval may be granted depending upon the training school's continued maintenance of a sound program of instruction and its continued acceptance by any interested party prepared to offer an opportunity for the enrolled students to gain the necessary sea service and training.

In consideration of the foregoing, Parts 10 and 12 of Title 46 of the Code of Federal Regulations are amended as follows:

§ 10.05–33 [Amended]

1. In § 10.05–33, by amending paragraph (a)(7) by striking "." and inserting "; or," in place thereof and by adding a new paragraph (a)(8) to read as follows:

(8) Satisfactory completion of a three-year apprentice mate training program approved by the Commandant.

2. By adding a new § 12.25–40 to read as follows:

§ 12.25–40 Apprentice mate.

A person enrolled in an apprentice mate training program approved by the Commandant who presents a letter or other documentary evidence that he is so enrolled may be issued a merchant mariner's document as apprentice mate and may be signed on ships as apprentice mate. The endorsement "apprentice mate" may be in addition to other endorsements. However, this endorsement as apprentice mate does not authorize the holder to fill any of the regular ratings.

(R.S. 4405, as amended (46 U.S.C. 375), R.S. 4462, as amended (46 U.S.C. 416), R.S. 4438, as amended (46 U.S.C. 224), R.S. 4438a, as amended (46 U.S.C. 224a), R.S. 4440, as amended (46 U.S.C. 228), R.S. 4551, as amended (46 U.S.C. 643); 46 U.S.C. 672, 689; 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b)).

Effective date: These amendments shall be effective September 12, 1975.

Dated: August 8, 1975.

O. W. SILER,
Admiral, U.S. Coast Guard
Commandant.

[FR Doc.75-21157 Filed 8-12-75;8:45 am]

CHAPTER IV—FEDERAL MARITIME COMMISSION

[General Order No. 33; Docket No. 72–62]

PART 506—REGULATIONS TO ADJUST OR MEET CONDITIONS UNFAVORABLE TO SHIPPING IN THE FOREIGN TRADE OF THE UNITED STATES

Correction

The following changes should be made in the preamble and regulations issued in this proceeding published in the FEDERAL REGISTER July 9, 1975 (40 FR 28801).

1. The third sentence under the heading *"506.3 Findings—Conditions unfavorable to shipping in the foreign trade of the United States,"* in the preamble to the new regulations (middle column, p. 28801) should read:

Appropriate sanctions for rebating are generally provided in section 18(b)(3) of the Shipping Act, 1916. Since rebating is also a condition unfavorable to shipping in the foreign trade which arises out of or results from competitive methods or practices, the Commission may issue rules and regulations to combat such rebating under the general terms of these regulations. It is not therefore necessary to make the amendment proposed.

2. The phrase "and Title V of the Independent Offices Appropriations Act of 1952 (31 U.S.C. 483(a))" should be deleted where it appears as authority for issuance of these regulations.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-21140 Filed 8-12-75;8:45 am]

Title 49—Transportation

SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[OST Docket No. 1; Amdt. 1–112]

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Delegation to the Assistant Secretary for Environment, Safety, and Consumer Affairs

The purpose of this amendment is to delegate to the Assistant Secretary for Environment, Safety and Consumer Affairs authority and responsibilities vested in the Secretary by the National Historic Preservation Act of 1966.

Since this amendment relates to Departmental management, procedures and practices, notice and public procedure thereon are unnecessary and it may be made effective in fewer than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 1 of title 49, Code of Federal Regulations, is amended as follows:

In section 1.58, paragraphs (f) and (h) are redesignated (d) and (e), and a new paragraph (f) is added, to read as follows:

§ 1.58 Delegations to Assistant Secretary for Environment, Safety and Consumer Affairs.

* * * * *

(f) Perform any functions of the Secretary as a member of the Advisory Council on Historic Preservation.

(Sec. 9(e), Department of Transportation Act (49 U.S.C. 1657(e)))

Issued in Washington, D.C., on August 5, 1975.

Effective date: This amendment is effective August 13, 1975.

WILLIAM T. COLEMAN, Jr.,
Secretary of Transportation.

[FR Doc.75-21110 Filed 8-12-75;8:45 am]

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket 74-33; Notice 3]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Protection From Steering Control System; Response To Petition for Reconsideration

This notice responds to a petition for reconsideration of the notice published April 24, 1975 (40 FR 17992), which exempts from the application of Standard No. 203 (49 CFR 571.203) vehicles conforming to the frontal barrier crash requirements (S5.1) of Standard No. 208 (49 CFR 571.208) by means other than seat belt assemblies.

One petition for reconsideration, from American Motors Corporation (AMC), was received. The petitioner requests that the exemption be extended to vehicles conforming to the frontal barrier crash requirements of Standard No. 208 by any means, including seat belts.

The NHTSA has concluded that AMC's petition should be denied. AMC argues that the requirements of Standard No. 203 are inappropriate for a vehicle equipped with a seat belt system conforming to Standard No. 208 because, when restrained by such a belt, the driver will impact his head on the steering control system instead of his chest. AMC also asserts that Standard Nos. 203 and 208 are redundant, and therefore the economic burden of compliance testing for both standards is not justifiable. The NHTSA agrees with AMC that seat belt restraint systems afford significant protection from chest injuries suffered by impact with the steering control system. However, that does not mean that if a vehicle is equipped with such a restraint system, the protection afforded by Standard 203 is redundant. First, the incidence of non-use of seat belt restraint systems conforming to Section 208 is high. Second, as noted above, even with seat belt restraints, there is still a potential impact by the driver with the steering control system. Therefore, the driver of a vehicle equipped with seat belt restraints still needs the protection afforded by Standard No. 203.

For the reasons stated above, the petition of American Motors Corporation is denied.

(Sec. 103, 119, Pub. L. 89563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.51)

Issued on August 7, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-21088 Filed 8-12-75;8:45 am]

[Docket No. 74-14; Notice 4]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Occupant Crash Protection

This notice amends Standard No. 208, *Occupant crash protection*, 49 CFR 571.208, to continue until August 31, 1976, the present three options available for occupant crash protection in passenger cars. This amendment replaces provisions of the standard which were to have come into effect on August 15, 1975, but were suspended as a result of the decision of the U.S. Court of Appeals for the Sixth Circuit in *Chrysler* v. *DOT*, 472 F2d 659 (6th Cir. 1972).

This extension of the present occupant crash protection options was proposed April 10, 1975 (40 FR 21617). Vehicle manufacturers and the American Safety Belt Council (ASBC) supported the proposal, but requested that the modifications apply indefinitely instead of being limited to a 1-year extension. Ford Motor Company, Chrysler Corporation, and Volkswagen of America also asked that the future provisions for light trucks and multipurpose passenger vehicles (MPV) (S4.2.3) be similarly modified. The California Traffic Safety Foundation and the Vehicle Equipment Safety Commission supported the proposal but only for the 1-year period for which it was proposed.

While the NHTSA recognizes that the present crash protection options will in all likelihood be in effect for some period after August 31, 1976, the agency has not proposed more than the 1-year extension. The Administrative Procedures Act specifies, with limited exceptions, that notice and opportunity to comment be provided interested persons in the case of agency rulemaking proceedings (§ 553(b)). The NHTSA intends to propose the long-term requirements for occupant crash protection, both for passenger cars and for light trucks and MPV's, as soon as possible.

Until that time, the NHTSA finds that manufacturers must be assured of the regulations for occupant crash protection as they apply to upcoming production. In consideration of the foregoing, Standard No. 208 (49 CFR § 571.208) is amended as follows:

1. The title and first sentence of S4.1.2 is amended to read:

S4.1.2 *Passenger cars manufactured from September 1, 1973, to August 31, 1976.* Passenger cars manufactured from September 1, 1973, to August 31, 1976, inclusive, shall meet the requirements of S4.1.2.1, S4.1.2.2, or S4.1.2.3.

2. S4.1.3 is revoked and reserved.

Effective date: August 13, 1975. Because the present requirements for occupant crash protection terminate in less than 30 days and manufacturers need to be advised of the continuation of the requirements as soon as possible, it is found for good cause shown that an effective date sooner than 30 days following the date of publication is in the public interest.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.51.)

Issued on August 8, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-21282 Filed 8-11-75;2:58 pm]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

[S. O. 1217]

PART 1033—CAR SERVICE

Chicago, Milwaukee, St. Paul and Pacific Railroad Co.

At a Session of the INTERSTATE COMMERCE COMMISSION, Railroad Service Board, held in Washington, D.C., on the 8th day of August, 1975.

It appearing, That the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW), in Finance Docket 27771, has requested authority to operate over tracks of the Burlington Northern Inc. (BN), between milepost 1475.66 at Spokane, Washington, and milepost 1431.25 at Newport, Washington, a distance of approximately 44.37 miles; over the Oregon-Washington Railroad & Navigation Company (OWRN), Union Pacific Railroad Company lessee, between Engineer's Station 2467+13 and Engineer's Station 2490+26.6, a distance of approximately 2513 feet, at Spokane, Washington; over 491 feet of OWRN tracks connecting the OWRN with the BN in the vicinity of Engineer's Station 2458+96.9 at Spokane; and over 2628 feet of the BN connecting track between BN Engineer's Station 1283+16.1 and BN Engineer's Station 1256+88.0, including the right to cross the Spokane International Railroad Company's tracks at BN Engineer's Station 1281+67.3, at Spokane; that the order of the Commission authorizing the aforedescribed operation does not become effective until September 2, 1975; that immediate operation by the MILW over the aforementioned tracks of the BN and OWRN will facilitate the construction of Interstate Highway 90, which intersects the MILW near McGuires, Idaho; in the interest of the public and commerce of the people. Accordingly, the Commission finds that notice and public procedure herein are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1217 Service Order No. 1217.

(a) *(Chicago, Milwaukee, St. Paul and Pacific Railroad Company authorized to operate over tracks of Oregon-Washington Railroad & Navigation Company, Union Pacific Railroad Company, Lessee, and over tracks of Burlington Northern Inc.)* The Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) be, and it is hereby, authorized to operate over tracks of the Burlington Northern Inc., (BN) between milepost 1475.66, at Spokane, Washington, and milepost 1431.25, at Newport, Washington, a distance of approximately 44.37 miles; over the Oregon-Washington Railroad & Navigation Company (OWRN), Union Pacific Railroad Company, Lessee, between Engineer's Station 2467+13 and Engineer's Station 2490+26.6, a distance of approximately 2513 feet, at Spokane, Washington; over 491 feet of OWRN tracks connecting the OWRN with the BN in the vicinity of Engineer's Station 2458+96.9 at Spokane; and over 2628

feet of the BN connecting track between BN Engineer's Station 1283+16.1 and BN Engineer's Station 1256+88.0, including the right to cross the Spokane International Railroad Company's tracks at BN Engineer's Station 1281+67.3, at Spokane.

(b) *It is further ordered*, That the MILW be, and it is hereby directed, to continue to provide railroad service in accordance with its tariff to all shippers located on its line between milepost 0.0 at McGuires, Idaho and milepost 43.87 at Newport, Washington, pending consummation of the abandonment of that line in accordance with the order of the Commission in Docket AB-7 (Sub No. 18), dated July 23, 1975.

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

(d) *Effective date*. This order shall become effective at 12:01 a.m., August 11, 1975.

(e) *Expiration date*. The provisions of this order shall expire at 11:59 p.m., September 3, 1975, unless otherwise modified, changed, or suspended by order of this Commission.

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

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

By the Commission Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.75-21206 Filed 8-12-75;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 17—ENDANGERED AND THREATENED WILDLIFE

Amendment Listing the Grizzly Bear of the 48 Coterminous States as a Threatened Species

Correction

In FR Doc. 75-19448 appearing at page 31734 of the issue for Monday, July 28, 1975, in § 17.32(d), page 31736, delete "the Flat head National Forest" from the fifth and sixth lines, and insert "the Flathead National Forest" in the twelfth line, immediately preceding "The Bob Marshall Wilderness".

PART 32—HUNTING

Waubay National Wildlife Refuge, S. Dak.

The following special regulation is issued and is effective on August 13, 1975.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

SOUTH DAKOTA

WAUBAY NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Waubay National Wildlife Refuge, South Dakota, is permitted from November 22, 1975 through November 30, 1975, only on the area designated by signs as open to hunting. This area, comprising 4,591 acres, is delineated on a map available at refuge headquarters, Waubay, South Dakota, and from the Area Manager, U.S. Fish and Wildlife Service, 439 Federal Building, P.O. Box 250, Pierre, S. Dak. 57501. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1975.

ROBERT R. JOHNSON,
Refuge Manager, Waubay National Wildlife Refuge, Waubay, S. Dak. 57273.

AUGUST 4, 1975.

[FR Doc.75-21164 Filed 8-12-75;8:45 am]

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

SUBCHAPTER H—TUNA FISHERIES

PART 285—ATLANTIC TUNA FISHERIES

Notice is hereby given that, pursuant to Section 6 of the Atlantic Tunas Convention Act of 1975 (the Act), Chapter II of Title 50, Code of Federal Regulations, is amended by adding a new Part 285—Atlantic Tuna Fisheries and by revising Subchapter H to read "Tuna Fisheries."

The Act, among other things, provides authority to the Secretary of Commerce (the Secretary) to promulgate regulations which implement recommendations adopted by the Commission established under the provisions of the International Convention for the Conservation of Atlantic Tunas (the Commission). Section 6(d) of the Act directs the Secretary to promulgate, within 30 days of its enactment, regulations which are necessary and appropriate to implement and carry out the 1974 recommendations of the Commission with respect to Atlantic bluefin tuna (*Thunnus thynnus thynnus*). In accordance with Section 6(d) of the Act, regulations with respect to Atlantic bluefin tuna are set forth below. These regulations establish fishing seasons, quotas, reporting requirements, enforcement procedures and penalties. The authority of the Secretary under the Act has been delegated to the Director, National Marine Fisheries Service (the Director).

Prior to passage of the Act and the authority contained therein to promulgate these regulations, the Director had proposed listing Atlantic bluefin tuna as a threatened species pursuant to the Endangered Species Act of 1973, 16 U.S.C. 1531 *et seq.*, and implementing the Commission's recommendations through protective regulations provided for in the Endangered Species Act (see 40 FR 14777). The proposed listing was based, in part, on the inadequacy of existing statutory authorization to regulate. In view of the regulatory regime hereinafter set forth, the basis for proposing to list Atlantic bluefin tuna as a threatened species no longer exists. Consequently, by this publication the Public is hereby notified that the Director will initiate steps to terminate action to list, at this time, Atlantic bluefin tuna as a threatened species.

As a result of the proposed listing of Atlantic bluefin tuna as a threatened species, comments from the Public were solicited and a public hearing was held in Boston, Massachusetts, on May 16, 1975, with respect to, among other things, the proposed protective regulations. Consequently, although the Public has not had an opportunity to comment on the regulations promulgated hereunder, the Public's views expressed on the proposed protective regulations for Atlantic bluefin tuna under the Endangered Species Act of 1973, both written and oral, have been considered in these regulations.

The recommendations adopted by the Commission which are implemented by the regulations set forth hereunder are the following:

(1) That the Contracting Parties take the necessary measures to prohibit any taking and landing of bluefin tuna (*Thunnus thynnus thynnus*) weighing less than 6.4 kg. Notwithstanding the above regulation, the Contracting Parties may grant tolerances to boats which have incidentally captured bluefin weighing less than 6.4 kg., with the condition that this incidental catch should not exceed 15% of the number of fish per landing of the total bluefin catch of said boats or its equivalent in percentage by weight.

(2) That as a preliminary step, the Contracting Parties that are actively fishing for bluefin tuna (*Thunnus thynnus thynnus*) or those that incidentally catch it in significant quantities shall take the necessary measures to limit the fishing mortality of bluefin tuna to recent levels for a period of one year.

With respect to the second recommendation on page 18 of the *Proceedings of the Third Regular Meeting of the Council* the following appears:

It was also clarified that interpretation of the recent levels (of fishing mortality of bluefin tuna), referred to in the second proposal, should be left to each member state. It was also suggested that each country should be free to choose whether to limit catch or effort. This flexibility is particularly necessary because bluefin statistics for some countries are presently very inadequate.

In implementing the second recommendation, the Director chose to limit catch as a means to keep the fishing mortality of Atlantic bluefin tuna at recent levels. On the basis of the data available, there is indication that levels of fish mortality of Atlantic bluefin tuna vary with the size of Atlantic bluefin tuna. Consequently, the regulations are written in a way which reflects the relationship of recent fishing mortality levels to a particular size of Atlantic bluefin tuna.

For purposes of the 1975 fishing season, and these regulations, all Atlantic bluefin tuna taken during this calendar year will be considered by the Director in determining, among other things, when the quotas in Section 285.12 have been reached. In this connection, the quota for fishing by purse seining for Atlantic bluefin tuna that weigh between 14 pounds round weight and 115 pounds round weight is 1,100 short tons. This amount has been reached at this time. Consequently, there will be no open season this year for fishing by purse seining for Atlantic bluefin tuna that weigh between 14 pounds round weight and 115 pounds round weight.

With respect to fishing by purse seining for Atlantic bluefin tuna that weigh in excess of 300 pounds round weight and fishing by methods other than purse seining for Atlantic bluefin tuna that weigh between 14 pounds round weight and 115 pounds round weight or in excess of 300 pounds round weight, the open seasons commence as of this date.

Section 9 of the Act provides for regulations to be effective within the territorial sea of the United States (generally the area over which the States have jurisdiction pursuant to the Submerged Lands Act, 43 U.S.C. 1301–1343), provided that the Secretary first determines that:

a. Within a reasonable period of time after promulgation of these regulations States have not adopted measures which implement the Commission's recommendations; or

b. If a State adopts regulations they are:

(1) less restrictive; or

(2) not effectively enforced.

There is also provision for a State to request a hearing on the record to consider these issues. However, both the House Report (H.R. Rep. No. 94–295, 1st Sess. (1975) at p. 17) and the Senate Report (S. Rep. No. 94–269, 1st Sess. (1975) at p. 11) note that for the 1975 fishing season the respective Committees have no objection to the provisions of Section 9(d)(2) being waived. Consequently, in view of both the Senate and House Reports and the importance of meeting international obligations, these regulations will be immediately effective within the territorial sea of the United States subject, however, to the right of a State to request a hearing within 30 days from this date in accordance with the Act. In the event such a hearing is held, should the Secretary determine on the basis of the evidence of record that a State has promulgated regulations which implement the Commission's recommendations, that such regulations are not less restrictive than the regulations hereinafter set forth and that such regulations are effectively enforced, the regulations hereinafter set forth shall not, from the date of the Secretary's determination, be effective in the waters over which the State has jurisdiction. For fishing seasons after December 31, 1975, the procedures set forth in Section 9 of the Act shall be implemented prior to including the territorial sea of the United States in the regulatory area.

The Act does not provide for the immediate promulgation of regulations to implement the Commission's recommendations with respect to yellowfin tuna (*Thunnus albacares*) or to implement immediately regulations which establish importation restrictions on various regulated species or species under investigation by the Commission. Consequently, the promulgation of such regulations will be in accordance with rulemaking procedures required by the Act. It is anticipated that proposed regulations in this regard will be published by September 1975.

Subchapter H of Chapter II of Title 50, Code of Federal Regulations is titled "Eastern Pacific Tuna Fisheries." That subchapter heading is amended to read "Tuna Fisheries" in view of the fact that Atlantic tuna fisheries are now included in the subchapter.

In accordance with Executive Order No. 11821 dated November 27, 1974, it is hereby certified that the inflationary impact of this action on the Nation has been carefully evaluated. The additional Federal expenditures required are so minimal that no substantial impact on the Nation is anticipated.

Issued at Washington, D.C., and dated August 11, 1975.

Effective date: This part becomes effective on August 13, 1975.

JACK W. GEHRINGER,
Acting Director,
National Marine Fisheries Service.

In consideration of the foregoing, Chapter II of Title 50, Code of Federal Regulations is amended by adding the following new Part 285 and revising the title of Subchapter H to read as set forth above.

Subpart A—General

Sec.
285.1 Definitions.
285.2 Basis and purpose.
285.3 Prohibitions.
285.4 Civil penalties.
285.5 Enforcement.
285.6 Civil procedures.
285.7 Persons and vessels exempt.

Subpart B—Atlantic Bluefin Tuna (Thunnus thynnus thynnus)

285.10 Authorized fishing.
285.11 Open and closed seasons.
285.12 Quotas.
285.13 Incidental catch.
285.14 Reporting requirements.
285.15 Presumptions.

Subpart C—Yellowfin Tuna (Thunnus albacares)

285.20 [Reserved].

Subpart D—Restrictions on Tuna Imports

285.30 [Reserved].

AUTHORITY: Pub. L. 94–70.

Subpart A—General

§ 285.1 Definitions.

In addition to the meaning ascribed by the Act, if any, the following terms shall mean:

(a) Angling—means the taking or the attempted taking of fish with a handheld rod and reel designed and manufactured for the purpose of sport.

(b) Atlantic bluefin tuna—means the species of fish scientifically known as *Thunnus thynnus thynnus*.

(c) Closed season—means the time during which a regulated species may not be lawfully taken within the regulatory area, except in limited quantities as an incident to fishing for species of fish other than Atlantic bluefin tuna with which Atlantic bluefin tuna may be mingled.

(d) Commercial activity—means all activities, other than fishing, of industry and trade, including but not limited to, the buying and selling of a regulated species and activities conducted for the purpose of facilitating such buying and selling.

(e) Commission—means the International Commission for the Conservation of Atlantic Tunas established pursuant to Article III of the Convention.

(f) Convention—means the International Convention for the Conservation of Atlantic Tunas, signed at Rio de Janeiro May 14, 1966, 20 U.S.T. 2887, including any amendments or protocols which are or become effective for the United States.

(g) Council—means the Council established within the International Commission for the Conservation of Atlantic Tunas pursuant to Article V of the Convention.

(h) Dealer—means any person (as hereinafter defined) who engages in a commercial activity with respect to a regulated species or parts thereof.

(i) Director—means the Director of the National Marine Fisheries Service.

(j) Fishing—means the catching, taking, or fishing for, or the attempted catching, taking, or fishing for, any species of fish covered by the Convention, or any activities in support thereof.

(k) Fishing vessel—includes all watercraft, except purse seine skiffs, which are used, used in support of, or outfitted for, catching, taking, processing or transporting fish.

(l) Open season—means the time during which a regulated species may be lawfully taken within the regulatory area in accordance with established quotas or other limitations.

(m) Person—includes any individual, partnership, corporation, or association subject to the jurisdiction of the United States.

(n) Purse seining—means the taking or the attempted taking of fish by means of an encircling net and associated gear used in commercial fishing operations.

(o) Quota—means the amount of fish, measured either by number or weight, that may be retained.

(p) Regulatory area—means all waters of the Atlantic Ocean including adjacent seas except those waters over which States have jurisdiction within the territorial sea of the United States and which have been specifically exempted by the Secretary.

(q) Secretary—includes the Secretary of Commerce or his designee.

(r) State—means the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico and the territories and possessions of the United States.

(s) The Act—means Atlantic Tunas Convention Act of 1975, Pub. L. 94–70.

§ 285.2 Basis and purpose.

(a) At a Tuna Symposium convened in Dakar, Senegal December 12–17, 1960, the Commission for Technical Cooperation in Africa South of the Sahara suggested the need to develop international procedures for the conservation of Atlantic tunas. The idea gained support and culminated in the convening of a Conference of Plenipotentiaries on the Conservation of Atlantic Tunas in Rio de Janerio, Brazil, during May 2–14, 1966. The Conference prepared the International Convention for the Conservation of Atlantic Tunas, which entered into force March 21, 1969, after ratification by Canada, Japan, France, Ghana, South Africa, Spain, and the United States. Ratifications have been deposited by Brazil, Cuba, Ivory Coast, Korea, Morocco, Portugal and Senegal since the Convention entered into force.

(b) The International Commission for the Conservation of Atlantic Tunas (ICCAT) has been established under the authority of the Convention. The Commission is responsible for the study of the populations of tuna and tuna-like fishes in the Atlantic Ocean and is empowered to recommend proposals for joint action by member governments aimed at maintaining these stocks at levels which will permit the maximum sustainable catch. The Commission structure also includes a Council which serves as an executive body between biennial meetings of the Commission.

(c) The First Regular Meeting of the Commission held in Rome, December 1–6, 1969, and the First Regular Meeting of the Council in Madrid, November 16–20, 1970, centered on organizational questions. Priority was given to the collection of basic data by the Secretariat from member countries on tuna fisheries and to the organization of a Standing Committee on Research and Statistics (SCRS). The Committee, composed of scientists from member countries, is responsible for coordinating and reviewing data collection and stock assessment work on tuna and tuna-like species in the Atlantic.

(d) At the second biennial meeting of the Commission held in Madrid December 2–7, 1971, the SCRS reviewed the somewhat limited data available and warned that regulatory measures may be needed in the future (1) to control the taking of Atlantic bluefin and yellowfin tuna below a certain size and (2) to reduce fishing intensity on yellowfin tuna.

(e) At the Second Regular Meeting of the ICCAT Council in Madrid November 29–December 5, 1972, The Council recommended a ban on taking and landing yellowfin tuna weighing less than 3.2 kilograms but provided for an incidental catch allowance for yellowfin tuna weighing less than 3.2 kilograms of 15 percent of all yellowfin onboard. The Council held its Third Regular Meeting in Madrid November 20–26, 1974, at which time it adopted two regulatory measures for Atlantic bluefin tuna which included a 6.4 kilogram minimum size and a limit on fishing mortality of Atlantic bluefin tuna to recent levels for a period of one year. The Council's recommendations were formally approved by a majority of the Commission members in February 1975.

(f) On August 5, 1975, the President signed into law the Atlantic Tuna Convention Act of 1975, which under certain conditions authorizes the Secretary to implement the Commission's recommendations. The Secretary's authority under the Act has been delegated to the Director.

(g) The regulations in this part are designed to implement the provisions of the Act and the Commission's recommendations for conservation.

§ 285.3 Prohibitions.

(a) It shall be unlawful—

(1) For any person in charge of a fishing vessel or any fishing vessel subject to the jurisdiction of the United States to engage in fishing in violation of these regulations; or

(2) For any person to ship, transport, purchase, sell, offer for sale, import, export, or have in custody, possession, or control any fish which he knows, or should have known, were taken or retained contrary to these regulations, without regard to the citizenship of the person or fishing vessel which took the fish.

(b) It shall be unlawful for a dealer or master or any person in charge of any fishing vessel subject to the jurisdiction of the United States to fail to make, keep, or furnish any catch returns, statistical records, or other reports required by these regulations to be made, kept, or furnished by such dealer, master or person.

(c) It shall be unlawful for a dealer or master or any person in charge of any fishing vessel subject to the jurisdiction of the United States to refuse to permit any person authorized to enforce the provisions of these regulations, to enter the premises of said dealer or to board such vessel in order to inspect its catch, equipment, books, documents, records, or other articles or question the persons onboard in accordance with the provisions of these regulations, or to obstruct such officials in the execution of such duties.

(d) It shall be unlawful for any person to improt from any country any fish in any form of those species subject to regulation pursuant to a recommendation of the Commission, or any fish in any form not under regulation but under investigation by the Commission, during the period such fish have been denied entry in accordance with the provisions of these regulations.

§ 285.4 Civil penalties.

Any person who—

(a) Violates any provision of § 285.3 (a) of this Part shall be assessed a civil penalty of not more than $25,000 and for any subsequent violation of said section shall be assessed a civil penalty of not more than $50,000;

(b) Violates any provision of § 285.3 (b) or (c) of this Part shall be assessed a penalty of not more than $1,000 and for any subsequent violation of said subsection shall be assessed a civil penalty of not more than $5,000; or

(c) Violates any provision of § 285.3 (d) of this Part shall be assessed a civil penalty of not more than $100,000.

§ 285.5 Enforcement.

(a) These regulations and the provisions of the Act shall be enforced jointly by the Secretary, the Secretary of the department in which the Coast Guard is operating, and the United States Customs Service.

(b) Enforcement Agents of the National Marine Fisheries Service shall enforce these regulations and the provisions of the Act on behalf of the Secretary and may take any actions authorized by the Act and these regulations with respect to enforcement. The Secretary may utilize, by agreement, the personnel, services, and facilities of any other Federal Agency for the purposes of enforcing this Act. Pursuant to the limitations of section 6 of the Act, the Secretary may also designate personnel of a State to enforce these regulations and the provisions of the Act.

§ 285.6 Civil procedures.

The method for assessment of civil penalties for violation of these regulations or the Act shall be in accordance with the rules and procedures set forth in 50 CFR Part 218.

§ 285.7 Persons and vessels exempt.

Nothing contained in this Part shall apply to any person or vessel authorized by the Commission, the Director, or any State to engage in fishing for research purposes.

Subpart B—Atlantic Bluefin Tuna (Thunnus thynnus thynnus)

§ 285.10 Authorized fishing.

Fishing for Atlantic bluefin tuna that weigh between 14 pounds round weight (6.4 kg.) and 115 pounds round weight (52.3 kg.) or in excess of 300 pounds round weight (136.4 kg.) by persons or fishing vessels subject to the jurisdiction of the United States is authorized in the regulatory area only during open season. Fishing for Atlantic bluefin tuna that weigh less than 14 pounds round weight or in excess of 115 pounds round weight but less than 300 pounds round weight

by persons or fishing vessels subject to the jurisdiction of the United States is not authorized at any time in the regulatory area. However, Atlantic bluefin tuna that weigh less than 14 pounds or in excess of 115 pounds round weight but less than 300 pounds round weight may be incidentally taken in the course of fishing in the regulatory area by persons or fishing vessels subject to the jurisdiction of the United States only in the manner and in the numbers or weights, as the case may be, as set forth in § 285.13.

§ 285.11 Open and closed seasons.

(a) The Director shall announce in the FEDERAL REGISTER the opening and the closing of the seasons or areas for the taking of Atlantic bluefin tuna. In determining whether a season or area shall be opened and when a season or area shall be closed for the calendar year 1975, the Director will take into consideration the number or tons, as the case may be, of Atlantic bluefin tuna taken during the period from 1 January 1975 to the date these regulations are promulgated.

§ 285.12 Quotas.

The quotas, by method of fishing, for Atlantic bluefin tuna in the regulatory area during the open season are as follows:

(a) Purse seining:

(1) The total annual quota for Atlantic bluefin tuna that weigh between 14 pounds (6.4 kg.) round weight and 115 pounds (52.3 kg.) round weight is 1,100 short tons (997 metric tons).

(2) The total annual quota for Atlantic bluefin tuna that weigh in excess of 300 pounds (136.4 kg.) round weight is 200 short tons (182 metric tons).

(b) Fishing by other than purse seining:

(1) The total annual quota of Atlantic bluefin tuna which weigh in excess of 300 pounds round weight is 2,250 tuna of which no more than 200 tuna shall be taken south of a line extending from the entrance to Chatham Harbor, Massachusetts, east into the Atlantic Ocean.

(2) The daily bag limit per person for persons who angle for Atlantic bluefin tuna which weigh between 14 pounds round weight and 115 pounds round weight is four Atlantic bluefin tuna.

When the quota for a particular weight of Atlantic bluefin tuna has been reached, the Director shall, in accordance with § 285.11 close the season for Atlantic bluefin tuna of that weight.

§ 285.13 Incidental catch.

(a) Purse seine vessels fishing for Atlantic bluefin tuna weighing more than 14 pounds round weight but less than 115 pounds round weight, may, in addition, incidentally take on any one trip Atlantic bluefin tuna outside said weight limits provided, however, that the number of such tuna taken shall not exceed either 15 percent of the total number of Atlantic bluefin tuna taken which do not exceed said limits or 4 percent by weight of the total weight of Atlantic bluefin tuna taken which do not exceed said limits.

(b) Persons angling for Atlantic bluefin tuna, which weigh between 14 pounds round weight and 115 pounds round weight, may include in the daily bag limit one Atlantic bluefin tuna less than 14 pounds round weight and one Atlantic bluefin tuna greater than 115 pounds round weight but less than 300 pounds round weight.

(c) Persons or fishing vessels subject to the jurisdiction of the United States fishing for species of fish other than Atlantic bluefin tuna may, in addition, incidentally take on any one trip, or in the case of traps within any 30 day period, Atlantic bluefin tuna of any weight provided that said tuna do not exceed, by weight, 2% of the total weight of the fish taken.

(d) All Atlantic bluefin tuna taken incidentally shall be included in the quotas set forth in § 285.12.

§ 285.14 Reporting requirements.

(a) Reports and records required by this section when required to be forwarded to the National Marine Fisheries Service, should be forwarded to:

Director, Northeast Region
National Marine Fisheries Service
14 Elm Street, Federal Building
Gloucester, Massachusetts 01930

The tags referred to in (b) and (c) of this section may be obtained by writing to the same address.

(b) Any person or master or operator of any fishing vessel subject to the jurisdiction of the United States that takes an Atlantic bluefin tuna in excess of 300 pounds round weight shall affix through the fleshy part of the keel on the peduncle, an individually numbered tag furnished by the National Marine Fisheries Service. The person, master or operator shall complete the numbered card furnished with the tag and mail the card to the National Marine Fisheries Service within 72 hours of landing.

(c) It shall be the responsibility of any dealer who purchases or otherwise obtains an Atlantic bluefin tuna that weighs in excess of 300 pounds round weight to affix, unless there is already affixed upon the tail, through the fleshy part of the keel on the peduncle, an individually numbered tag furnished by the National Marine Fisheries Service. The dealer shall complete the numbered card furnished with the tag and mail the card to the National Marine Fisheries Service within 72 hours of receipt of such tuna. An affixed tag whether attached by a dealer, person or master or operator of a fishing vessel must remain in place until such tuna is being processed, packed for export or otherwise disposed of, at which time the dealer shall remove a 3–6 inch section of the tail (caudal peduncle) containing the tag, notify the National Marine Fisheries Service and retain the tail piece with tag for collection by a representative from the National Marine Fisheries Service.

(d) With respect to Atlantic bluefin tuna that weigh less than 300 pounds round weight, dealers shall maintain and forward to the National Marine Fisheries Service, within 72 hours of engaging in a commercial activity involving such Atlantic bluefin tuna, a complete record of such activity including the numbers, and disposition (names, addresses and where applicable country of origin) of such Atlantic bluefin tuna.

§ 285.15 Presumptions.

For purposes of this Part 285, there shall be a rebuttable presumption that Atlantic bluefin tuna which are of the following lengths when measured in a straight line from the tip of the nose to the fork of the tail weigh the amount noted in association with the length:

27 inches (68 cm.)—14 pounds (6.4 kg.).
56 inches (142 cm.)—115 pounds (52.3 kg.).
75 inches (191 cm.)—300 pounds (136.4 kg.).

For any Atlantic bluefin tuna which is less than or in excess of the lengths set forth herein, there shall be a rebuttable presumption that such Atlantic bluefin tuna correspondingly weighs less than or in excess of, as the case may be, the appropriate associated weights.

Subpart C—Yellowfin Tuna (Thunnus albacares)

§ 285.20 [Reserved]

Subpart D—Restriction on Tuna Imports

§ 285.30 [Reserved]

[FR Doc.75-21232 Filed 8-12-75;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 THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

[27 CFR Part 4]

[Notice No. 283; Reference No. 280]

LABELING AND ADVERTISING OF WINE

Extension of Comment Period on Proposed Definitions

This notice extends the period for comments on the notice, published July 17, 1975 (40 FR 30117), proposing regulations defining the terms "appellation of origin" and "viticultural area" in 27 CFR 4.10.

A request for an extension of thirty days was received from the Wine Institute, a wine industry trade association, on the basis that the summer schedule of various concerned vintners would make it impossible for the industry to properly consider the proposal by the published closing date of August 18, 1975.

The Bureau considers the request reasonable, and the comment period is hereby extended to September 17, 1975.

Signed: August 8, 1975.

WILLIAM R. THOMPSON,
Acting Director.

[FR Doc.75-21085 Filed 8-12-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1251]

[Docket No. ERPA-1]

EGG RESEARCH AND PROMOTION ORDER

Recommended Decision and Opportunity To File Written Exceptions

Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to a proposed national research and promotion order for eggs, egg products, spent fowl, and products of spent fowl.

Interested persons may file written exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, no later than September 12, 1975. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 127(b)).

The above notice of filing of the recommended decision and of opportunity to file exceptions thereto is issued pursuant to the provisions of the Egg Research and Consumer Information Act (7 U.S.C. 2701 et seq.), and the applicable rules of practice and procedure governing proceedings to formulate an order under the act, which were issued in the FEDERAL REGISTER, March 25, 1975, 40 F.R. 13198–13201, as corrected in the Federal Register, April 4, 1975, 40 F.R. 15065.

PRELIMINARY STATEMENT

The public hearing, on the record of which the recommended decision was formulated, was held at Atlanta, Georgia, May 6 and 7; at Philadelphia, Pennsylvania, May 12; at Des Moines, Iowa, May 15; at Dallas, Texas, May 19; and at South San Francisco, California, May 22, 1975. This hearing was held pursuant to notice thereof which was published in the FEDERAL REGISTER, March 27, 1975, 40 FR 13513–13517, as corrected in the FEDERAL REGISTER, April 8, 1975, 40 FR 15906. Such notice set forth a proposed order submitted by 19 State, regional, and national producer organizations on behalf of egg producers in the 48 contiguous States of the United States.

MATERIAL ISSUES

The material issues presented on the record of hearing are as follows:

(1) The existence of the right to exercise Federal jurisdiction;

(2) The need for the proposed research and promotion order to effectuate the purposes of the act;

(3) The determination of the specific terms and provisions of the proposed order as necessary to effectuate the declared policy of the act including:

(a) Definitions of terms used therein which are necessary and incidental to achieve the declared policy and objectives of the act;

(b) The establishment, maintenance, composition, procedure, powers, duties, and operation of a board which shall be the administrative agency for this order;

(c) The procedure to levy assessments on eggs handled and to incur expenses;

(d) The authority for establishing and financing the development and carrying out of programs and projects of research, producer and consumer education, and promotion and advertising designed to improve, maintain, and develop domestic and foreign markets for eggs, egg products, spent fowl, and products of spent fowl;

(e) The procedure for making refunds of assessments to producers who request them;

(f) The provisions for recordkeeping requirements and reports by producers, handlers, and other applicable individuals under section 7(c) of the act;

(g) The need for additional terms and conditions as set forth in sections 1251.350 through 1251.363 of the order which are necessary to effectuate provisions of the act.

FINDINGS AND CONCLUSIONS

The findings and conclusions on the material issues are based upon the evidence presented at the hearing and the record thereof, and are as follows:

(1) Eggs are produced and marketed in commercial volume in each of the 48 contiguous States of the United States. The distribution of egg production is not proportionate to population distribution by States and regions. The record evidence shows that on a regional basis the West North Central, South Atlantic, East South Central, West South Central, and Pacific regions each produce substantial surpluses of eggs, whereas the regions of New England, Middle Atlantic, East North Central, and Mountain are in a deficit position (assuming uniform per capita consumption in all areas). (These regions are used by the Statistical Reporting Service of the U.S. Department of Agriculture for some egg industry statistics.) Of the top 10 producing States in the Nation, only two, Texas and Pennsylvania, are egg-deficit States, meaning they do not produce enough eggs to supply their States' consumption. Egg-deficit States receive eggs from surplus-producing States in order to meet consumer demand. As a result, both eggs and spent fowl and their products move in large volume across State lines from producing to consuming areas. Import and export trade combined amounts to less than 1 percent of U.S. production.

Exhibit 5 received in evidence in Atlanta, entitled "Economic Characteristics of and Changes in the Market Egg Industry" shows that in 1969 processing plants producing frozen and dried eggs were concentrated in the Midwest and the South. For both shell eggs and processed eggs, there is little evidence of any trend toward self-sufficiency for every State or region. For example, while Boston receives the bulk of its eggs from the New England States, large shipments of eggs move from the Southern and Midwestern States into Boston and the balance of New England. In addition, eggs from California move to Colorado, Texas, Utah, and Wyoming.

Some eggs, spent fowl, and their products are consumed within the States

where grown, but even these affect interstate commerce, because they compete with eggs, spent fowl, and products thereof that move in interstate commerce. With modern communications, egg prices and/or the supply situation in any one area are promptly known in all other areas and have a direct effect on egg prices and marketings in all production areas.

The record evidence supports the finding that all eggs, spent fowl, products of spent fowl, and derivatives of egg production produced in the 48 contiguous United States are either in the current of interstate and foreign commerce or directly burden or affect interstate commerce of these products. Therefore, it is found that the right to exercise Federal jurisdiction with respect to the order as hereinafter set forth, is established.

(2) Eggs constitute one of the basic, natural foods in the human diet. Eggs are among the most economical, high protein foods in the supermarkets of America, yet the trend in demand is downward. The record evidence shows that many American consumers have not been adequately informed about the nutritional value of eggs. The order is needed to provide the egg industry with an opportunity to adopt a systematic program with which to get the facts about the advantages of using eggs to American consumers.

The record evidence shows that in 1974 farmers produced about 5.5 billion dozen eggs with gross sales amounting to approximately 3 billion dollars. The egg industry provides employment for many thousands of workers engaged directly in egg production and marketing, and for many more thousands of workers in allied industries, such as feed, transportation, equipment, and building. Total egg production in the United States has been declining on an annual basis since 1971, but more significant is the rapid decline in per capita consumption of eggs. In 1974, per capita consumption of eggs was down to 287 compared to 393 in 1951. The downward trend in the demand for eggs has had a depressing effect on the egg and allied industries.

Growthwise, the egg industry has grown only 12 percent during the past 25 years. Total annual production of eggs in 1974 at 5.5 billion dozen was only 0.6 billion dozen above the 4.9 billion dozen eggs produced in 1950.

Egg prices have generally trended downward since the late 1940's. Prices paid to producers for eggs averaged 46 cents a dozen in 1947–49 according to Exhibit 8, received in evidence in Atlanta, entitled "Changes in the Egg Industry and Projections for 1980." Since 1950, prices generally trended downward to a low of 31 cents a dozen in 1967. Prices recovered strongly by 1969; however, they declined again to low levels in 1971–72 before improving to 53 cents per dozen in 1974 (partly because of inflation). Egg production by 1980 is projected to be about 6.3 billion dozen; however, this projection was based on an expected per capita consumption of about 300 at the end of this decade, whereas consumption has dropped well below that level to 287 per person in 1974 and the evidence is that the downward trend is continuing.

Shifts in geographical areas of production, shifts to fewer and larger units of production, marked changes in mechanization, vertical integration of a large part of the industry, and greatly increased costs of production, all have created problems for egg producers in recent years.

The egg industry in the last 2½ decades has not been subjected to price support programs. There are no Federal marketing allotments, production quotas, cash subsidies, or price guarantees for eggs or spent fowl. Some nationwide assistance has been provided through the former USDA Plentiful Foods Program and more recently by other USDA promotional assistance. In addition, USDA has purchased some quantities of the products of eggs and spent fowl during periods when the market suffered from surplus supply and resultant depressed prices. These actions have helped in a limited way to alleviate economic pressures on egg producers. However, the egg industry is still faced with problems of declining per capita consumption, surplus supplies, and low prices.

The number and size of egg-producing units have changed dramatically during the past 25 years. More eggs are being produced by fewer producers in a system that is moving toward a more coordinated, integrated form of production. The number of farms selling eggs fell sharply from 2.4 million in 1949 to 471,000 in 1969. The decline in the number of laying flocks and the trend to larger operations reflect many factors affecting the supply of and demand for eggs and spent fowl. Contract production has been steadily increasing to the extent that probably about half of all eggs produced are from farms with some type of contractual, integrated structure between the grower and other firms associated with the industry. Contract production has come about largely because of the cost-price squeeze experienced by the industry. There have been major geographic shifts in production of eggs, mainly to the South and West, largely due to lower costs of production. The location of facilities for grading and cartoning eggs has changed mainly for economy reasons. These operations were first performed largely by wholesalers in central, terminal markets. Today, much of the grading and cartoning is done by producers or by assembler-packers in producing areas because costs are lower and general efficiency is improved.

While national per capita disposable incomes more than doubled since 1950, egg prices to farmers have increased not more than 10 percent on the average during that period.

The decline in per capita consumption of eggs from the high level around 1950 was testified to be due, in part, to changing life styles of many Americans. Many Americans no longer eat eggs at breakfast due in a large part to the availability of substitute foods or, because people are no longer eating any breakfast at all. The egg industry has so far been unable to interest consumers in the use of more eggs at other meals. The net result is that the egg industry has suffered from a declining demand for its products.

Egg producers have been trying unsuccessfully for years through voluntary, cooperative action to promote increased use of eggs and spent fowl, but only substantial investments in intensive research and promotion can help them. Major egg producing States have programs to collect funds and conduct advertising and promotion. These programs have had limited success because they have been too small in size and too limited in scope to reverse the downward trend in egg demand. Since 1939, when the egg industry formed the Poultry and Egg National Board, now the American Egg Board, it has attempted to carry out promotion and consumer information programs on a national scale with voluntary contributions. However, sufficient financing has not been available to carry out the program in the several major markets at the same time. The efforts of both State and national industry egg associations to promote and advertise eggs have been too little to stem the downward trend in egg consumption.

The proposed research and promotion order has received widespread support of the egg industry. There were 19 national, regional, and State producer organizations which sponsored a proposed order. Record evidence shows that there is widespread industry support for the order. The evidence establishes a need for financing research as provided for in the order to find solutions to problems in production, handling, and marketing of eggs, spent fowl, and products thereof. The evidence shows that the coordinated system of financing research and promotion, as envisioned by the order, is needed and will result in certain benefits to the egg industry and consumers as well. Consumers would benefit by being more knowledgeable about eggs and how they may be used in their diet.

It is concluded, from the record evidence, that the egg industry urgently needs a research and promotion program and that the order would provide such a program and would effectuate the declared policy of the act.

(3) (a) Certain terms applying to specific individuals, agencies, legislation, concepts, or things are used throughout the order. These terms should be defined for the purpose of designating specifically their applicability and establishing appropriate limitations on their respective meanings whenever they are used.

"Secretary" should be defined to include not only the Secretary of Agriculture of the United States, the official charged by law with the responsibility for this order, but any other officer or employee of the U.S. Department of Agriculture who is, or who may hereafter be, authorized to act in his stead.

"Act" should be defined to provide the correct legal citation for the statute pursuant to which the order may be put into

effect and operated. The inclusion of this definition will make it unnecessary to refer to such law and statutory citation every time reference is made to the act in the provisions of the order. "Act" should be defined to include any future amendments that may be made to the Egg Research and Consumer Information Act.

"Fiscal period" should be defined to be the specific 12-month period corresponding with the calendar year. A clearly defined and predetermined fiscal period of 12 months can facilitate auditing, budgeting, accounting, and making of expenditures on an orderly basis. Promotional activities for the egg industry are normally conducted during several periods of the calendar year. A full calendar year of activities can be better evaluated in comparison with the total of the previous year's activities. There are advantages in contracting for promotional work for 12-month periods as contrasted to contracting for shorter periods. Record evidence indicates that companies in advertising, media, printing, etc., use the calendar year as their fiscal year. However, the Board should be given authority to recommend a change in the fiscal period if changes in circumstances, at any time, warrant a different fiscal period from the one specified in the order. For example, the Board might wish to recommend to the Secretary that the fiscal period begin on October 1 instead of January 1, and continue for a 12-month period, if the operation of the program warrants it. The section applicable to fiscal period in the order would permit this flexibility.

"Egg Board" or "Board" should be defined as the administrative agency or body charged with the duty to administer the order. Since the order would be for the benefit of egg producers, the administrative agency should be composed of egg producers, or representatives of egg producers, selected by the Secretary from eligible organizations, associations, cooperatives, or producers. The act provides for the establishment of an administrative body to be known as the "Egg Board". A similar provision is included in the order. However, the term "Egg Board" may engender some confusion, considering the prior existence of the American Egg Board, the national voluntary promotion organization of the egg industry. In recognition of this potential confusion in terminology between the term specified in the act and an existing organization, the order should, with the approval of the Secretary, permit the "Egg Board" the discretion of adopting a name of its choice, if such alternative choice would tend to eliminate confusion on the part of producers and the general public.

"Commercial eggs" or "Eggs". The definition of the sole commodity to be assessed and to be subject to the provisions of the order is necessary to distinguish it from other agricultural commodities.

The definition of "commercial eggs" or "eggs" is intended to include all commercially produced eggs from domesticated chickens in the production area and sold for human consumption either as shell eggs or egg products. The production area of the order is the 48 contiguous States of the United States. The record evidence justifies the fact that there should be exempted from the order persons engaged in producing eggs that are to be used primarily for hatching purposes. Their volume is only a small proportion of the total volume of eggs sold for table use or egg product use. The evidence adduced shows that their marketing pattern is often incidental and apart from normal distribution channels of shell eggs and egg products.

The order defines "United States." The evidence shows that this term should be defined the same as in the act. The evidence confirms that commercial egg production is a part of the economy of each of the 48 contiguous States of the United States, and that it would be impractical and unjustifiable to exclude any of them.

"Handler" should be defined in the order to identify the persons who would be subject to certain recordkeeping requirements provided for by the Board, and who would have the responsibility for collecting the assessments. This definition should include any person who receives or otherwise acquires eggs from an egg producer, and processes, prepares for marketing, or markets such eggs; it also should include producers who perform the aforesaid functions with eggs (whether or not of his own production), and all other persons who perform functions which place eggs in the current of commerce or cause the eggs to be placed in the current of commerce. Any act by any person whereby he purchases eggs from a producer or markets eggs from a producer should be included in the actions which would make such person a handler. If a person does nothing except buy the eggs from a producer and resell them to a processing plant, he would perform a marketing function and should be termed a "handler." To be a handler, a person need not necessarily grade or process the eggs, or put them in cartons. Thus, the definition of handler should include the person who receives eggs from a producer for resale, whether or not he grades and cartons them; it should also include any producer who grades, cartons, or otherwise performs handling functions of eggs of his own production, except that if a producer sells "nest run" eggs only he should not be so defined. If a producer is a handler of only a portion of his production, then all eggs producer by him should be considered as handled.

The term "promotion" should be defined to include paid advertising, sales promotion, merchandising, consumer education, publicity, or any other activities which will enhance the image, acceptability, or desirability of eggs, egg products, spent fowl, or products of spent fowl, in either domestic or foreign markets. However, the order should prohibit the payment of funds to sponsor any advertising which includes brand names of eggs, spent fowl, or their products, except that cooperative advertising and promotion should be permitted whereby nonbranded eggs, or spent fowl, or their products combine with non-competing, compatible branded products to share the advertising message and cost.

"Research" should be defined to include any type of research intended to advance the image, desirability, marketability, production, or quality of eggs, egg products, spent fowl, or products of spent fowl. It should include market research, market testing, product research, packaging research, distribution research, consumer opinion polls and studies, attitude research, evaluation of promotion projects and research contracts, production research, and related research. The order should specify that research performed under its provisions should not preempt, duplicate, or supplant research performed by the United States Department of Agriculture, the Land Grant Colleges, or other public or private research entities.

"Marketing" should be defined, based on the record evidence, with the same definition as specified in the act. However, the word "sale" or "disposition" should be interpreted in a broad sense. The marketing definition should include all activities that occur from the time the eggs are produced until they are sold to the ultimate consumer.

"Eligible organizations" should be defined on the basis of record evidence to include organizations, associations, and cooperatives representing egg producers nationwide, regionally, statewide, or in portions of States. The final determination of whether an organization is an eligible organization should rest with the Secretary of Agriculture in accordance with the criteria set forth in the act.

"Plans and projects" should be defined on the basis of record evidence and as specified in the act to indicate the type of activities which may be recommended to the Secretary by the Board. These terms are not intended to be limiting, but rather to include any types of research, development, advertising, and promotion which may be authorized.

"Part and subpart" should be defined in such a manner that the word "part" refers to the order plus all the rules, regulations, and supplemental orders or amendments subsequently issued and pertaining to the order. The term "subpart" should be defined to refer to the order itself, and to any other portion or segment of the "part."

"Person" should be defined in the order the same as that term is set forth in the act. For example, if a husband and wife are engaged in the commercial production of eggs as a single legal entity, they should be considered a person for purposes of the operation of the order. Likewise, two or more individuals, who have formed a legal partnership and are operating as such, should be a person for purposes of the order. Furthermore, any group of two or more individuals, who are functioning as a single business entity, whether or not they have gone

through a legal process of organization, should be considered a person under the order.

"Egg producer" or "producer" should be defined in the order to identify the persons who will be responsible for the payment of the assessment under the order. In addition, producers are the persons who will have the right to vote in any referendum on the order and will be eligible to serve or be represented on the Board and to nominate others to serve on the Board.

The egg production business is carried on, to some extent, through a large number and variety of production contracts between egg farmers, feed companies, and a variety of other persons. The terms of these contracts govern the rights and obligations of the various parties to each, such as providing for the ownership of the laying hens, the obligation to feed and medicate the hens, the responsibility to provide and maintain the production facility, the risk of loss in the event of death or destruction of the flock, and so on. Depending on the particular contract, these rights and obligations may fall on one party or another. Therefore, from one contract to another, the ownership of the hens may be lodged in any one or more of the various parties to the contracts. A typical example would be a three-party contract between a feed company, a person owning a production facility, and a person with financial backing and know-how capable of running an egg production business. The terms of such a contract could provide that ownership of the laying hens be held by the feed company. Alternatively, ownership of the hens might be held by one or both of the other parties. The point is that, without an inspection of the contract to determine its terms, it would not be possible in many cases to tell which party to the contract actually owns the laying hens. If all such contracts had to be reviewed by the Board or the Secretary to determine who owned the laying hens for the purpose of identifying each producer, it would generate an enormous amount of work that could place a severe burden on the operation of the program set up by the order.

The producer definition should therefore be written to allow sufficient identification of all persons who are owners of laying hens intended to be classified as producers under the order and at the same time to eliminate the need to review all of the various contracts under which the eggs are produced. Specifically, the definition should set up two categories of persons who would be producers under the order. The first category should be all egg farmers who do not produce eggs as a result of entering into contracts for the production of eggs, but, instead, acquire their own laying hens, started pullets, and/or chicks for the purpose of producing commercial eggs, and own laying hens engaged in the production of commercial eggs, and operate their own egg production business. Such egg farmers should be egg producers under the order by virtue of their ownership of the hens. The fact that such an egg farmer may sell his production of eggs under a sales contract with an egg handler will not affect his status as an egg producer under this definition.

Second, in all cases where an egg production business operation is based upon a contract for the production of eggs involving two or more persons, the party to the contract who acquires and supplies laying hens, started pullets, and/or chicks to the production operation will be presumed to be the owner of the hens engaged in the production of commercial eggs and, therefore, will be the producer under this definition. This presumption is based upon the fact that in the egg industry the party to an egg production contract who supplies the hens is most frequently the owner of them. In the event the contract involved is oral, and not evidenced by any written instrument, and the Secretary or the Board determines that the person who actually supplied the hens cannot be readily identified, the party to the contract who has actual possession and control of the hens at the production facility will be presumed to be the owner of the hens. However, in such a case, the parties to the contract may all sign a written notice and submit it to the Board or the Secretary identifying the actual owner of the hens, if other than the party presumed to be the owner. Finally, in any case where the party to the contract supplying the hens is presumed to be the owner but does not retain ownership in them, it may be established in writing, to the satisfaction of the Secretary or the Board that one of the other parties to the contract actually owns the hens. In each situation specified above, the party identified as owning the hens would be the producer.

In summary, the producer definition must take into account and minimize the potential for dispute in the determination of ownership of the laying hens, and also eliminate to the greatest extent possible the need for reviewing a substantial number of egg production contracts in order to determine the ownership of the laying hens. The definition, as written, is based upon actual ownership of hens where such ownership can be readily determined and presumes ownership in situations where the actual determination of ownership might require extensive study and review of the applicable contracts. However, whenever such a presumption is made, the parties to the contract are provided the means to rebut the presumption and to notify the Board or the Secretary as to who is actually the owner of the hens and, thus, correctly identify the producer in the event the presumption is wrong.

The evidence adduced at the hearing brought out the need to define a "representative of a producer," due to the fact many producers in the egg industry are joined together and organized into business entities, each entity a person under the order, who, by necessity, must frequently speak or act through a representative. Therefore, the order should provide that a representative of a producer is an individual who is the owner, officer, or an employee of an egg producing firm who has been authorized to act in behalf of the producer.

The act defines a number of terms, which must be clearly understood in the operation of the order; however, it is not necessary to repeat all such definitions in the order for appropriate application of such terminology. The terms defined in the act and not specifically defined in the order include: "hen" or "laying hen," "case," "hatching eggs," "egg products," "spent fowl," "products of spent fowl," "hatchery operator," "started pullet," and "started pullet dealer."

(b) Record evidence shows that an administrative agency, known as the "Egg Board", should be established to administer the order. The Board should be composed of egg producers, or representatives of producers, selected by the Secretary from nominations made by eligible organizations, associations, cooperatives, or producers.

Evidence shows that there are several organizations, associations, and cooperatives representing egg producers in each geographic area of the United States. The definition of what constitutes eligibility of such organizations, associations, and cooperatives, to nominate members to the Board should include, but not be limited to, the criteria listed in the order. The final determination of eligibility should rest with the Secretary of Agriculture.

The composition of the Board should reflect several important factors. Eggs are produced commercially in all 48 contiguous States, so producers in all of these States should be represented. In order to hold the size of the Board down to an efficient and effective size, the States should be grouped into areas, as hereinafter set forth. Proportionate representation should be given to the areas based upon the number of eggs produced. An overly large Board would entail unduly high administrative costs for Board meetings, and thereby reduce the amount of money available for carrying out plans and projects of research and promotion. On the other hand, an unduly small Board would make it difficult to get adequate representation from all segments of the egg industry. The act provides for the establishment of an Egg Board of not more than 18 members. Record evidence shows that an Egg Board of 18 members, with representation as hereinafter provided in § 1251.328, with a like number of alternates, should be a workable, equitable, representative Board providing adequate industry representation and assuring recommendations for administration reflective of the general consensus of the industry. It should also be adequate for the discharge of the other various Board duties and responsibilities.

Since a declared policy of the act is to strengthen the egg industry's position in the marketplace, it is appropriate that the members of the Board should be producers or representatives of producers. A democratic process for the selec-

tion of the Board is needed. Any egg organization, association, or cooperative should be permitted to seek to be qualified as an eligible spokesman for egg producers in the submission of nominations for Board membership and their alternates. However, if a substantial number of egg producers are not adequately represented by the eligible groups, they should also be permitted to submit nominations if they so desire. The Secretary should appoint the 18 members of the Board, and their alternates, from the nominations submitted to him.

The term of office for Board members should be 2 years, after the initial Board has been selected as set forth in the order. It is important that the terms be staggered to avoid the possibility of all Board members' term of office expiring at the same time. The initial Board should be appointed, proportionately, for terms of 2 and 3 years. This will provide continuity and, at the same time, it will allow producers to express changes in their thinking. The Secretary should give equal representation, as far as possible, to the geographic areas when determining expiring terms of the initial Board, and their alternates. One method for determining which members of the initial Board, and their alternates, should serve for 2-year terms, and which for 3-year terms, could be accomplished by a drawing of the names within each geographic area. The names of the first half of the Board members drawn, and their alternates, would serve for 3 years, and the second half for 2 years. Since the first and sixth area, as hereinafter provided in § 1251.328, each should have 3 Board members, and their alternates, a drawing could be made of these two areas. For the first area thus drawn, 2 members, and their alternates, would be appointed for 3 years and 1 member, and his alternate, would be appointed for 2 years; in the remaining area, that is, the one not drawn first, 1 member, and his alternate, would be appointed for 3 years, and 2 members, and their alternates, would be appointed for 2 years.

After the initial appointments, 2-year terms of office for all Board members, and their alternates, should be made for several reasons. A term of less than 2 years does not provide adequate time for a Board member to become oriented to his responsibilities and apply his talents to the maximum benefit. A 2-year term is sufficient time to allow a Board member to be of valuable service to the Board, and to enable him and the producers he represents to determine whether a renewal of his term of office would be appropriate. The record evidence indicates that a renewal of a Board member's, or his alternate's, term of office may be in the best interests of the industry in some situations and not in others. Limiting members to not more than 3 consecutive terms would insure that new members would be coming into the organization with new ideas responsive to the needs of the industry. Finally, the provision that each member and alternate member continue to serve until such time as his successor is selected and has qualified would assure continuity of representation.

Nominations to the Secretary for each Board member, and alternate, should follow a systematic procedure. Adequate time should be provided to all producers and their representatives so that nominations may be agreed upon and submitted to the Secretary. Since there is more than one eligible organization, association, or cooperative within each geographic area, in the interest of obtaining the greatest possible unanimity in the nomination process, such eligible organizations, within each area, should caucus for the purpose of jointly nominating two qualified persons for each member, and each alternate member, to be appointed. If the producer representatives in any area do not caucus, or if a caucus fails to result in joint agreement upon any of the nominees, each eligible producer organization should be authorized to submit to the Secretary two nominations for each appointment to be made. A time period of 30 days from the approval of this order by referendum should be sufficient time for all eligible organizations, associations, or cooperatives, certified by the Secretary pursuant to § 1251.356, to caucus, make their selections, and submit their nominations. In addition, this would allow sufficient time for the submissions of nominations as further provided in § 1251.328. The record evidence indicates that most eligible organizations of producers are expected to caucus in advance of the results of any expected referendum, in anticipation that the results of the referendum would be favorable.

After the initial Board has been established, nominations for subsequent Board members and alternates should be provided for in the order. It is important to those who are to be nominated to have a reasonable advance notice. Subsequent nominations (after initial appointments) should be submitted by a date that will give the Secretary ample time to select the members, to inform them of their selection, and to allow acceptance of such appointment before the beginning of the term of office for which they were appointed. Submissions of nominations to the Secretary for subsequent board members and alternates should be made not less than 60 days prior to the expiration of the terms of members and alternates previously appointed to the Board.

Section 8(b) of the act provides for producer representation on the basis of proportion of eggs produced in certain geographic areas, to the extent practicable. The proposal in the notice of hearing referred to geographic areas, as defined by the Secretary. However, testimony adduced at the hearing is to the effect that geographic areas should be specified in the order. A first consideration in the delineation of geographic areas should be the recognized areas of egg production. Historically, the producing segment of the egg industry has aligned itself within the geographic areas as hereinafter designated. Industry meetings are generally attended within the designated areas. Therefore, the areas hereinafter designated will tend to simplify the needs for caucusing among groups and will reduce travel to a minimum for meetings. The designated geographic areas should provide adequate representation on the Board on the basis of proportion of eggs produced in those areas, provide for a harmonious working arrangement among the producers, and in general should tend to effectuate section 8(b) of the act relating to geographic areas.

Based on record evidence, the order should specify under § 1251.328 six geographic areas composed of the various States as follows: Area 1 (North Atlantic States) Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Delaware, New Jersey, Maryland and the District of Columbia; Area 2 (South Atlantic) Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida; Area 3 (East North Central) Ohio, Indiana, Illinois, Michigan, and Wisconsin; Area 4 (West North Central) Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, and Kansas; Area 5 (South Central) Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas; Area 6 (Western) Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Idaho, Washington, Oregon, and California.

The order should provide for the following number of members of the Board and an equal number of alternate members: North Atlantic—3, South Atlantic—4, East North Central—2, West North Central—2, South Central—4, and Western—3, for a total of 18. This distribution of Board members is based on the percentage of the total United States egg production in each area times the total membership of the Board which is 18, rounded to the nearest whole number, except no area will be without representation. The available data received in evidence establishes that the percent of total U.S. egg production in each area is: North Atlantic—16 percent, South Atlantic—21 percent, East North Central—13 percent, West North Central—12 percent, South Central—20 percent, and Western—18 percent of U.S. egg production.

In the past, egg production has shifted in relative importance from State to State, and between areas. At times this shift in location importance has changed rapidly, and at other times it has changed very slowly. Provision should be made for mandatory review at any time, but not less often than once every 5 years, of the production by geographic areas and the pattern of area functioning of organizations, associations, and cooperatives, to determine (1) whether the areas should be redefined, and (2) whether the number of Board members, and their alternates, needs changing per geographic area of egg production so that representation on the Board, in so far as is practicable, is fair and equal.

Persons selected by the Secretary as Board members, and as alternates, should qualify by filing a written accept-

ance promptly after being notified of their selection so that the Board and the Secretary will know they have accepted their appointments, and of their intention to serve in the position to which they have been appointed.

Provision should be set forth in the order for the filling of any vacanies on the Board. In the event a vacancy occurs, the same procedure should be followed for the person or persons to be nominated, qualified, and appointed as specified for the normal reappointment or appointment of new members. Every effort should be made to fill a vacancy as soon as possible so that all areas will be fully represented. The order should provide sufficient time for eligible organizations, associations, or cooperatives to caucus, submit nominations and for selection and appointment by the Secretary. A minimum of 60 days is considered reasonable for the nomination of persons to fill a vacancy. However, should a vacancy occur within 6 months of the expiration date of a member's term, the order should provide that the Secretary not be required to fill the vacancy for such a short period of time.

The order should contain a provision authorizing appointment of an alternate member to the Board for each Board member. There will be times when a person serving as a member of the Board will find it necessary to be absent from some of the Board meetings for legitimate reasons. The purpose of having an alternate member is to assure that the business affairs of the Board shall not be impaired during such situations. The alternate member should serve in the absence of the Board member. The alternate Board member should be assigned the same responsibilities as a Board member and should be authorized to act when serving in the place and stead of a Board member. An alternate member should meet the same criteria for membership as a Board member and accept the responsibilities to perform such duties as assigned. A person serving as an alternate member should be eligible for consideration to be nominated as a Board member even after having served as an alternate, but this provision should not preclude the consideration of any other eligible person for nomination as a member of the Board. The same procedure should be followed in nominating alternatives as is provided for the nomination of members to the Board. In the event of a vacancy of a Board member, for any reason, his alternate should act for him until his successor is appointed and qualified.

The procedure for conducting meetings of the Board should conform with the by-laws and rules and regulations for such to be adopted by the Board and approved by the Secretary. However, such matters as the method of voting and what constitutes a quorum should be set forth in the order. The record evidence indicates that when the Board assembles, the presence of a majority of the members should be necessary to constitute a quorum. A quorum could be composed of both members and the alternates filling in for absent members. On any vote taken by the Board, a majority of those present and voting should concur before any action can be taken. The order should provide that all votes cast, at any assembled meeting, should be cast in person. Proxy voting at an assembled meeting should not be permitted.

The Board should have authority to follow procedures which will assure that it operates properly and efficiently. In order to facilitate the transaction of routine, noncontroversial business where it might be expensive and unreasonable to call an assembled meeting, or in instances when rapid action may be necessary, the Board should be authorized to conduct meetings by telephone, telegraph, or other means of communication. Such possibilities as conference telephone calls, or simultaneous meetings of groups of its members in two or more places with direct communications connections should be considered and utilized if advantageous to the operations of the order. However, the order should provide that any such action by telephone be confirmed promptly in writing.

It is appropriate that the members and alternates of the Board be reimbursed for necessary expenses incurred when performing authorized Board business, since it would be unfair for them to bear personally such expense incurred in the interests of all egg producers. If an actual expense reimbursement procedure is preferred, the Board should adopt a standard expense account form and expense reimbursements should be made only when properly requested on such form and accompanied by receipts for all travel, room accommodations, and other reasonable expenses. Board members should serve without compensation.

The Board should be given those specified powers which are set forth in section 8(a) of the act. Such powers are necessary to enable an administrative agency of this character to function properly under the order. The Board should have the power and the responsibility to administer the order and to carry out the authorized plans and projects. The Secretary has responsibility to see that the Board does not exceed its authority.

The Board should have the power to develop and recommend rules and regulations, to be issued by the Secretary and subject to his approval, which will be the mechanics or procedures by which the Board will carry out its responsibilities under the order. Such rules or regulations should specify the assessment to be paid, when and how it is to be paid, and other requirements of the order.

It is possible that violations of the rules or regulations or of the order itself may occur. The Board should promptly investigate violations and reports of violations. A policy should be established and a procedure developed for handling all violations fairly and without prejudice. The Board should make an effort to make collections of assessments and settle alleged violations. However, in those cases when the Board cannot effect proper settlement, then the Board should report such violations to the Secretary for appropriate action.

There may be some problems arise, or conditions may change within the industry that would necessitate amendments to the order. The Board would be a logical entity to determine such need, and when such determination is made by them, they should have the power to recommend to the Secretary amendments to the order.

The Board's duties as set forth in the order are necessary for the discharge of its responsibilities. These duties are generally similar to those specified for administrative agencies under other programs of this nature, the necessity of which is justified by record evidence.

They include such duties as to meet and organize and to select from among its members a president or chairman and such other officers as may be necessary to handle the affairs of the Board; to select committees and subcommittees of Board members and to adopt such rules for its conduct as it may deem advisable. The Board should be authorized to establish advisory committees of individuals, without any voting rights under this order, other than Board members. The advisory committees should be advisory only and should not have final authority over any part of the plans or projects nor authority to expend funds. The Board would be composed only of producers or representatives of producers, and, therefore, should be authorized to establish advisory committees of persons other than Board members, since there may be other producers (not Board members), handlers, processors, distributors, State, regional and national association executive personnel, and others connected with the egg industry, who could be of great value to the Board by acting in an advisory capacity in formulating plans or projects and making decisions. It is proper that the members of each advisory committee should be reimbursed for necessary expenses incurred by them in carrying out their assignments under the order.

The Board should have the duty of appointing or employing such persons as it may deem necessary and to define the duties and determine the compensation of each. It it important that the chain of management responsibility be clearly defined.

Each fiscal period, and as may be necessary thereafter, the Board should prepare and submit to the Secretary, for approval, a budget of anticipated expenses for the coming year, listing the estimated costs for administration and for the various plans and projects, and recommending an appropriate rate of assessment for the ensuing fiscal year. The budget should be prepared in the form of a report, showing estimates of income and expenditures with accompanying analysis and explanation thereof.

The plans and projects that should be developed by the Board are expected to be sizeable and may require engaging other persons and organizations to carry them to completion. The Board should have the duty to enter into contracts with

persons, State agencies, State, regional, and national associations, cooperatives, private agencies, and others involved in advertising, promotion, and research to effectuate the order. Each recommended contract should be based on requirements that the contractor develop and submit to the Board a plan or project together with a budget or budgets which should show estimated costs to be incurred for such projects, and that any such plan or project shall become effective only after approval by the Secretary. Each contractor should be required to maintain certain records, to keep the Board informed of progress made, to account for all funds received and expended, and to furnish any records or reports as may be required by the Secretary.

(c) The act provides that funds for operation of this order shall be acquired from assessments levied on producers of eggs, collected from the producers by handlers, and that such handlers shall pay the assessments to the Board. Such a procedure is provided for in the order. The rate of assessment should be established, within the limits provided in the act, each fiscal period by the Secretary, upon recommendation of the Board and consideration of other available relevant information. Such rate of assessment may not exceed the statutory maximum of 5 cents per 30-dozen case of eggs marketed for human consumption. Evidence shows that a maximum assessment of 5 cents per 30-dozen case of eggs marketed for human consumption should provide sufficient funds to carry out the policy of the act and not create an undue burden on producers.

Handlers responsible for remitting the assessments to the Board, as provided in the order, may collect them from producers or deduct them from proceeds paid producers for eggs handled. The record evidence indicates that only the first handler of eggs should be required to collect and remit assessments to the Board. For purposes of administration, the "collecting handlers" should be distinguished from other handlers of eggs who are not responsible for collecting and remitting assessments. Each handler responsible for collecting and remitting assessments to the Board has been appropriately designated a "collecting handler" in the order.

Record evidence shows that marketing practices differ considerably from one producer to another and in the various egg producing areas of the United States. Differences may occur depending on whether eggs are graded for quality, sized, cartoned, and sold direct to retail outlets by the producer, or whether all of such marketing functions are performed by the person or firm acquiring the eggs from the producer. In other instances, buyers purchase "nest run" eggs from producers and sell them as such to another person or firm with the latter performing the sizing, grading, and packaging functions. Some persons help in the marketing of eggs by serving as brokers or sales representatives of producers, but do not actually acquire the eggs. Others assist producers in marketing eggs by providing information on market outlets and prices. In order to most effectively cope with these differences, the order should define the broad categories into which all collecting handlers may be classified and provide for the collection of assessments. The record shows that in most cases the person who carries out the first marketing function should be designated as the collecting handler and required to collect and remit assessments. Of course, as previously noted in the definition of "handler," the producer who performs the first marketing function (such as grading, sizing, and cartoning) should become the first handler and consequently the collecting handler and, as such, he should be responsible for payment of the assessment on all of the eggs he produces.

Evidence presented on the methods of handling eggs shows that handlers responsible for collecting the assessment should be either the first person who performs a function of a handler or a producer who performs a function of a handler. However, evidence also indicates that if the Board finds that one or more other categories of persons needs to be designated, it shall do so. The order provides such provisions. It is noted that these provisions of the order are somewhat different than in the proposed order contained in the notice of hearing. But they are inclusive of all categories of collecting handlers as indicated by the record evidence.

In the United States eggs are produced by many persons, with the producing enterprises ranging in size from a few laying hens, used mainly to produce eggs for home consumption, up to large commercial operations of more than 1 million laying hens. During the hearing on this national program of research and promotion, the evidence was presented which shows that the cost of administration would be too great to include all small producers, and that all producers owning 3,000 or fewer laying hens should be exempt from the provisions of the order. However, producers owning more than 3,000 laying hens should be subject to the provisions of the order. In addition, the evidence shows that the cost of collecting assessments on eggs sold for human consumption from persons producing eggs primarily for hatching purposes, likewise, would be excessive relative to the funds collected. It is therefore concluded that producers owning 3,000 or fewer laying hens and producers owning flocks producing eggs primarily for hatching purposes should be exempt from the assessment provisions of the order. The order so provides.

A number of egg research and promotion programs already are operating on a voluntary basis in some States. These programs, for the most part, are financed by the collection of assessments on eggs handled. Authority should be provided in the order that the Board may use available facilities of existing agencies or organizations to facilitate the collection of assessments on behalf of the Board in such States, if the Board finds the use of such State organizations or agencies would be efficient and desirable. Reasonable compensation for such services should be permitted.

The collecting handlers should be required to pay assessments to the Board promptly when they become due. A date 15 days after the end of the month in which eggs are handled would be reasonable as a due date. When eggs are handled as defined in the order, and any rules or regulations issued thereunder, the handler should be required to pay the assessment on them regardless of whether he has made settlement with the producer or has, in fact, collected the assessment from the producer. In all cases in which the collecting handler has collected such assessment from the producer or deducted such assessment from the proceeds paid the producer, he should furnish the producer a receipt for each collection or deduction.

As further consideration of the budget, good business practices require consideration for contingencies. The Board should be authorized to set aside funds in an operating reserve and to budget for such a reserve. It would be impractical to plan and carry out many programs or projects on a short-term basis. The record shows that in practice, research and promotion programs and projects in a given year probably will be financed in part by money collected the previous year. The record evidence indicates that a reserve fund for operating purposes would be desirable. The amount of the reserve fund should be determined by the Board, with the approval of the Secretary. A maximum in the reserve fund of an amount sufficient to operate for 1 year seems desirable based on evidence presented and information adduced at the hearing.

(d) The Board should have the authority to determine the type of research, development, advertising, and promotion activities to be undertaken, and it should be charged with the responsibility for initiating and recommending to the Secretary the establishment of such projects as are authorized by the act.

The projects and programs should be designed to assist, improve, or promote the marketing, distribution, utilization, and production of eggs, spent fowl, and their products. The authority should be broad and flexible to enable the Board to use the most efficient and effective methods of carrying out the purposes of the act.

Record evidence indicates that the order is not intended to reduce the efforts of groups, organizations, or agencies within the egg industry who are presently engaged in research and promotion activities, nor to compete with such groups. All organizations which have been so engaged should be encouraged to continue to promote and advertise as well as to engage in research and development projects for eggs and spent fowl and their products.

The Board should have the authority to recommend programs designed to expand sales in foreign markets for eggs and spent fowl and their products. The evidence indicates that the Board would

be in an advantageous position to cooperate with private agencies or with the Government in developing such export markets.

The provision that no advertising or promotion should make any reference to private brand names of eggs, egg products, spent fowl, and products of spent fowl or use unfair or deceptive acts or practices with respect to quality, value, or use any competing products is necessary to preclude discrimination. An organization, such as the Board, must be fair and helpful to all segments and elements of the egg industry. However, the prohibition against private brand names should not prevent the Board from cooperating with promotion efforts of other industries in which brand names are used that are in no way competitive with brand names of eggs, spent fowl, or their products.

The prohibition on the use of false or unwarranted claims in behalf of eggs or spent fowl or their products or false or unwaranted statements with respect to the attributes or use of competing products is also necessary for proper administration of the order. This provision is a safeguard against the possibility of overzealous claims in behalf of eggs and spent fowl and their products and to forestall any derogatory statements about competing products.

An adequate steady supply of eggs for consumers is clearly in the public interest. Maintenance of markets and the development of new markets, both here and abroad, are essential if the egg industry is to remain viable enough to fill the needs of the consumers. The order therefore provides the necessary authorizations for research and promotion designed to accomplish this objective. It would enable the Board to undertake such research as: consumer preference studies, research affecting egg sales, basic market research, new product development, production improvement, evaluation of the effectiveness of research or promotion, and other research of marketing and production problems aimed at aiding the entire egg industry.

The order would permit research into consumer demand which is needed to insure that the products of the egg industry are disseminated to all appropriate markets. Studies pertaining to egg merchandising, advertising, and promotion should be authorized to improve marketing practices that will assure all market outlets have a constant, convenient, and reliable supply of quality products. Research projects which would improve transportation and handling procedures should be authorized. Furthermore, research into feed conversion, packaging, handling, and marketing should be included in the scope of work that could be performed by the Board.

The Board may either perform research or promotion work within its own organization, or be authorized to contract for such research, development, advertising, and promotion projects and programs with public and private research and development agencies which are properly staffed and equipped to do the type of work needed.

Prior to such contracting, the approval of the Secretary should be required to insure that the projects and programs contemplated are consistent with the provisions of the order.

While the projects and programs should be submitted to the Secretary for approval, it is recognized that considerable study and planning are involved in the development of such activities. Therefore, expenses which will be incurred in connection with such development should be authorized as part of the annual plan or budget prior to the time such projects are submitted.

It is concluded, therefore, that the provisions of the order as modified from the original proposal on the basis of record evidence, and as hereinafter set forth, are comprehensive and flexible enough to enable the Board to develop or carry out whatever research, development, advertising, promotion, and public information activities are needed for eggs and spent fowl and their products.

(e) Refunds of assessments to producers who request them should be provided for in the order. The act provides that any egg producer against whose commercial eggs any assessment is made and collected from him—and who is not in favor of the programs—shall have the right to demand and receive from the Board a refund of such assessment. The order includes such provision. The refund request should be made to the Board personally by the producer in accordance with regulations and on a form prescribed by the Board and approved by the Secretary. The Board should issue regulations allowing the producer a reasonable length of time from the date of payment to submit a request, which should include evidence that he paid the assessment for which such refund is claimed. However, in no event should such period be more than 90 days after the end of the month in which the assessment is due and collectable. Such refund should be made by the Board within 60 days from the date the request is received. The refund provision is a keystone in the overall concept of the order. It means no producer is forced to financially support an order that he does not favor. The refund forms should be readily available to producers from the Board. Also, each producer who asks for a refund must individually request it. This does not mean that he must physically go to the office of the Board, but that the producer must be the one to fill out the form requesting such refund and must provide the necessary information to show that he paid the assessment. Handlers, cooperatives, marketing associations, brokers, or others should not be able to request refunds on behalf of producers; each producer must file his own request. Handlers should not be entitled to refund even though they paid to the Board funds in the amount of a producer's assessment without collecting such funds from the producer. But, a handler who is also a producer and has paid the assessment as a producer is entitled to request and receive a refund. A producer is not eligible for a refund unless he actually paid the assessment, or the assessment was deducted from the proceeds of the sale of his eggs which were handled.

The Board should have the responsibility to recommend, for the Secretary's approval, rules or regulations concerning the method of obtaining refunds together with the form to be used for such purposes

(f) Reports and recordkeeping are a necessity to most business operations. The procedure for establishing, reporting, and recordkeeping requirements which was set forth with the notice of hearing should be contained in the order. The act provides that hatchery operators, persons engaged in the sale of egg-type baby chicks and started pullet dealers, persons engaged in the production of commercial eggs, persons who receive or otherwise acquire eggs from such persons and process, prepare for market, or market such eggs, including eggs of their own production, and persons engaged in the purchase, sale, or processing of spent fowl, maintain and make available for inspection such books and records as may be required by any order issued pursuant to the act.

Collecting handlers and all other persons subject to section 7(c) of the act should be required to report to the Board periodically such information as is required, which may include: number of cases of eggs handled; number of cases of eggs on which an assessment was collected; name and address of each producer from whom any assessment is collected; and date collection of the assessment was made on each case of eggs handled. The specific guidelines for accomplishing the necessary reporting and recordkeeping objectives should be established through the rulemaking procedure. The Board should recommend, and the Secretary approve, rules and regulations which would require the least possible addition to records already being kept by the persons referred to § 1251.351 and § 1251.352 of the order.

When a collecting handler reports to the Board the collection of assessments required by the order, he should have in his custody and make available for inspection by the Board, and the Secretary, such accounts or records necessary to establish the exact amount of funds collected. This does not mean that every person subject to the order and to section 7(c) of the act will be checked on all transactions. It is anticipated that only that amount of inspection will be performed as would be in keeping with prudent business practices to insure compliance with the provisions of the order. Necessary records to insure that all persons carry out the provisions of the order should be retained for at least 2 years beyond the fiscal year of their applicability in order that any audits or investigations authorized by the Board and the Secretary can be completed.

The confidential treatment of business records of all persons covered in the order is clearly stated in the order and the act. All information that, in any way, might reveal trade secrets should be kept confidential by employees of the Board and the Secretary. Certain employees of the Board should have access to the records and accounts of producers and handlers in order to insure full compliance with the assessment provision of the order.

The record indicates that certain information obtained from reports may be beneficial to the industry in general. Therefore, the provisions of the order do not prohibit the issuance of general statements based upon the reports of the number of persons subject to the order, or statistical data collected therefrom, which do not identify the information furnished by any person; the publication, as approved by the Secretary, of general statements relating to refunds made by the Board during any specific period of time; or the publication, as approved by the Secretary, of the name of any person violating the order, together with a statement of the particular provisions of the order violated by such person.

(g) Section 1251.350 prohibits the use of assessment funds to influence Government policy or action. The only exception permitted would be in recommending amendments to the order.

Various sections of the order have referred to the right of the Secretary to approve or disapprove every action under this part. The proposed order issued with the notice of hearing omitted a specific section specifying such right. Therefore, based on the record evidence, the order should include a section entitled "Right of the Secretary."

The section concerning the right of the Secretary should specify that all fiscal matters, programs or projects, rules or regulations, decisions, determinations, or other proposed actions of the Board shall be submitted to the Secretary for his approval. These provisions are necessary and appropriate, as the Secretary is charged by law with the responsibility for the administration of the order in accordance with the policy and provisions of the act.

The provisions of sections 1251.357 through 1251.363, as hereinafter set forth, are generally included in programs of this type. Each section sets forth certain rights, obligations, privileges or procedures which are necessary and appropriate for the effective operation of the order. These provisions are incidental to, not inconsistent with, the terms and conditions of the act, are necessary to effectuate the other provisions of the order, and are supported by the record evidence. The substance of such provisions, therefore, should be included in the order.

Rulings on Briefs, Proposed Findings, and Conclusions

At the conclusion of the hearing, the Administrative Law Judge fixed July 18, 1975, as the final date for interested parties to file briefs, proposed findings, and conclusions based on the evidence collected at the hearing.

Nine briefs were filed on behalf of the following interested parties: Glenn W. Kreuscher, Director, Nebraska Department of Agriculture, Lincoln, Nebraska; Henry Kreher, President, New York State Poultry Industry Coordinated Effort, Inc., Ithaca, New York; David Shetzich, President, The Maryland Egg Council, Simpsonville, Maryland; Olan D. Forker, Professor of Marketing, New York State College of Agriculture and Life Sciences, Cornell University, Ithaca, New York; James L. Smith, Egg Producer, Owl Haven, Mundelein, Illinois; Robert J. Williams, Director, Illinois Department of Agriculture, Springfield, Illinois; Clinton L. Warner, President, Consumers League of Ohio, Cleveland, Ohio; Lee Campbell, Chairman, Egg Industry Task Force, Poultry and Egg Institute of America, Washington, D.C.; and Everett A. Eikenberry, Eaton, Ohio.

These briefs and any proposed findings and conclusions were considered in conjunction with the evidence in the record in making the findings and conclusions as set forth herein. Two of the briefs expressed strong support for the order.

One of the briefs, while expressing whole-hearted support for the order, requested that there be appointed to the Board a New York State commercial egg producer. Record evidence shows that under the proposed geographic distribution of members of the Board, the State of New York is a State in the North Atlantic area. New York State is a major production and consumption area for commercial eggs. The North Atlantic area would have three members of the Board, as provided for in the order. The evidence shows that the order makes adequate provision for nominations to be submitted by any eligible organization, association, or cooperative, or if the Secretary determines that a substantial number of egg producers are not members of, or their interests are not represented by, any such eligible organization, association, or cooperative, then nominations may be made by such egg producers in the manner authorized by the Secretary. Therefore, it is concluded that the wording of the order, as hereinafter set forth, relative to establishment and membership of the Board is fair and reasonable; and that the request to further refine the geographic distribution of the membership of the Board is not practical because, if granted for New York State, the same provision should be made for each of the 48 contiguous States in the United States, and this would result in a Board much larger than is authorized under the act.

One of the briefs requested that the language in the order be modified to direct the Board to conduct evaluative research. The brief further suggested that the order provide the Board a great deal of flexibility in deciding which programs and plans need evaluating, in selecting the techniques for evaluation, and in determining the amount of money to allocate to evaluative research. Evidence adduced at the hearing indicates that the Board should have the authority to determine the types of research activities to be undertaken, subject to approval by the Secretary. The authority should be broad and flexible to enable the Board to use the most efficient and effective methods of carrying out the policy of the act. It is expected that the Board will be prudent in the use of funds obtained by assessment against egg producers. The Secretary is also charged with the responsibility of determining that the projects and programs of the Board are such as would tend to accomplish the policy of the act. It is concluded that the evaluative research needed is a normal part of good administrative procedure, that the wording in the order does not restrict such research, and that the amount and kind of such research to be carried out can be best determined by the Board and the Secretary. The recommended modification presented in the brief is hereby denied.

Two briefs were filed in opposition to the order. One was in general opposition and the other stated that small producers could not afford the assessment and recommended that all commercial egg producers with 100,000 laying hens, or fewer, should be exempt from the terms and conditions of the order. Record evidence shows substantial support for the order and for the exemption of producers having 3,000 or fewer laying hens from the assessment provisions based upon the economics of the cost of collection versus the amount of money collected. In addition, the record shows that the assessment of 5 cents per 30-dozen cases of eggs sold would amount to considerably less than one-half of 1 percent of the usual selling price and that such assessment would not constitute an undue burden on producers with more than 3,000 laying hens. Furthermore, the act does not authorize exemption of producers with more than 3,000 laying hens. Therefore, these motions are denied.

A brief filed in support of the program recommended that the Board be required to enter into arrangements with existing organizations for research and promotion on a State and local basis. The evidence presented at the hearing shows that there is no justification or need to provide in the order that the Board should usurp any of the responsibilities of State, regional, or national organizations by preempting existing egg research and promotion programs. Furthermore, the order provides that the Board may authorize other organizations or agencies to collect assessments as its agent, and that it is the duty of the Board to "enter into contracts or agreements with persons, including, but not limited to, State, regional, or national agencies, or State, regional, or national egg organizations which administer research, education, or promotion programs . . . and egg producer organizations . . ." and that the Board should pay the cost thereof with funds collected pursuant to the order. It is concluded that the order adequately provides for the Board to exercise its discretion concerning matters referred to in the recommendation in the brief and

that no modification of the order is necessary.

A brief filed in opposition stated that there is no demonstrated need for promoting eggs, and that the order would tend to increase prices of eggs through withholding of supply. However, the record contains a wealth of evidence showing conclusively that there is an urgent need to strengthen the egg industry's position in the marketplace, and maintain and expand domestic and foreign markets and uses for eggs, spent fowl, and their products. Further, the order has no provisions for regulating the supply of these commodities.

Another brief, while expressing strong support for the order, recommended: (1) that the order define a representative of an egg producer, and (2) deletion of subparagraphs (3) and (4) in § 1251.330(a), deletion of the first complete sentence in subsection (b) of the same section, and deletion of the words "paragraph (a) (1)" in the second sentence of subsection (b) of the same section all in the proposal contained in the notice of hearing.

The hearing evidence supports the need to define a representative of a producer as previously discussed herein. The order contains such definition.

Although the brief did not provide reasons for the second recommendation, evidence adduced at the hearing shows that the items marked (3) and (4) of § 1251.330(a) and all of subsection (b) of such section as written in the notice of hearing are either redundant, or are adequately provided for by the remaining provisions in § 1251.330 as proposed in the notice of hearing. The order, as written, accepts this recommendation and therefore complies with the intent of this brief.

Every point in each of the briefs was carefully considered along with the record evidence in making the findings and reaching the conclusions herein set forth. Several recommendations and suggestions made during the hearing were adopted and the provisions of the order have been revised from the proposed order which accompanied the notice of hearing. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions as set forth herein, the request to make such findings or reach such conclusions are denied for the reasons previously cited in this decision.

General Findings

Upon the basis of the evidence introduced at the hearing and the record thereof, it is found that:

(1) The Egg Research and Promotion Order and all of the terms and conditions thereof, as hereinafter set forth, will tend to effectuate the declared policy of the act; and

(2) All handling of eggs produced in the 48 contiguous States of the United States, as defined in the said order, is in the current of interstate commerce, or directly burdens, obstructs, or affects interstate commerce in eggs, spent fowl, and their products; and

(3) The following terms and conditions of the order are recommended as the detailed means of carrying out the declared policy of the act with respect to the establishment of an orderly procedure for the financing through adequate assessments on eggs produced in the 48 contiguous States of the United States for human consumption, and the carrying out of a program of research, development, advertising, consumer information, and promotion:

Recommended Egg Research and Promotion Order

The following national egg research and promotion order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out.

Part 1251 is added to Title 7 CFR as follows:

PART 1251—EGG RESEARCH AND PROMOTION ORDER

Definitions

Sec.

1251.301 Secretary.
1251.302 Act.
1251.303 Fiscal period.
1251.304 Egg Board.
1251.305 Egg producer.
1251.306 Commercial eggs or eggs.
1251.307 Person.
1251.308 United States.
1251.309 Handler.
1251.310 Promotion.
1251.311 Research.
1251.312 Marketing.
1251.313 Eligible organization.
1251.314 Plans and projects.
1251.315 Part and subpart.
1251.316 Representative of a producer.

Egg Board

1251.326 Establishment and membership.
1251.327 Term of office.
1251.328 Nominations.
1251.329 Selection.
1251.330 Acceptance.
1251.331 Vacancies.
1251.332 Alternate members.
1251.333 Procedure.
1251.334 Compensation and reimbursement.
1251.335 Powers of the Board.
1251.336 Duties.

Research, Education, and Promotion

1251.341 Research, education, and promotion.

Expenses and Assessments

1251.346 Expenses.
1251.347 Assessments.
1251.348 Collecting handlers and collection.
1251.349 Producer refunds.
1251.350 Influencing governmental action.

Reports, Books, and Records

1251.351 Reports.
1251.352 Books and records.
1251.353 Confidential treatment.

Certification of Organizations

1251.356 Certification of organizations.

Miscellaneous

1251.357 Suspension and termination.
1251.358 Proceedings after termination.
1251.359 Effect of termination or amendment.
1251.360 Personal liability.
1251.361 Right of the Secretary.
1251.362 Amendments.
1251.363 Separability.

Authority: Egg Research and Consumer Information Act (7 U.S.C. 2701 et seq.).

Definitions

§ 1251.301 Secretary.

"Secretary" means the Secretary of Agriculture or any other officer or employee of the Department of Agriculture to whom there has heretofore been delegated, or to whom there may hereafter be delegated, the authority to act in his stead.

§ 1251.302 Act.

"Act" means the Egg Research and Consumer Information Act (Pub. L. 93-428).

§ 1251.303 Fiscal period.

"Fiscal period" means the calendar year unless the Egg Board, with the approval of the Secretary, selects some other budgetary period.

§ 1251.304 Egg Board.

"Egg Board" or "Board" or other designatory term adopted by such Board, with the approval of the Secretary, means the administrative body established pursuant to § 1251.326.

§ 1251.305 Egg producer.

"Egg producer" or "producer" means any person who either:

(1) Is an egg farmer who acquires and owns laying hens, chicks, and/or started pullets for the purpose of and is engaged in the production of commercial eggs; or

(2) Is a person who supplied or supplies laying hens, chicks, and/or started pullets to an egg farmer for the purpose of producing commercial eggs pursuant to an oral or written contractual agreement for the production of commercial eggs. Such person is deemed to be the owner of such laying hens unless it is established in writing, to the satisfaction of the Secretary or the Egg Board, that actual ownership of the laying hens is in some other party to the contract. In the event the party to an oral contract who supplied or supplies the laying hens cannot be readily identified by the Secretary or the Egg Board, the person who has immediate possession and control over the laying hens at the egg production facility shall be deemed to be the owner of such hens unless written notice is provided to the Secretary or the Egg Board, signed by the parties to said oral contract, clearly stating that the eggs are being produced under a contractual agreement and identifying the party (or parties) under said contract who is the owner of the hens.

§ 1251.306 Commercial eggs or eggs.

"Commercial eggs" or "eggs" means eggs from domesticated chickens which are sold for human consumption either in shell egg form or for further processing into egg products.

§ 1251.307 Person.

"Person" means any individual, group of individuals, partnership, corporation,

association, cooperative, or any other entity.

§ 1251.308 United States.

"United States" means the 48 contiguous States of the United States of America and the District of Columbia.

§ 1251.309 Handler.

"Handler" means any person who receives or otherwise acquires eggs from an egg producer, and processes, prepares for marketing, or markets, such eggs, including eggs of his own production.

§ 1251.310 Promotion.

"Promotion" means any action, including paid advertising, to advance the image or desirability of eggs, egg products, spent fowl, or products of spent fowl.

§ 1251.311 Research.

"Research" means any type of research to advance the image, desirability, marketability, production, or quality of eggs, egg products, spent fowl, or products of spent fowl, or the evaluation of such research.

§ 1251.312 Marketing.

"Marketing" means the sale or other disposition of commercial eggs, egg products, spent fowl, or products of spent fowl in any channel of commerce.

§ 1251.313 Eligible organization.

"Eligible organization" means any organization, association, or cooperative which represents egg producers of any egg producing area of the United States certified by the Secretary pursuant to § 1251.356.

§ 1251.314 Plans and projects.

"Plans" and "projects" mean those research, consumer and producer education, advertising, marketing, product development, and promotion plans, studies, or projects pursuant to § 1251.341.

§ 1251.315 Part and subpart.

"Part" means the Egg Research and Promotion Order and all rules, regulations, and supplemental order issued pursuant to the act and the order. "Subpart" refers to the aforesaid order or any other portion or segment of this part.

§ 1251.316 Representative of a producer.

"Representative of a producer" means the owner, officer, or an employee of a producer who has been duly authorized to act in the place and stead of the producer.

EGG BOARD

§ 1251.326 Establishment and membership.

There is hereby established an Egg Board, hereinafter called the "Board", composed of 18 egg producers or representatives of egg producers, and 18 specific alternates, all appointed by the Secretary from nominations submitted by eligible organizations, associations, or cooperatives, or by other producers pursuant to § 1251.328.

§ 1251.327 Term of office.

The members of the Board, and their alternates, shall serve for terms of 2 years, except initial appointments shall be, proportionately, for terms of 2 and 3 years. Each member and alternate member shall continue to serve until his successor is appointed by the Secretary and has qualified. No member shall serve for more than three consecutive terms.

§ 1251.328 Nominations.

All nominations authorized under § 1251.326 shall be made in the following manner:

(a) Within 30 days of the approval of this order by referendum, nominations shall be submitted to the Secretary for each geographic area as specified in paragraph (d) of this section by eligible organizations, associations, or cooperatives certified pursuant to § 1251.356, or, if the Secretary determines that a substantial number of egg producers are not members of, or their interests are not represented by, any such eligible organization, association, or cooperative, then from nominations made by such egg producers in the manner authorized by the Secretary;

(b) After the establishment of the initial Board, the nominations for subsequent Board members and alternates shall be submitted to the Secretary not less than 60 days prior to the expiration of the terms of the members and alternates previously appointed to the Board;

(c) Where there is more than one eligible organization, association, or cooperative within each geographic area, as defined by the Secretary, they may caucus for the purpose of jointly nominating two qualified persons for each member and for each alternate member to be appointed. If joint agreement is not reached with respect to any such nominations, or if no caucus is held within a defined geographic area, each eligible organization, association, or cooperative may submit to the Secretary two nominations for each appointment to be made;

(d) For purposes of nominating members, and their alternates, to the Board, the 48 contiguous States of the United States shall be grouped into 6 geographic areas, as follows: Area 1 (North Atlantic States) consisting of Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, and the District of Columbia; Area 2 (South Atlantic States) consisting of Virginia, West Virginia, North Carolina, South Carolina, Georgia, and Florida; Area 3 (East North Central States) Ohio, Indiana, Illinois, Michigan, and Wisconsin; Area 4 (West North Central States) Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, and Kansas; Area 5 (South Central States) Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas; and Area 6 (Western States) Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Idaho, Washington, Oregon, and California.

The number of members of the initial Board, and their alternates, who shall be appointed from each area are: Area 1–3, Area 2–4, Area 3–2, Area 4–2, Area 5–4, and Area 6–3, for a total of 18 members from all areas. Changes to the Board as provided in (e) below shall be accomplished by determining the percentage of United States egg production in each area times 18 (total Board membership) and rounding to the nearest whole number; and

(e) After the establishment of the initial Board, the area grouping of the 48 contiguous States of the United States provided for in paragraph (d) of this section, including the area distribution of the 18 members of the Board and their alternates, shall be reviewed at any time not to exceed 5 years by the Board, or by a person or agency designated by the Board to perform such review, and the results shall be reported to the Secretary along with any recommendations by the Board regarding whether the delineation of the areas and the area distribution of the Board should continue without any change, or whether changes should be made in either the areas or the number of Board members to be appointed from each area, providing that each area shall be represented by not less than one Board member and any action recommended shall be subject to the approval of the Secretary.

§ 1251.329 Selection.

From the nominations made pursuant to § 1251.328, the Secretary shall appoint the members of the Board, and an alternate for each such member, on the basis of representations provided for in § 1251.326, § 1251.327, and § 1251.328.

§ 1251.330 Acceptance.

Any person appointed by the Secretary as a member, or as an alternate member, of the Board shall qualify by filing a written acceptance with the Secretary within a period of time prescribed by the Secretary.

§ 1251.331 Vacancies.

To fill any vacancy occasioned by the failure to qualify of any person appointed as a member, or as an alternate member, of the Board, or in the event of the death, removal, resignation, or disqualification of any member or alternate member of the Board, a successor for the unexpired term of such member or alternate member of the Board shall be nominated, qualified, and appointed in the manner specified in § 1251.326, § 1251.328(b), § 1251.329, and § 1251.330, except that replacement of a Board member with an unexpired term of less than 6 months is not necessary.

§ 1251.332 Alternate members.

An alternate member of the Board, during the absence of the member for whom he or she is the alternate, shall act in the place and stead of such member. In the event of the death, removal, resignation, or disqualification of a

member, his alternate shall act for him until a successor for such member is appointed and qualified.

§ 1251.333 Procedure.

(a) A majority of the members, including alternates acting for members of the Board, shall constitute a quorum, and any action of the Board shall require the concurring votes of at least a majority of those present and voting. At assembled meetings, all votes shall be cast in person.

(b) For routine and noncontroversial matters which do not require deliberation and exchange of views, and in matters of an emergency nature when there is not enough time to call an assembled meeting of the Board, the Board may also take action upon the concurring votes of a majority of its members by mail, telephone, or telegraph, but any such action by telephone shall be confirmed promptly in writing.

§ 1251.334 Compensation and reimbursement.

The members of the Board, and alternates when acting as members, shall serve without compensation but shall be reimbursed for necessary and reasonable expenses, as approved by the Board, incurred by them in the performance of their duties under this subpart.

§ 1251.335 Powers of the Board.

The Board shall have the following powers:

(a) To administer the provisions of this subpart in accordance with its terms and provisions;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of the provisions of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 1251.336 Duties.

The Board shall have the following duties:

(a) To meet and organize and to select from among its members a chairman and such other officers as may be necessary, to select committees and subcommittees of Board members, to adopt such rules for the conduct of its business as it may deem advisable, and it may establish advisory committees of persons other than Board members;

(b) To appoint or employ such persons as it may deem necessary and to define the duties and determine the compensation of each;

(c) To prepare and submit to the Secretary for his approval budgets on a fiscal-period basis of its anticipated expenses and disbursements in the administration of this subpart, including probable cost of plans and projects as estimated in the budget or budgets submitted to it by prospective contractors, with the Board's recommendations with respect thereto;

(d) With the approval of the Secretary, to enter into contracts or agreements with persons, including, but not limited to, State, regional, or national agencies or State, regional, or national egg organizations which administer research, education, or promotion programs, advertising agencies, public relations firms, public or private research organizations, advertising and promotion media, and egg producer organizations, for the development and submission to it of plans and projects authorized by § 1251.341 and for the carrying out of such plans or projects when approved by the Secretary, and for the payment of the cost thereof with funds collected pursuant to § 1251.347. Any such contracts or agreements shall provide that such contractors shall develop and submit to the Board a plan or project together with a budget or budgets which shall show estimated costs to be incurred for such plan or project, and that any such plan or project shall become effective upon approval by the Secretary. Any such contract or agreement shall also provide that the contractor shall keep accurate records of all of its transactions and make periodic reports to the Board of activities carried out and an accounting for funds received and expended, and such other reports as the Secretary may require;

(e) To review and submit to the Secretary any plans or projects which have been developed and submitted to it by the prospective contractor, together with its recommendations with respect to the approval thereof by the Secretary;

(f) To maintain such books and records and prepare and submit such reports from time to time to the Secretary as he may prescribe, and to make appropriate accounting with respect to the receipt and disbursement of all funds entrusted to it;

(g) To prepare and make public, at least annually, a report of activities carried out and an accounting for funds received and expended;

(h) To cause its books to be audited by a certified public accountant at least once each fiscal period and at such other times as the Secretary may request, and submit a copy of each such audit to the Secretary;

(i) To give the Secretary the same notice of meetings of the Board as is given to members in order that he or his representative may attend such meetings;

(j) To act as an intermediary between the Secretary and any producer or handler; and

(k) To submit to the Secretary such information pursuant to this subpart as he may request.

RESEARCH, EDUCATION, AND PROMOTION

§ 1251.341 Research, education, and promotion.

The Board shall develop and submit to the Secretary for approval any programs or projects authorized in this section. Such programs or projects shall provide for:

(a) The establishment, issuance, effectuation, and administration of appropriate programs or projects for advertising, sales promotion, and consumer education with respect to the use of eggs, egg products, spent fowl, and products of spent fowl: *Provided, however*, That any such program or project shall be directed towards increasing the general demand for eggs, egg products, spent fowl, or products of spent fowl;

(b) The establishment and carrying on of research, marketing, and development projects and studies with respect to sale, distribution, marketing, utilization, or production of eggs, egg products, spent fowl, and products of spent fowl, and the creation of new products thereof in accordance with section 7(b) of the act, to the end that the marketing and utilization of eggs, egg products, spent fowl, and products of spent fowl may be encouraged, expanded, improved, or made more acceptable, and the data collected by such activities may be disseminated;

(c) The development and expansion of foreign markets and uses for eggs, egg products, spent fowl, and products of spent fowl;

(d) Each program or project authorized under (a), (b), and (c) of this section shall be periodically reviewed or evaluated by the Board to insure that each such program or project contributes to a coordinated national program of research, education, and promotion contributing to the maintenance of markets and for the development of new markets and of new products from eggs, egg products, spent fowl, and products of spent fowl. If it is found by the Board that any such program or project does not further the national purpose of the act, then the Board shall terminate such program or project; and

(e) No advertising or promotion programs shall use false or unwarranted claims or make any reference to private brand names of eggs, egg products, spent fowl, and products of spent fowl or use unfair or deceptive acts or practices with respect to quality, value, or use of any competing product.

EXPENSES AND ASSESSMENTS

§ 1251.346 Expenses.

The Board is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by the Board for its maintenance and functioning and to enable it to exercise its powers and perform its duties in accordance with the provisions of this subpart. The funds to cover such expenses shall be paid from assessments received pursuant to § 1251.347.

§ 1251.347 Assessments.

Each handler designated in § 1251.348 and pursuant to regulations issued by the Board shall collect from each producer; except that the following shall be exempt from the provisions of this section: (a) any egg producer whose aggregate number of laying hens at any time during a 3-consecutive month period immediately prior to the date assessments are due and

payable has not exceeded 3,000 laying hens, and (b) any producer whose flock of breeding hens whose production of eggs is primarily utilized for the hatching of baby chicks; and shall pay to the Board at such times and in such manner as prescribed by regulations issued by the Board, an assessment at the rate of 5 cents per 30-dozen case of eggs or such lesser amount set by the Board and approved by the Secretary for such expenses and expenditures, including provisions for a reasonable reserve and those administrative costs incurred by the Department of Agriculture after this subpart is effective, as the Secretary finds are reasonable and likely to be incurred by the Board and the Secretary under this subpart, except that no more than one such assessment shall be made on any case of eggs.

§ 1251.348 Collecting handlers and collection.

(a) Handlers responsible for collecting the assessment specified in § 1251.347 shall be any one of the following:

(1) The first person to whom eggs are sold, consigned, or delivered by producers and who grades, cartons, breaks, or otherwise performs a function of a handler under § 1251.309, (2) a producer who grades, cartons, breaks, or otherwise performs a function of a handler under § 1251.309 for eggs of his own production, or (3) such other persons as designated by the Board under rules and regulations issued pursuant to this subpart.

(b) Handlers shall collect and remit to the Egg Board all assessments collected in the manner and in the time specified by the Board pursuant to rules and regulations issued by the Board.

(c) Handlers shall maintain such records as the Egg Board may prescribe pursuant to rules and regulations issued by the Board.

(d) The Board with the approval of the Secretary may authorize other organizations or agencies to collect assessments in its behalf.

§ 1251.349 Producer refunds.

Any egg producer against whose eggs any assessment is made under the authority of the act and collected from him and who is not in favor of supporting the programs as provided for in this subpart shall have the right to demand and receive from the Board a refund of such assessment upon submission of proof satisfactory to the Board that the producer paid the assessment for which refund is sought. Any such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the Board and approved by the Secretary. However, in no event should such period be more than 90 days after the end of the month in which the assessments are due and collectible. Any such refund shall be made within 60 days after demand is received therefor.

§ 1251.350 Influencing governmental action.

No funds collected by the Board under this subpart shall in any manner be used for the purpose of influencing governmental policy or action except to recommend to the Secretary amendment to this subpart.

REPORTS, BOOKS, AND RECORDS

§ 1251.351 Reports.

Each handler subject to this subpart and other persons subject to section 7(c) of the act may be required to report to the Board periodically such information as is required by regulations and will effectuate the purposes of the act, which information may include but not be limited to the following:

(a) Number of cases of eggs handled;

(b) Number of cases of eggs on which an assessment was collected;

(c) Name and address of person from whom any assessment was collected; and

(d) Date collection of assessment was made on each case of eggs handled.

§ 1251.352 Books and records.

Each handler subject to this subpart and persons subject to section 7(c) of the act shall maintain and make available for inspection by the Board or the Secretary such books and records as are necessary to carry out the provisions of the subpart and the regulations issued hereunder, including such records as are necessary to verify any reports required. Such records shall be retained for at least 2 years beyond the marketing year of their applicability.

§ 1251.353 Confidential treatment.

(a) All information obtained from such books, records, or reports shall be kept confidential by all officers and employees of the Department of Agriculture and the Board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request of the Secretary, or to which the Secretary or any officer of the United States is a party, and involving this subpart. Nothing in this subsection shall be deemed to prohibit (1) the issuance of general statements based upon the reports of the number of persons subject to this subpart or statistical data collected therefrom, which statements do not identify the information furnished by any person, (2) the publication, by direction of the Secretary, of general statements relating to refunds made by the Egg Board during any specific period of time, or (3) the publication, by direction of the Secretary, of the name of any person violating this subpart together with a statement of the particular provisions of this subpart violated by such person.

(b) All information with respect to refunds, except as provided in paragraph (a)(2) of this section made to individual producers shall be kept confidential by all officers and employees of the Department of Agriculture and the Board.

CERTIFICATION OF ORGANIZATIONS

§ 1251.356 Certification of organizations.

Any organization may request the Secretary for certification of eligibility to participate in nominating members and alternate members on the Board to represent the geographic area in which the organization represents egg producers. Such eligibility shall be based in addition to other available information upon a factual report submitted by the organization which shall contain information deemed relevant and specified by the Secretary for the making of such determination, including, but not limited to, the following:

(a) Geographic territory covered by the organization's active membership;

(b) Nature and size of the organization's active membership, proportion of total of such active membership accounted for by producers of commercial eggs, a chart showing the egg production by State in which the organization has members, and the volume of commercial eggs produced by the organization's active membership in such State(s);

(c) The extent to which the commercial egg producer membership of such organization is represented in setting the organization's policies;

(d) Evidence of stability and permanency of the organization;

(e) Sources from which the organization's operating funds are derived;

(f) Functions of the organization; and

(g) The organization's ability and willingness to further the aims and objectives of the act.

The primary consideration in determining the eligibility of an organization shall be whether its egg producer membership consists of a substantial number of egg producers who produce a substantial volume of the applicable geographic area's commercial eggs to reasonably warrant its participation in the nomination of members for the Board or to request the issuance of an order. The Secretary shall certify any organization which he finds to be eligible under this section and his determination as to eligibility shall be final.

MISCELLANEOUS

§ 1251.357 Suspension and termination.

(a) The Secretary shall, whenever he finds that this subpart or any provision thereof obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this subpart or such provision.

(b) The Secretary may conduct a referendum at any time, and shall hold a referendum on request of 10 percent or more of the number of egg producers voting in the referendum approving this subpart, to determine whether egg producers favor the termination or suspension of this subpart, and the Secretary shall suspend or terminate such subpart at the end of 6 months after he determines that suspension or termination of the order is approved or favored by a majority of the egg producers voting in such referendum who, during a representative period determined by the Secretary, have been engaged in the production of commercial eggs, and who produced more than 50 percent of the volume of eggs produced by the egg producers voting in the referendum.

§ 1251.358 Proceedings after termination.

(a) Upon the termination of this subpart the Board shall recommend not more than six of its members to the Secretary to serve as trustees for the purpose of liquidating the affairs of the Board. Such persons, upon designation by the Secretary, shall become trustees of all the funds and property then in the possession or under control of the Board, including claims for any funds unpaid or property not delivered or any other claim existing at the time of such termination.

(b) The said trustees shall: (1) continue in such capacity until discharged by the Secretary, (2) carry out the obligations of the Board under any contracts or agreements entered into by it pursuant to § 1251.336, (3) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the Board and of the trustees, to such person as the Secretary may direct, and (4) upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the Board or the trustees pursuant to this section.

(c) Any person to whom funds, property, or claims have been transferred or delivered pursuant to this section shall be subject to the same obligation imposed upon the Board and upon the trustees.

(d) Any residual funds not required to defray the necessary expenses of liquidation shall be turned over to the Secretary to be disposed of, to the extent practicable, in the interest of continuing one or more of the research or promotion programs hitherto authorized.

§ 1251.359 Effect of termination or amendment.

Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant hereto, or the issuance of any amendment to either thereof, shall not:

(a) Affect or waive any right, duty, obligation, or liability which shall have risen or which may hereafter arise in connection with any provision of this subpart or any regulation issued thereunder;

(b) Release or extinguish any violation of this subpart or any regulation issued hereunder; or

(c) Affect or impair any rights or remedies of the United States, or of the Secretary, or of any person, with respect to any such violation.

§ 1251.360 Personal liability.

No member or alternate member of the Board shall be held personally responsible either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member or alternate, except for acts of dishonesty, or willful misconduct.

§ 1251.361 Right of the Secretary.

The Board (including successors and alternates) and any agent or employee appointed or employed by the Board, shall be subject on just cause to removal or suspension at any time by the Secretary. Each and every regulation, decision, determination, or other act of said Board shall be subject to the continuing right of the Secretary to disapproval of the same at any time. Upon such disapproval, the disapproved action of the said Board shall be deemed null and void, except as to acts done in reliance thereon in compliance therewith prior to such disapproval by the Secretary.

§ 1251.362 Amendments.

Amendments to this order may be proposed, from time to time, by the Board, or by an organization certified pursuant to section 16 of the act, or by any interested person affected by the provisions of the act, including the Secretary.

§ 1251.363 Separability.

If any provision of this subpart is declared invalid or the applicability thereof to any person or circumstances is held invalid, the validity of the remainder of this subpart of the applicability thereof to other persons or circumstances shall not be affected thereby.

Single copies of this notice of recommended decision may be obtained from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C. on August 8, 1975.

WILLIAM H. WALKER III,
Acting Administrator.

[FR Doc.75-21121 Filed 8-12-75;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1952]

APPROVED CALIFORNIA PLAN

Proposed Supplements

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) for review of changes and progress in the development and implementation of State plans which have been approved in accordance with section 18(c) of the Act and Part 1902 of this chapter. On May 1, 1973, a notice was published in the FEDERAL REGISTER (38 FR 10717) concerning the approval of the California Plan and of the adoption of Subpart K of Part 1952 containing the decision. Section 1952.173 of Subpart K sets forth the developmental schedule under which the plan will meet the criteria of section 18(c) of the Act and Part 1902 within three years following commencement of operations under the plan. On June 17, 1975 the State of California submitted a supplement to the plan involving the completion of a developmental step (see Subpart B of CFR Part 1953).

The supplements submitted by California concern the promulgation of regulations related to enforcement activities under the California plan. These regulations concern advance notice of inspections, citation procedures, proposed penalty procedures and employee rights concerning monitoring and measuring of exposure to hazards. In addition, the regulations concern the procedures and requirements for the issuance of permits for excavations, trenches, construction and demolition activities and requirements for reporting work-connected injuries.

2. *Location of the plan and its supplements for inspection and copying.* A copy of the plan and its supplements may be inspected and copied during normal business hours at the following locations: Technical Data Center, Occupational Safety and Health Administration, Department of Labor, 200 Constitution Avenue, N.W., Room N-3620; Washington, D.C. 20210; Office of the Assistant Regional Director for Occupational Safety and Health, Federal Office Building, 450 Golden Gate Avenue, Room 9410, San Francisco, California 94102; California Occupational Safety and Health Administration, 1006 4th Street, Third Floor, Sacramento, California 95814; California Occupational Safety and Health Administration, 455 Golden Gate Avenue, Room 2152, San Francisco, California 94102; and Division of Industrial Safety, 3460 Wilshire Boulevard, Los Angeles, California 90010.

3. *Public participation.* Interested persons are hereby given until September 12, 1975 in which to submit written data, views, and arguments concerning whether the supplement should be approved. Such submissions are to be addressed to the Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, 200 Constitution Avenue, N.W., Room N-3608, Washington, D.C. 20210.

Any interested person may request an informal hearing concerning the proposed supplements by filing particularized written objections with respect thereto within the time allowed for comments with the Associate Assistant Secretary for Regional Programs. If in the opinion of the Assistant Secretary substantial objections are filed, which warrant further public discussion, a formal or informal hearing on the subjects and issues involved may be held.

The Assistant Secretary shall consider all relevant comments, arguments, and requests submitted in accordance with this notice and shall thereafter issue his decision as to approval or disapproval of the supplements, make appropriate amendments to Subpart K of Part 1952, and initiate further appropriate proceedings if necessary.

(Secs. 8(g), 18, Pub. L. 91-956, 84 Stat. 1600, 1608 (29 U.S.C. 657(g), 667))

Signed at Washington, D.C. this 7th day of August 1975.

JOHN T. DUNLOP,
Secretary of Labor.

[FR Doc.75-21131 Filed 8-12-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

[32A CFR Ch. VI]

BASIC RULES OF THE DEFENSE PRIORITIES SYSTEM

Proposed Change in Schedule II

Notice is hereby given that the Deputy Assistant Secretary for Domestic and International Business, Domestic and International Business Administration, pursuant to Section 704 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2154), and Executive Order 10480, as amended, is proposing to amend Schedule II to DPS Reg. 1—*Materials and Services Not Subject to BDC Rating Authority*, Part A to add to the schedule "copper raw materials" as that term is defined in DMS Order 4. This action would thereby exclude all "copper raw materials" from being subject to priority ratings.

DPS Reg. 1 currently provides for the extension of priority ratings to all "copper raw materials", with the exception of copper scrap, including intermediate shapes. Copper-base scrap, in its various forms and shapes has been excluded from BDC rating authority, as the category of "scrap" has been continued in Schedule II to DPS Reg. 1.

Interested persons who desire to submit written views or comments on the proposed amendment should file them, in triplicate, with the Deputy Assistant Secretary for Domestic and International Business, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230, Ref: DPS Reg. 1, on or before September 12, 1975.

The proposed amendment is presented below:

Part A of Schedule II to DPS Regulation 1 is hereby amended to read as follows:

PART A

"The following items under the jurisdiction of BDC are presently not subject to any ratings issued by or under authority of BDC (but are subject to directives issued by or under authority of BDC) and therefore such ratings shall not be effective to obtain any of them: [1]

Communications services.
Copper raw materials as that term is defined in DMS Order 4 (formerly BDSA Order M-11A), except intermediate shapes (as defined in that order).
Crushed stone.
Gravel.
Sand.
Scrap.
Slag.
Steam heat, central.
Waste paper.

Further delineate jurisdictional responsibilities for the exercise of priorities and allocations powers:

(1) Memorandum of Agreement between the Department of the Interior and the Department of Commerce with respect to the production and/or distribution of designated products and equipment, including chemicals, associated with the output of petroleum and gas, effective October 30, 1973 (38 F.R. 30896).

(2) Defense Solid Fuels Administration (DSFA) Delegation 1 to the Secretary of Commerce with respect to the distribution of coal chemicals produced as by-products of coke made from coal, effective May 15, 1951 (16 F.R. 4590). The DSFA was abolished in 1954 and its responsibilities within the Department of the Interior have been transferred to the Office of the Assistant Secretary for Energy and Minerals, Department of the Interior.

(3) Delegation of Authority from the Secretary of Commerce to the Secretary of the Interior of priorities and allocations powers with respect to certain minerals facilities and materials, effective January 26, 1967 (32 F.R. 2462).

(4) Memorandum of Agreement between the Department of Agriculture and the Department of Commerce with respect to the scope of allocation and priority responsibilities in connection with foods which have industrial uses, effective December 5, 1973 (38 F.R. 33504).

(5) Memorandum of Understanding and Agreement between the Agricultural Stabilization and Conservation Service, Department of Agriculture, and the Bureau of Competitive Assessment and Business Policy, Department of Commerce, with respect to the scope of the term "farm equipment," effective December 5, 1973 (38 F.R. 33506). The responsibilities of the Bureau of Competitive Assessment and Business Policy have been transferred to the Bureau of Domestic Commerce (BDC), Department of Commerce.

(Defense Production Act of 1950, as amended, (64 Stat. 816; 50 U.S.C. App. 2061 et seq.): Executive Order 10480, as amended, 18 F.R. 4939, 6201, 19 F.R. 3807, 7249, 21 F.R. 1673, 23 F.R. 5061, 6971, 24 F.R. 3779, 27 F.R. 9683, 11447, 3 C.F.R. 1949–1953 Comp., p. 919: Executive Order 11725, 38 F.R. 17175; DMO–3 (Formerly DMO 8400.1) 40 F.R. 27218; 32A C.F.R. 15; Department of Commerce Organization Order 10–3, 38 F.R. 33624, and 40–1, 39 F.R. 1871; Department of Commerce, Domestic and International Business Administration Organization and Function Orders 41–1, as amended, 39 F.R. 2780, 39 F.R. 18490, 45–1, 39 F.R. 18489, and 45–2, 39 F.R. 18469.)

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION.

DONALD E. JOHNSON,
Deputy Assistant Secretary for Domestic and International Business.

[FR Doc.75-21118 Filed 8-12-75;8:45 am]

[1] The following delegations and agreements, as the same may from time to time be amended, revoked, or superseded.

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Parts 32, 35]

[CGD 75-017]

AIR COMPRESSORS; CARGO HANDLING ROOM BILGES ON TANK VESSELS

Proposed Requirements

The Coast Guard is considering amending the regulations for tank vessels to—

(a) prohibit the accumulation of cargo in cargo handling room bilges;

(b) prohibit installation of an air compressor in cargo handling rooms and other cargo areas on a new tank vessel;

(c) prohibit use of an air compressor in a cargo area on an existing vessel and require that it be made permanently inoperative or removed from the cargo area at the next drydocking or inspection for certification of the vessel, whichever occurs first.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Coast Guard (G-CMC), 400 Seventh Street, S.W., Washington, D.C. 20590. Each person submitting comments should include his name and address, identify the notice (CGD 75-017) and give reasons for any recommendations. Comments received before September 29, 1975, will be considered before final action is taken on this proposal. Copies of all written comments will be available for examination by interested persons in room 8234, Department of Transportation, Nassif Building, 400 Seventh Street, SW., Washington, D.C. The proposal may be changed in light of the comments received. No hearing is contemplated but may be held at a time and place set in a later notice in the Federal Register if requested by an interested person desiring an opportunity to comment orally at a public hearing and raising a genuine issue.

The amendments in this notice are proposed in accordance with the Commandant's Action on the Marine Board of Investigation of the SS TEXACO NORTH DAKOTA. The Commandant's Action concluded that cargo that leaks or is drained or spilled into a pump room bilge poses a hazard to the vessel and its personnel and make the operation of an air compressor in the pump room hazardous. It has been determined further that cargo that leaks or is drained or spilled into a bilge of any cargo handling room poses a hazard and that operation of an air compressor in or adjacent to any cargo area on a tank vessel likewise poses a hazard.

In consideration of the foregoing, it is proposed to amend Chapter I of Title 46 of the Code of Federal Regulations as follows:

1. By adding a new § 32.35-15 to read as follows:

§ 32.35–15 Installation of air compressors on tank vessels contracted for on or after [the effective date of these regulations]—TB/ALL.

No tank vessel contracted for on or after [the effective date of these regulations] may have an air compressor or an air compressor intake installed in any of the following cargo areas:

(a) A Cargo handling room.

(b) An enclosed space containing cargo piping.

(c) A space in which cargo hose is stowed.

(d) A space adjacent to a cargo tank or cargo tank hold.

(e) A space within three meters of any of the following:

(1) A cargo tank opening.

(2) An outlet for cargo gas or vapor.

(3) A cargo pipe flange.

(4) A cargo valve.

(5) An entrance or ventilation opening to a cargo handling room.

(f) The space on the open deck that is 2.4 meters high and that has a deck area bounded by the following:

(1) The port and starboard edges of the open deck.

(2) A straight line that—(i) Connects the port and starboard edges of the open deck;

(ii) Is three meters forward of the cargo tank or cargo tank hold closest to the bow; and

(iii) Is perpendicular to the centerline of the vessel.

(3) A straight line that—(i) Connects the port and starboard edges of the open deck;

(ii) Is three meters aft of the cargo tank or cargo tank hold closest to the stern; and

(iii) Is perpendicular to the centerline of the vessel.

(g) An enclosed space having an opening into a location described in paragraphs (a)–(f) of this section.

(h) A location similar to those described in paragraphs (a)–(g) of this section in which cargo vapors or gases may be present.

2. By adding a new § 35.35–80 to read as follows:

§ 35.35–80 Tank dregs and slops TB/ALL.

(a) No person may drain or authorize the drainage of cargo from a pump, piping system, or tank into a cargo handling room bilge except during repairs or maintenance of cargo handling equipment.

(b) The master or person in charge of a vessel shall ensure that cargo that accumulates in a bilge of a cargo handling room is promptly removed from the bilge.

3. By adding a new § 35.35–85 to read as follows:

§ 35.35–85 Air compressors TB/ALL.

(a) No person may operate an air compressor in a cargo area described in § 32.35–15 of this subchapter.

(b) The owner of a vessel that has an air compressor or an air compressor intake in a cargo area described in § 32.35–15 of this subchapter must have the equipment made permanently inoperative or removed from that location at the next drydocking or inspection for certification of the vessel after [the effective date of these regulations], whichever occurs first. The equipment may not be reinstalled thereafter in a cargo area described in § 32.35–15 of this subchapter.

(R.S. 4405, as amended, (46 U.S.C. 375); R.S. 4417a, as amended, (46 U.S.C. 391a); R.S. 4462, as amended, (46 U.S.C. 416); Sec. 1, Pub. L. 86–244, 73 Stat. 475 (46 U.S.C. 481(a)); Sec. 6(b)(1), 80 Stat. 938 (49 U.S.C. 1655(b)); 49 CFR 1.46(b) and (0)(4))

Dated: August 8, 1975.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc.75–21159 Filed 8–12–75;8:45 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75–SO–90]

ALTERATION OF TRANSITION AREA

Proposed Rulemaking

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

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320. All communications received on or before September 12, 1975 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

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

The Wetumpka transition area described in § 71.181 (40 F.R. 441) would be amended as follows:

All after ". . . longitude 86°19'30" W.): . . ." would be deleted and ". . . within 9.5 miles north and 4.5 miles south of the Maxwell VOR 070° radial, extending from the 7-mile radius area to 30.5 miles east of the Maxwell VOR; within 1 mile north and 5 miles south of the 090° bearing from the airport, extending from the 7-mile radius area to 17.5 miles east of the airport; excluding the portions that coincide with the Montgomery, Ala., and Alexander City, Ala., transition areas . . ." would be substituted therefor.

The proposed alteration is required to provide controlled airspace protection for aircraft executing the revised VOR RWY 27 instrument approach procedure and a new proposed RNAV RWY 27 instrument approach procedure. The procedure turn altitude for the VOR RWY 27 approach procedure is being lowered from 2,300 to 2,100 feet MSL to provide compatibility with the proposed RNAV RWY 27 approach procedure.

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

Issued in East Point, Ga., on August 5, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75–21083 Filed 8–12–75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75–SW–54]

DESIGNATION OF TRANSITION AREA

Proposed Rulemaking

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a 700-foot transition area at Brenham, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before September 12, 1975 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In Section 71.181 (40 FR 441), the following transition area is added:

BRENHAM, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Brenham Municipal Airport (latitude 30°12'57" N., longitude 96°22'34" W.) and

within 3 miles each side of the 341° bearing from the NDB (latitude 30°13'16" N., longitude 96°22'40" W.) extending from the NDB to 8 miles northwest.

The proposed transition area will provide controlled airspace for aircraft executing the proposed NDP RWY 16 (Original) instrument approach procedure.

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

Issued in Fort Worth, TX, on August 4, 1975.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.75-21082 Filed 8-12-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-SW-53]

DESIGNATION OF TRANSITION AREA

Proposed Rulemaking

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a 700-foot transition area at Carrizo Springs, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before September 12, 1975 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In Section 71.181 (40 F.R. 441), the following transition area is added:

CARRIZO SPRINGS, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Dimmit County Airport (latitude 28°31'25" N., longitude 99°49'30" W.) and within 3 miles each side of the 124° bearing from the NDB (latitude 28°31'19" N., longitude 99°49'38" W.) extending from the NDB to 8.5 miles southeast.

The proposed transition area will provide controlled airspace for aircraft executing the proposed NDB RWY 30 instrument approach procedure.

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

Issued in Fort Worth, TX, on August 4, 1975.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.75-21084 Filed 8-12-75;8:45 am]

FEDERAL POWER COMMISSION

[18 CFR Parts 2, 154, 157]

[Docket No. RM75-14]

NATURAL GAS

Order Issuing Staff Rate Recommendations and Prescribing Further Procedures Regarding National Rates

AUGUST 4, 1975.

National rates for jurisdictional sales of natural gas dedicated to interstate commerce on or after January 1, 1973, for the period January 1, 1975, to December 31, 1976.

There are issued herewith the comments of the Staff of the Federal Power Commission in this proceeding regarding the cost of finding and producing new supplies of natural gas for sale in interstate commerce for resale, submitted pursuant to Order Instituting National Rate Proceeding, issued herein December 4, 1974 (39 FR 43093, December 10, 1974). The comments consist of analyses and recommendations of the FPC Bureau of Natural Gas (BNG), Appendix A,[1] and of the FPC Office of Economics (OEC), Appendix B.[1]

In issuing this order for public comment, the Commission recognizes the substantial divergence between the comments of the Bureau of Natural Gas and the comments of the Office of Economics, as well as the comments of the various respondents to this proceeding. The difference in views of two important offices of this Commission makes public comment relating to both views essential. The Commission emphasizes that we do not endorse or reject either view at this time. The Commission will prescribe just and reasonable rates upon the conclusion of this proceeding, based upon a comprehensive analysis of all comments, evidence, and exhibits submitted for the public record.

There has been utilized in both the BNG and the OEC presentations, data on reserves, drilling statistics, and financial statistics from the American Gas Association (AGA), American Petroleum Institute (API), and Joint Association Survey (JAS) sources that have been employed in other costing studies. The Staff has used the AGA, API, and JAS data in its presentations on a tentative basis only, recognizing that they might have to be revised if Commission investigations and further data submissions indicate this is necessary.

The Staff comments, all comments of the parties submitted pursuant to the December 4, 1974 order initiating this proceeding, all comments of the parties in reply to such staff comments and comments of the parties, and certain other comments, information, and data[2] are or may be material to the Commission's resolution of the issues raised in this proceeding.

The Commission orders:

(A) Comments in reply to the Comments of the Staff of the Federal Power Commission, attached to this order as Appendices A and B,[1] and in reply to comments of the parties submitted pursuant to Commission order of December 4, 1974, initiating this proceeding shall be filed with the Secretary of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, on or before September 5, 1975. No further comments will be permitted.

(B) All comments shall state the name, title, mailing address, and telephone number of the person or persons to whom communications concerning this rulemaking proceeding should be addressed and shall be single spaced on letter size paper (8" by 10½" or 8½" by 11"). An original and fourteen conformed copies of each submittal shall be filed with the Commission, and copies will be placed in the Commission's public files and will be available for inspection in the Commission's Office of Public Information at 825 North Capitol Street, NE, Washington, D.C. 20426, during regular business hours. Additionally, copies must be served on all participants in this proceeding who appear on the current Secretary's Service List, and each submittal must contain the following statement signed by the person filing or authorizing the filing: "I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding in accordance with the requirements of § 1.17 of the Rules of Practice and Procedure. Dated at _____ this ____ day of _____, 19__. Signature." All comments shall be under oath and acknowledged by a notary public or comparable official, as follows: "(Name) _____, being duly sworn, deposes and says [that he is _____ (title and organization, if filing in a representative capacity)]; that he is authorized to verify and file this document; that he has examined the statements contained therein, and that all such statements are true and correct to the best of his knowledge, information, and belief."

(C) The Secretary of the Commission shall cause prompt publication of this

[1] Filed as part of the original document.

[2] See Commission orders in this proceeding: *Order Inviting Comment Re Intrastate Gas Market*, issued June 16, 1975, and *Order Instituting Investigation To Update Prior Staff Study*, issued June 13, 1975.

order in the FEDERAL REGISTER and shall serve this order upon all participants in this proceeding, all State Commissions, all other Federal agencies and departments, and upon all parties of record in Docket No. R-389-B.

By the Commission.

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

[FR Doc.75-21167 Filed 8-12-75;8:45 am]

[18 CFR Parts 101, 104, 141, 201, 204, 260]

[Docket No. RM76-3]

UNIFORM SYSTEM OF ACCOUNTS

Notice of Proposed Rulemaking

AUGUST 7, 1975.

In the matter of amendments to the Uniform Systems of Accounts for Classes A, B, C and D Public Utilities and Licensees and Natural Gas Companies to Establish Customer Service and Informational Expense Accounts, General Advertising Expense Account, and Related Changes to Annual Report Forms No. 1, No. 1-F, No. 2, and No. 2-A.

Pursuant to 5 U.S.C. 553, Sections 3, 4, 301, 304 and 309 of the Federal Power Act (41 Stat. 1063-1066, 1353; 46 Stat. 798; 49 Stat. 838-841, 854-856, 858-859; 61 Stat. 501; 16 U.S.C. 796-797, 825, 825c, 825h), and Sections 8, 10 and 16 of the Natural Gas Act (52 Stat. 825-826, 830; 15 U.S.C. 717g, 717i, 717o), the Commission gives notice it proposes to amend:

A. An instruction and certain accounts in the Uniform System of Accounts for Class A and Class B Public Utilities and Licensees, prescribed by Part 101, Chapter I, Title 18, CFR.

B. An instruction and certain accounts in the Uniform System of Accounts for Class C and Class D Public Utilites and Licensees, prescribed by Part 104, Chapter I, Title 18, CFR.

C. Certain schedule pages of FPC Form No. 1, Annual Report for Electric Utilities, Licensees and Others (Class A and Class B), prescribed by Section 141.1, Chapter I, Title 18, CFR.

D. Certain schedule pages of FPC Form No. 1-F, Annual Report for Public Utilities and Licensees (Class C and Class D), prescribed by Section 141.2, Chapter I, Title 18, CFR.

E. An instruction and certain accounts in the Uniform System of Accounts for Class A and Class B Natural Gas Companies, prescribed by Part 201, Chapter I, Title 18, CFR.

F. An instruction and certain accounts in the Uniform System of Accounts for Class C and Class D Natural Gas Companies, prescribed by Part 204, Chapter I, Title 18, CFR.

G. Certain schedule pages of FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B), prescribed by Section 260.1, Chapter I, Title 18, CFR.

H. Certain schedule pages of FPC Form No. 2-A, Annual Report for Natural Gas Companies (Class C and Class D), prescribed by Section 260.2, Chapter I, Title 18, CFR.

The Commission proposes to provide for more accounting detail and reporting disclosure for operating expenses incurred in the area of non-promotional customer assistance expenses by adding an additional Operation and Maintenance Expense subsection in the Uniform Systems of Accounts for classification of costs incurred in customer service, information, and education activities and to provide separate account classification for costs incurred in advertising and related activities not now provided for in the Uniform Systems of Accounts.

Presently, the Commission's Uniform Systems of Accounts and annual report forms provide for accounting and reporting of sales expenses of a promotional nature. These expenses are now classified under the title of "Sales Expenses." In recent years, conditions have changed to the degree that utilities are now incurring costs of an educational, conservation, and customer assistance nature. These costs are presently being accounted for under the sales expense classification, because the Uniform Systems of Accounts do not specifically provide account classification for such expenses. It appears that a more detailed segregation of the presently classified sales expense amounts should be made so as to identify the amounts related to non-promotional as well as to promotional expenses. We propose to do this by adding a new classification in the Operation and Maintenance Expense Accounts section of the Uniform Systems of Accounts to be entitled "Customer Service and Informational Expenses" and to retain the present Sales Expenses classification to collect those costs relating solely to promotional type expenses.

In additon to informing customers as to what they, as individuals, can do to use the utility's service in a safe, efficient manner, utilities have entered into programs through the advertising media to inform the public of the companies' involvement in safety, conservation, and environmental programs; and research to provide additional or alternative sources of energy. The costs incurred in this area are of a general corporate nature, not directly associated with a particular operating function and, as such, should be provided for under the "Administrative and General Expenses" classification. We propose to provide for this classification by adding a new account to the "Administrative and General Expenses" section titled "930.1, General Advertising Expenses."

The proposed revisions, as detailed hereinafter, would amend the Uniform System of Accounts prescribed for Class A and Class B electric (gas) utilities by adding a new Operation and Maintenance Expense Classification subsection titled "Customer Service and Informational Expenses," to encompass new accounts entitled "907, Supervision," "908, Customer Assistance Expenses," "909, Informational and Instructional Advertisng Expenses," and "910, Miscellaneous Customer Service and Information Expenses," and by adding a new account under the present subsection "Administrative and General Expenses," entitled "930.1, General Advertising Expenses."

The Uniform System of Accounts prescribed for Class C and Class D electric (gas) utilities would be amended to accomplish the same objectives.

The Commission's annual report forms would be revised to reflect the accounting proposals.

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, to be received no later than September 22, 1975, data views, comments or suggestions in writing concerning the amendments proposed herein. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of this Commission. Submittals to the Commission should indicate the name, title, mailing address, and telephone number of the person to whom communications concerning the proposal should be addressed, and whether the person filing them requests a conference with the staff of the Federal Power Commission to discuss the proposed revisions. The staff, in its discretion, may grant or deny requests for conference.

The proposed amendments to the Commission's Uniform Systems of Accounts under the Federal Power Act, and to FPC Annual Report Forms No. 1 and No. 1-F, would be issued under authority granted the Federal Power Commission by the Federal Power Act, particularly Sections 3, 4, 301, 304 and 309 (41 Stat. 1063-1066, 1353; 46 Stat. 798; 49 Stat. 838-841, 854-856, 858-859; 61 Stat. 501; 16 U.S.C. 796-797, 825, 825c, 825h).

The proposed amendments to the Commission's Uniform Systems of Accounts under the Natural Gas Act, and to FPC Annual Report Forms No. 2 and No. 2-A, would be issued under the authority granted the Federal Power Commission by the Natural Gas Act, particularly Sections 8, 10 and 16 (52 Stat. 825-826, 830; 15 U.S.C. 717g, 717i, 717o).

(A) The following are proposed amendments and revisions to the Uniform System of Accounts for Class A and Class B Public Utilities and Licensees, Part 101, Chapter I, Title 18 of the Code of Federal Regulations:

(1) Amend paragraph A of General Instructions Number 3 by adding "customer service and informational," following "Customer accounts," in the items adjacent to "900-949."

As amended paragraph A of General Instructions Number 3 will read:

General Instructions

* * * * *

3. *Numbering System.*

A. * * *

* * * * *

900-949 Customer accounts, customer service and informational, sales, and general and administrative expenses.

(2) Amend the Chart of Operation and Maintenance Expense Accounts as follows:

(a) Immediately following account "905, Miscellaneous Customer Accounts Expenses," add a new subsection to read "5. Customer Service and Informational Expenses."

(b) Add four new accounts under the new subsection "5. Customer Service and Informational Expenses" to read as follows:

(1) "907 Supervision."

(2) "908 Customer Assistance Expenses."

(3) "909 Informational and Instructional Advertising Expenses."

(4) "910 Miscellaneous Customer Service and Informational Expenses."

(c) Redesignate present subsection "5. Sales Expenses" as "6. Sales Expenses."

(d) Redesignate present subsection "6. Administrative and General Expenses" as "7. Administrative and General Expenses."

(e) Add a new account under renumbered subsection "7. Administrative and General Expenses" immediately following account "929, Duplicate Charges—Cr.," to be titled "930.1, General Advertising Expenses."

(f) Redesignate present account "930, Miscellaneous General Expenses," as "930.2."

As amended the Chart of Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts

* * * * *

5. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

Operation

907 Supervision.
908 Customer assistance expenses.
909 Informational and instructional advertising expenses.
910 Miscellaneous customer service and informational expenses.

6. SALES EXPENSES

* * * * *

7. ADMINISTRATIVE AND GENERAL EXPENSES

* * * * *

929 * * *
930.1 General advertising expenses.
930.2 Miscellaneous general expenses.
931 * * *

* * * * *

(3) In the Balance Sheet Accounts section, amend the text of paragraph B. of account "188, Research and Development Expenditures."

As amended this portion of the text of account 188 will read:

Balance Sheet Accounts

ASSETS AND OTHER DEBITS

* * * * *

4. DEFERRED DEBITS

* * * * *

188 Research and development expenditures.

* * * * *

B. Costs that are minor or of a general or recurring nature shall be transferred from this account to the appropriate operating expense function or if such costs are common to the overall operations or cannot be feasibly allocated to the various operating accounts, then such costs shall be recorded in account 930.2, Miscellaneous General Expenses.

* * * * *

(4) Amend the text of the Operation and Maintenance Expense Accounts as follows:

(a) Immediately following the text of account "905, Miscellaneous Customer Accounts Expenses," add a new subsection to read "5. Customer Service and Informational Expenses" to include the following accounts:

(1) "907 Supervision."

(2) "908 Customer Assistance Expenses."

(3) "909 Informational and Instructional Advertising Expenses."

(4) "910 Miscellaneous Customer Service and Informational Expenses."

(b) Redesignate present subsection "5. Sales Expenses" as "6. Sales Expenses."

(c) Amend item number "7" and "Note C" of account "913, Advertising Expenses."

(d) Redesignate present subsection "6. Administrative and General Expenses" as "7. Administrative and General Expenses."

(e) Amend "Note" and item number "7" of account "921, Office Supplies and Expenses."

(f) Add a new account immediately following account "929, Duplicate Charges—Credit," to be titled "930.1, General Advertising Expenses."

(g) Redesignate present account "930, Miscellaneous General Expenses," to account "930.2," delete item number "12" and redesignate item number "13" as "12" of this account.

As amended the text of the Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts

* * * * *

5. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

Operation

907 Supervision.

This account shall include the cost of labor and expenses incurred in the general direction and supervision of customer service activities, the object of which is to promote safe, efficient and economical use of the utility's service. Direct supervision of a specific activity within customer service and informational expense classification shall be charged to the account wherein the costs of such activity are included.

908 Customer assistance expenses.

This account shall include the cost of labor, materials used and expenses incurred in providing instructions or assistance to customers, the object of which is to promote safe, efficient and economical use of the utility's service.

ITEMS

Labor:

1. Direct supervision of department.

2. Processing customer inquiries relating to the proper use of present electric equipment, the replacement of such equipment and information related to such equipment.

3. Advice directed to present customers as to how they may achieve the most efficient and safest use of existing electric equipment.

4. Demonstrations, exhibits, lectures, and other programs designed to instruct customers in the safe, economical or efficient use of electric service, and/or oriented toward conservation of energy.

5. Engineering and technical advice to customers, the object of which is to promote safe, efficient and economical use of the utility's service.

Materials and Expenses:

6. Supplies and expenses pertaining to demonstrations, exhibits, lectures, and other programs.

7. Loss in value on equipment and appliances used for customer assistance programs.

8. Office supplies and expenses.

9. Transportation, meals, and incidental expenses.

NOTE.—Do not include in this account expenses that are provided for elsewhere, such as accounts 416, Costs and Expenses of Merchandising, Jobbing and Contract Work, 587, Customer Installations Expenses, and 912, Demonstrating and Selling Expenses.

909 Informational and instructional advertising expenses.

This account shall include the cost of labor, materials used and expenses incurred in activities which primarily convey information as to what the utility urges or suggests customers should do in utilizing electric service to protect health and safety, to encourage environmental protection, to utilize their electric equipment safely and economically, or to conserve electric energy.

ITEMS

Labor:

1. Direct supervision of informational activities.

2. Preparing informational materials for newspapers, periodicals, billboards, etc., and preparing and conducting informational motion pictures, radio and television programs.

3. Preparing informational booklets, bulletins, etc., used in direct mailings.

4. Preparing informational window and other displays.

5. Employing agencies, selecting media and conducting negotiations in connection with the placement and subject matter of information programs.

Materials and Expenses:

6. Use of newspapers, periodicals, billboards, radio, etc., for informational purposes.

7. Postage on direct mailings to customers exclusive of postage related to billings.

8. Printing of informational booklets, dodgers, bulletins, etc.

9. Supplies and expenses in preparing informational materials by the utility.

10. Office supplies and expenses.

NOTE: Exclude from this account and charge to account 930.2, Miscellaneous General Expenses, the cost of publication of stockholder reports, dividend notices, bond redemption notices, financial statements, and other notices of a general corporate character. Exclude also all expenses of a promotional, institutional, goodwill or political nature, which are includible in such accounts as 913, Advertising Expenses, 930.1,

General Advertising Expenses, and 426.4, Expenditures for Certain Civic, Political and Related Activities.

910 Miscellaneous customer service and informational expenses.

This account shall include the cost of labor, materials used and expenses incurred in connection with customer service and informational activities which are not includible in other customer information expense accounts.

ITEMS

Labor:
1. General clerical and stenographic work not assigned to specific customer service and informational programs.
2. Miscellaneous labor.
3. Communication service.
Materials and Expenses:
4. Printing, postage and office supplies expenses.

6. SALES EXPENSES

* * * * *

913 Advertising expenses.

* * * * *

ITEMS

* * * * *

7. Advertising in newspapers, periodicals, billboards, radio, etc., for sales promotion purposes, but not including institutional or goodwill advertising includible in account 930.1, General Advertising Expenses.

* * * * *

NOTE C: Exclude from this account and charge to account 930.2, Miscellaneous General Expenses, the cost of publication of stockholder reports, dividend notices, bond redemption notices, financial statements, and other notices of a general corporate character. Exclude also all institutional or goodwill advertising. (See account 930.1, General Advertising Expenses.)

* * * * *

7. ADMINISTRATIVE AND GENERAL EXPENSES

921 Office supplies and expenses.

* * * * *

NOTE: Office expenses which are clearly applicable to any group of operating expenses other than the administrative and general group shall be included in the appropriate account in such group. Further, general expenses which apply to the utility as a whole rather than to a particular administrative function shall be included in account 930.2, Miscellaneous General Expenses.

ITEMS

* * * * *

7. Membership fees and dues in trade, technical, and professional associations paid by a utility for employees. (Company memberships are includible in account 930.2.)

* * * * *

930.1 General advertising expenses.

This account shall include the cost of labor, materials used, and expenses incurred in advertising and related activities, the cost of which by their content and purpose are not provided for elsewhere.

ITEMS

Labor:
1. Supervision.
2. Preparing advertising material for newspapers, periodicals, billboards, etc., and preparing or conducting motion pictures, radio and television programs.
3. Preparing booklets, bulletins, etc., used in direct mail advertising.
4. Preparing window and other displays.
5. Clerical and stenographic work.
6. Investigating advertising agencies and media conducting negotiations in connection with the placement and subject matter of advertising.
Materials and Expenses:
7. Advertising in newspapers, periodicals, billboards, radio, etc.
8. Advertising matter such as posters, bulletins, booklets and related items.
9. Fees and expenses of advertising agencies and commercial artists.
10. Postage and direct mail advertising.
11. Printing of booklets, dodgers, bulletins, etc.
12. Supplies and expenses in preparing advertising materials.
13. Office supplies and expenses.

NOTE A: Properly includible in this account is the cost of advertising activities on a local or national basis of a goodwill or institutional nature, which is primarily designed to improve the image of the utility or the industry, including advertisements which inform the public concerning matters affecting the company's operations, such as, the cost of providing service, the company's efforts to improve the quality of service, the company's efforts to improve and protect the environment, etc.

NOTE B: Exclude from this account and include in account 426.4, Expenditures for Certain Civic, Political and Related Activities, expenses for advertising activities, which are primarily designed to solicit public support or the support of public officials in matters of a political nature.

930.2 Miscellaneous general expenses.

This account shall include the cost of labor and expenses incurred in connection with the general management of the utility not provided for elsewhere.

ITEMS

* * * * *

12. Public notices of financial, operating and other data required by regulatory statutes, * * *

* * * * *

(B) The following are proposed amendments and revisions to the Uniform System of Accounts for Class C and Class D Public Utilities and Licensees, Part 104, Chapter I, Title 18 of the Code of Federal Regulations:

(1) Amend paragraph A of General Instructions Number 3 by adding "customer service and informational" following "Customer accounts," in the items adjacent to "900–949."

As amended paragraph A of General Instructions Number 3 will read:

General Instructions

* * * * *

3. *Numbering System.*
A. * * *

* * * * *

900–949 Customer accounts, customer service and informational, sales, and general and administrative expenses.

* * * * *

(2) Amend the Chart of Operation and Maintenance Expense Accounts as follows:

(a) Immediately following account "904, Uncollectible Accounts," add a new subsection to read "5. Customer Service and Informational Expenses."

(b) Add a new account under new subsection "5. Customer Service and Informational Expenses" to read "907, Customer Service and Informational Expenses."

(c) Redesignate present subsection "5. Sales Expenses" as "6. Sales Expenses."

(d) Redesignate and retitle present subsection "6. Administration and General Expenses" as "7. Administrative and General Expenses."

(e) Add a new account titled "930.1, General Advertising Expenses," following account "929, Duplicate Charges—Credit."

(f) Redesignate account "930, Miscellaneous General Expenses," as "930.2."

As amended the Chart of Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts

* * * * *

5. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

Operation

907 Customer service and informational expenses.

6. SALES EXPENSES

* * * * *

7. ADMINISTRATIVE AND GENERAL EXPENSES

* * * * *

930.1 General advertising expenses.
930.2 Miscellaneous general expenses.

* * * * *

(3) Amend the text of the Operation and Maintenance Expense Accounts as follows:

(a) Immediately following account "904, Uncollectible Accounts," add a new subsection to read "5. Customer Service and Informational Expenses."

(b) Add a new account within subsection "5. Customer Service and Informational Expenses" to read "907, Customer Service and Informational Expenses."

(c) Redesignate present subsection "5. Sales Expenses" as "6. Sales Expenses."

(d) Redesignate present subsection "6. Administrative and General Expenses" as "7. Administrative and General Expenses."

(e) Amend "Note" and item number "7" of account "921, Office Supplies and Expenses."

(f) Add new account "930.1, General Advertising Expenses," immediately following account "929, Duplicate Charges—Credit."

(g) Redesignate present account "930, Miscellaneous General Expenses," as "930.2," and delete item number "12" and redesignate item number "13" as "12" of this account.

As amended the text of the Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts

* * * * *

5. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

907 Customer service and informational expenses.

This account shall include the cost of supervision, labor, and expenses incurred

in customer service and informational activities, the purpose of which is to encourage safe and efficient use of the utility's service, to promote conservation of the utility's service, and to assist present customers in answering specific inquiries as to the proper and economic use of the utility's service and the customer's equipment utilizing the service.

6. SALES EXPENSES

* * * * *

7. ADMINISTRATIVE AND GENERAL EXPENSES

* * * * *

921 Office supplies and expenses.

* * * * *

NOTE: Office expenses which are clearly applicable to any group of operating expenses other than the administrative and general group shall be included in the appropriate account in such group. Further, general expenses which apply to the utility as a whole rather than to a particular administrative function shall be included in account 930.2, Miscellaneous General Expenses.

ITEMS

* * * * *

7. Membership fees and dues in trade, technical, and professional associations paid by a utility for employees. (Company memberships are includible in account 930.2.)

* * * * *

930.1 General advertising expenses.

This account shall include the cost of labor, materials used, and expenses incurred in advertising and related activities, the cost of which by their content and purpose are not provided for elsewhere.

ITEMS

Labor:

1. Supervision.
2. Preparing advertising material for newspapers, periodicals, billboards, etc., and preparing or conducting motion pictures, radio and television programs.
3. Preparing booklets, bulletins, etc., used in direct mail advertising.
4. Preparing window and other displays.
5. Clerical and stenographic work.
6. Investigating advertising agencies and media conducting negotiations in connection with the placement and subject matter of advertising.

Materials and Expenses:

7. Advertising in newspapers, periodicals, billboards, radio, etc.
8. Advertising matter such as posters, bulletins, booklets and related items.
9. Fees and expenses of advertising agencies and commercial artists.
10. Postage and direct mail advertising.
11. Printing of booklets, dodgers, bulletins, etc.
12. Supplies and expenses in preparing advertising materials.
13. Office supplies and expenses.

NOTE A: Properly includible in this account is the cost of advertising activities on a local or national basis of a goodwill or institutional nature, which is primarily designed to improve the image of the utility or the industry, including advertisements which inform the public concerning matters affecting the company's operations, such as, the cost of providing service, the company's efforts to improve the quality of service, the company's efforts to improve and protect the environment, etc.

NOTE B: Exclude from this account and include in account 426.4, Expenditures for Certain Civic, Political and Related Activities, expenses for advertising activities, which are primarily designed to solicit public support or the support of public officials in matters of a political nature.

930.2 Miscellaneous general expenses.

This account shall include the cost of labor and expenses incurred in connection with the general management of the utility not provided for elsewhere.

ITEMS

* * * * *

12. Public notices of financial, operating and other data required by regulatory statutes, * * *

* * * * *

(C) Effective for the reporting year 1975, it is proposed to amend schedule pages 355 and 356, Distribution of Salaries and Wages, 419 and 420, Electric Operation and Maintenance Expenses, and 427, Miscellaneous General Expenses (Account 930), of FPC Form No. 1, Annual Report for Electric Utilities, Licensees and Others (Class A and Class B), prescribed by Section 141.1, Chapter I, Title 18 of the Code of Federal Regulations, all as set out in Attachment A hereto.[1]

(D) Effective for the reporting year 1975, it is proposed to amend schedule page 7, Electric Operation and Maintenance Expenses, of FPC Form No. 1-F, Annual Report for Public Utilities and Licensees (Class C and Class D), prescribed by Section 141.2, Chapter I, Title 18 of the Code of Federal Regulations, all as set out in Attachment B hereto.[1]

(E) The following are proposed amendments and revisions to the Uniform System of Accounts for Class A and Class B Natural Gas Companies, Part 201, Chapter I, Title 18 of the Code of Federal Regulations:

(1) Amend paragraph A of General Instructions Number 3 by adding "Customer Service and Informational," following "Customer Accounts," in the items adjacent to "900–949."

As amended paragraph A of General Instructions Number 3 will read:

General Instructions

* * * * *

3. *Numbering system.*

A. * * *

* * * * *

900–949 Customer Accounts, Customer Service and Informational, Sales, and General and Administrative Expenses.

(2) Amend the Chart of Operation and Maintenance Expense Accounts as follows:

(a) Immediately following account "905, Miscellaneous Customer Accounts Expenses," add a new subsection to read "6. Customer Service and Informational Expenses."

(b) Add four new accounts under the new subsection "6. Customer Service and Informational Expenses" to read as follows:

(1) "907 Supervision."

(2) "908 Customer Assistance Expenses."

(3) "909 Informational and Instructional Advertising Expenses."

(4) "910 Miscellaneous Customer Service and Informational Expenses."

(c) Redesignate present subsection "6. Sales Expenses" as "7. Sales Expenses."

(d) Redesignate present subsection "7. Administrative and General Expenses" as "8. Administrative and General Expenses."

(e) Add a new account under renumbered subsection "8. Administrative and General Expenses" immediately following account "929, Duplicate Charges—Cr.," to be titled "930.1, General Advertising Expenses."

(f) Redesignate present account "930, Miscellaneous General Expenses," as "930.2."

As amended the Chart of Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts

* * * * *

6. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

Operation

907 Supervision.
908 Customer assistance expenses.
909 Informational and instructional advertising expenses.
910 Miscellaneous customer service and informational expenses.

7. SALES EXPENSES

* * * * *

8. ADMINISTRATIVE AND GENERAL EXPENSES

* * * * *

929 * * *
930.1 General advertising expenses.
930.2 Miscellaneous general expenses.
931 * * *

* * * * *

(3) In the Balance Sheet Accounts section, amend the text of paragraph B. of account "188, Research and Development Expenditures."

As amended this portion of the text of account 188 will read:

Balance Sheet Accounts

ASSETS AND OTHER DEBITS

* * * * *

4. DEFERRED DEBITS

* * * * *

188 Research and development expenditures.

* * * * *

B. Costs that are minor or of a general or recurring nature shall be transferred from this account to the appropriate operating expense function or if such costs are common to the overall operations or cannot be feasibly allocated to the various operating accounts, then such costs shall be recorded in account 930.2, Miscellaneous General Expenses.

* * * * *

(4) Amend the text of the Operation and Maintenance Expense Accounts as follows:

[1] Filed as part of the original document.

(a) Immediately following the text of account "905, Miscellaneous Customer Accounts Expenses," add a new subsection to read "6. Customer Service and Informational Expenses" to include the following accounts:

(1) "907 Supervision."

(2) "908 Customer Assistance Expenses."

(3) "909 Informational and Instructional Advertising Expenses"

(4) "910 Miscellaneous Customer Service and Informational Expenses."

(b) Redesignate present subsection "6. Sales Expenses" as "7. Sales Expenses."

(c) Amend item number "7" and "Note C" of account "913, Advertising Expenses."

(d) Redesignate present subsection "7. Administrative and General Expenses" as "8. Administrative and General Expenses."

(e) Amend "Note" and item number "7" of account "921, Office Supplies and Expenses."

(f) Add a new account immediately following account "929, Duplicate Charges-Credit," to be titled "930.1, General Advertising Expenses."

(g) Redesignate present account "930, Miscellaneous General Expenses," to account "930.2," delete item number "12" and redesignate item number "13" as "12" of this account.

As amended the text of the Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts

* * * * *

6. Customer Service and Informational Expenses

Operation

907 Supervision.

This account shall include the cost of labor and expenses incurred in the general direction and supervision of customer service activities, the object of which is to promote safe, efficient and economical use of the utility's service. Direct supervision of a specific activity within customer service and information expense classification shall be charged to the account wherein the costs of such activity are included.

908 Customer assistance expenses.

This account shall include the cost of labor, materials used and expenses incurred in providing instructions or assistance to customers, the object of which is to promote safe, efficient and economical use of the utility's service.

Items

Labor:

1. Direct supervision of department.

2. Processing customer inquiries relating to the proper use of present gas equipment, the replacement of such equipment and information related to such equipment.

3. Advice directed to present customers as to how they may achieve the most efficient and safest use of existing gas equipment.

4. Demonstrations, exhibits, lectures, and other programs designed to instruct customers in the safe, economical or efficient use of gas service, and/or oriented toward conservation of energy.

5. Engineering and technical advice to customers, the object of which is to promote safe, efficient and economical use of the utility's service.

Materials and Expenses:

6. Supplies and expenses pertaining to demonstrations, exhibits, lectures, and other programs.

7. Loss in value on equipment and appliances used for customer assistance programs.

8. Office supplies and expenses.

9. Transportation, meals, and incidental expenses.

Note: Do not include in this account expenses that are provided for elsewhere, such as accounts 416, Costs and Expenses of Merchandising, Jobbing and Contract Work, 879, Customer Installations Expenses, and 912, Demonstrating and Selling Expenses.

909 Informational and instructional advertising expenses.

This account shall include the cost of labor, materials used and expenses incurred in activities which primarily convey information as to what the utility urges or suggests customers should do in utilizing gas service to protect health and safety, to encourage environmental protection, to utilize their gas equipment safely and economically, or to conserve natural gas.

Items

Labor:

1. Direct supervision of informational activities.

2. Preparing informational materials for newspapers, periodicals, billboards, etc., and preparing and conducting informational motion pictures, radio and television programs.

3. Preparing informational booklets, bulletins, etc., used in direct mailings.

4. Preparing informational window and other displays.

5. Employing agencies, selecting media and conducting negotiations in connection with the placement and subject matter of information programs.

Materials and Expenses:

6. Use of newspapers, periodicals, billboards, radio, etc., for informational purposes.

7. Postage on direct mailings to customers exclusive of postage related to billings.

8. Printing of informational booklets, dodgers, bulletins, etc.

9. Supplies and expenses in preparing informational materials by the utility.

10. Office supplies and expenses.

Note: Exclude from this account and charge to account 930.2, Miscellaneous General Expenses, the cost of publication of stockholder reports, dividend notices, bond redemption notices, financial statements, and other notices of a general corporate character. Exclude also all expenses of a promotional, institutional, goodwill or political nature, which are includible in such accounts as 913, Advertising Expenses, 930.1, General Advertising Expenses, and 426.4, Expenditures for Certain Civic, Political and Related Activities.

910 Miscellaneous customer service and informational expenses.

This account shall include the cost of labor, materials used and expenses incurred in connection with customer service and informational activities which are not includible in other customer information expense accounts.

Items

Labor:

1. General clerical and stenographic work not assigned to specific customer service and informational programs.

2. Miscellaneous labor.

3. Communication service.

Materials and Expenses:

4. Printing, postage and office supplies expenses.

7. Sales Expenses

* * * * *

913 Advertising expenses.

* * * * *

Items

* * * * *

7. Advertising in newspapers, periodicals, billboards, radio, etc., for sales promotion purposes, but not including institutional or goodwill advertising includible in account 930.1, General Advertising Expenses.

* * * * *

Note C: Exclude from this account and charge to account 930.2, Miscellaneous General Expenses, the cost of publication of stockholder reports, dividend notices, bond redemption notices, financial statements, and other notices of a general corporate character. Exclude also all institutional or goodwill advertising. (See account 930.1, General Advertising Expenses.)

* * * * *

8. Administrative and General Expenses

* * * * *

921 Office supplies and expenses.

* * * * *

Note: Office expenses which are clearly applicable to any group of operating expenses other than the administrative and general group shall be included in the appropriate account in such group. Further, general expenses which apply to the utility as a whole rather than to a particular administrative function shall be included in account 930.2, Miscellaneous General Expenses.

Items

* * * * *

7. Membership fees and dues in trade, technical, and professional associations paid by a utility for employees. (Company memberships are includible in account 930.2.)

* * * * *

930.1 General advertising expenses.

This account shall include the cost of labor, materials used, and expenses incurred in advertising and related activities, the cost of which by their content and purpose are not provided for elsewhere.

Items

Labor:

1. Supervision.

2. Preparing advertising material for newspapers, periodicals, billboards, etc., and preparing or conducting motion pictures, radio and television programs.

3. Preparing booklets, bulletins, etc., used in direct mail advertising.

4. Preparing window and other displays.

5. Clerical and stenographic work.

6. Investigating advertising agencies and media conducting negotiations in connection with the placement and subject matter of advertising.

Materials and Expenses:

7. Advertising in newspapers, periodicals, billboards, radio, etc.

8. Advertising matter such as posters, bulletins, booklets and related items.
9. Fees and expenses of advertising agencies and commercial artists.
10. Postage and direct mail advertising.
11. Printing of booklets, dodgers, bulletins, etc.
12. Supplies and expenses in preparing advertising materials.
13. Office supplies and expenses.

NOTE A: Properly includible in this account is the cost of advertising activities on a local or national basis of a goodwill or institutional nature, which is primarily designed to improve the image of the utility or the industry, including advertisements which inform the public concerning matters affecting the company's operations, such as, the cost of providing service, the company's efforts to improve the quality of service, the company's efforts to improve and protect the environment, etc.

NOTE B: Exclude from this account and include in account 426.4, Expenditures for Certain Civic, Political and Related Activities, expenses for advertising activities, which are primarily designed to solicit public support or the support of public officials in matters of a political nature.

930.2 Miscellaneous general expenses.

This account shall include the cost of labor and expenses incurred in connection with the general management of the utility not provided for elsewhere.

ITEMS

* * * * *

12. Public notices of financial, operating and other data required by regulatory statutes, * * *

* * * * *

(F) The following are proposed amendments and revisions to the Uniform System of Accounts for Class C and Class D Natural Gas Companies, Part 204, Chapter I, Title 18 of the Code of Federal Regulations:

(1) Amend paragraph A of General Instructions Number 3 by adding "customer service and informational," following "Customer accounts," in the items adjacent to "900–949."

As amended paragraph A of General Instructions Number 3 will read:

General Instructions

* * * * *

3. *Numbering System.*

A. * * *

* * * * *

900–949 Customer accounts, customer service and informational, sales, and general and administrative expenses.

* * * * *

(2) Amend the Chart of Operation and Maintenance Expense Accounts as follows:

(a) Immediately following account "904, Uncollectible Accounts," add a new subsection to read "9. Customer Service and Informational Expenses."

(b) Add a new account under new subsection "9. Customer Service and Informational Expenses" to read "907, Customer Service and Informational Expenses."

(c) Redesignate present subsection "9. Sales Expenses" as "10. Sales Expenses."

(d) Redesignate present subsection "10. Administrative and General Expenses" as "11. Administrative and General Expenses."

(e) Add a new account titled "930.1, General Advertising Expenses," following account "929, Duplicate Charges—Cr."

(f) Redesignate account "930, Miscellaneous General Expenses," as "930.2."

As amended the Chart of Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts

* * * * *

9. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

Operation

907 Customer service and information expenses.

10. SALES EXPENSES

* * * * *

11. ADMINISTRATIVE AND GENERAL EXPENSES

* * * * *

930.1 General advertising expenses.
930.2 Miscellaneous general expenses.

* * * * *

(3) Amend the text of the Operation and Maintenance Expense Accounts as follows:

(a) Immediately following account "904, Uncollectible Accounts," add a new subsection to read "9. Customer Service and Informational Expenses."

(b) Add a new account within subsection "9. Customer Service and Informational Expenses" to read "907, Customer Service and Informational Expenses."

(c) Redesignate present subsection "9. Sales Expenses" as "10. Sales Expenses."

(d) Redesignate present subsection "10. Administrative and General Expenses" as "11. Administrative and General Expenses."

(e) Amend "Note" and item number "7" of account "921, Office Supplies and Expenses."

(f) Add new account "930.1, General Advertising Expenses," immediately following account "929, Duplicate Charges —Cr."

(g) Redesignate present account "930, Miscellaneous General Expenses," as "930.2," and delete item number "12" and redesignate item number "13" as "12" of this account.

As amended the text of the Operation and Maintenance Expense Accounts will read:

Operation and Maintenance Expense Accounts

* * * * *

9. CUSTOMER SERVICE AND INFORMATIONAL EXPENSES

907 Customer service and informational expenses.

This account shall include the cost of supervision, labor, and expenses incurred in customer service and informational activities, the purpose of which is to encourage safe and efficient use of the utility's service, to promote conservation of the utility's service, and to assist present customers in answering specific inquiries as to the proper and economic use of the utility's service and the customer's equipment utilizing the service.

10. SALES EXPENSES

* * * * *

11. ADMINISTRATIVE AND GENERAL EXPENSES

* * * * *

921 Office supplies and expenses.

* * * * *

NOTE: Office expenses which are clearly applicable to any group of operating expenses other than the administrative and general group shall be included in the appropriate account in such group. Further, general expenses which apply to the utility as a whole rather than to a particular administrative function shall be included in account 930.2, Miscellaneous General Expenses.

ITEMS

* * * * *

7. Membership fees and dues in trade, technical, and professional associations paid by a utility for employees. (Company memberships are includible in account 930.2.)

930.1 General advertising expenses.

This account shall include the cost of labor, materials used, and expenses incurred in advertising and related activities, the cost of which by their content and purpose are not provided for elsewhere.

ITEMS

Labor:

1. Supervision.
2. Preparing advertising material for newspapers, periodicals, billboards, etc., and preparing or conducting motion pictures, radio and television programs.
3. Preparing booklets, bulletins, etc., used in direct mail advertising.
4. Preparing window and other displays.
5. Clerical and stenographic work.
6. Investigating advertising agencies and media conducting negotiations in connection with the placement and subject matter of advertising.

Materials and Expenses:

7. Advertising in newspapers, periodicals, billboards, radio, etc.
8. Advertising matter such as posters, bulletins, booklets and related items.
9. Fees and expenses of advertising agencies and commercial artists.
10. Postage and direct mail advertising.
11. Printing of booklets, dodgers, bulletins, etc.
12. Supplies and expenses in preparing advertising materials.
13. Office supplies and expenses.

NOTE A: Properly includable in this account is the cost of advertising activities on a local or national basis of a goodwill or institutional nature, which is primarily designed to improve the image of the utility or the industry, including advertisements which inform the public concerning matters affecting the company's operations, such as, the cost of providing service, the company's efforts to improve the quality of service, the Company's efforts to improve and protect the environment, etc.

NOTE B: Exclude from this account and include in account 426.4, Expenditures for Certain Civic, Political and Related Activities, expenses for advertising activities, which are primarily designed to solicit public support or the support of public officials in matters of a political nature.

930.2 Miscellaneous general expenses.

This account shall include the cost of labor and expenses incurred in connection with the general management of the utility not provided for elsewhere.

Items
* * * * *
12. Public notices of financial, operating and other data required by regulatory statutes, * * *
* * * * *

(G) Effective for the reporting year 1975, it is proposed to amend schedule pages 355 and 356, Distribution of Salaries and Wages, 531 and 532, Gas Operation and Maintenance Expenses, and 543, Miscellaneous General Expenses (Account 930), of FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B), prescribed by Section 260.1, Chapter I, Title 18 of the Code of Federal Regulations, all as set out in Attachment C hereto.[2]

(H) Effective for the reporting year 1975, it is proposed to amend schedule page 7, Gas Operation and Maintenance Expenses, of FPC Form No. 2-A, Annual Report for Natural Gas Companies (Class C and Class D), prescribed by Section 260.2, Chapter I, Title 18 of the Code of Federal Regulations, all as set out in Attachment D hereto.[2]

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-21166 Filed 8-12-75;8:45 am]

INTERNATIONAL TRADE COMMISSION

[19 CFR Parts 206, 207]

INVESTIGATIONS FOR RELIEF FROM IMPORT INJURY TO INDUSTRIES FROM MARKET DISRUPTION

Notice of Proposed Rulemaking

Notice is hereby given, pursuant to the authority set forth in section 335 of the Tariff Act of 1930 (19 U.S.C. 1335) and section 603 of the Trade Act of 1974 (19 U.S.C. 2482), of proposed new rules of the U.S. International Trade Commission amending Part 206 and deleting Part 207 of title 19 of the Code of Federal Regulations. The purpose of these proposed changes in the Commission's *Rules of Practice and Procedure* is to conform them with the applicable provisions of title II and sections 406 and 602 of the Trade Act of 1974 (Public Law 93-618), and to carry out the functions provided the Commission therein.

Written comments on the proposed rules are invited from interested persons. Comments may be presented in writing to the Office of the Secretary, U.S. International Trade Commission, Washington, D.C. 20436. The Commission will consider comments concerning these proposed new rules received not later than September 12, 1975. New rules will be made effective, after comments have been received and considered, by publication in the FEDERAL REGISTER.

The proposed new rules are as follows:

[2] Filed as part of the original document.

PART 206—INVESTIGATIONS FOR RELIEF FROM IMPORT INJURY TO INDUSTRIES OR FROM MARKET DISRUPTION

Sec.

206.1 Applicability of part.

Subpart A—General

206.2 Identification of type of petition.
206.3 Instruction of investigations.
206.4 Copies of petitions to other agencies.
206.5 Public hearings.
206.6 Report to the President.

Subpart B—Investigations for Relief From Import Injury to Industries

206.7 Applicability of subpart.
206.8 Who may file petition.
206.9 Contents of petition.
206.10 Time for reporting.
206.11 Public report.

Subpart C—Investigations for Relief From Market Disruption

206.12 Applicability of subpart.
206.13 Who may file petition.
206.14 Contents of petition.
206.15 Time for reporting.
206.16 Public report.

Subpart D—Review of, and Advice on the Probable Economic Effect of the Extension, Reduction, or Termination of Import Relief to Industries

206.17 Applicability of subpart.
206.18 Continuing review maintained.
206.19 Investigations to determine the probable economic effect on an industry receiving import relief of the extension, reduction, or termination of such relief.
206.20 Investigations to determine the probable economic effect on an industry receiving import relief of the automatic termination of such relief by reason of the expiration of the initial period therefor.
206.21 Reports.

AUTHORITY: Section 335 of the Tariff Act of 1930 (19 U.S.C. 1335) and section 603 of the Trade Act of 1974 (19 U.S.C. 2482).

§ 206.1 Applicability of Part.

This Part 206 applies specifically to functions and duties of the Commission under sections 201, 203(1), and 406 of the Trade Act of 1974 (88 Stat. 2011, 2018, and 2062). For other applicable rules see Part 201 of this chapter. Subpart A of this part sets forth rules generally applicable to petitions filed under this Part 206 and investigations based upon such petitions. Each of Subparts B and C of this part sets forth rules specifically applicable to petitions and investigations under sections 201 and 406, respectively, of the Trade Act. Subpart D of this part sets forth rules specifically applicable to functions and duties under section 203(1) of the Trade Act.

Subpart A—General

§ 206.2 Identification of type of petition.

Each petition under this Part 206 shall state clearly on the first page thereof "This is a petition under section (201, 406, or 203(1), as the case may be) of the Trade Act of 1974 and Subpart (B, C, or D, as the case may be) of Part 206 of the *Rules of Practice and Procedure of the United States International Trade Commission*".

§ 206.3 Institution of investigations.

Promptly after the receipt of a petition under this Part 206, properly filed, an appropriate investigation will be instituted and notice thereof caused to be published in the FEDERAL REGISTER.

§ 206.4 Copies of petitions to other agencies.

Copies of petitions properly filed will be transmitted to the Special Representative for Trade Negotiations and the agencies directly concerned.

§ 206.5 Public hearings.

A public hearing will be held in connection with each investigation instituted on the basis of a petition filed under this Part after reasonable notice thereof has been caused to be published in the FEDERAL REGISTER. All interested parties will be afforded an opportunity to be present, to present evidence, and to be heard at such hearings.

§ 206.6 Report to the President.

The Commission will report to the President its findings with respect to whether the criteria for relief provided in section 201(b) or 406(a)(1) of the Trade Act, as the case may be, have been satisfied, and the basis therefor, as a result of each investigation it conducts under this Part (including in each report any dissenting or separate views), together with a transcript of the hearing and copies of any briefs which may have been submitted in connection with the investigation. Such report shall also include, in the case of a finding that such criteria are satisfied, the Commission's findings, or recommendation if one is made under section 201(d)(1)(B), with respect to the remedy for any injury it finds.

Subpart B—Investigations Upon Petition for Relief From Import Injury to Industries

§ 206.7 Applicability of Subpart.

This Subpart B applies specifically to investigations under section 201(b) of

the Trade Act.[1] For other applicable rules, see Subpart A of this Part and Part 201 of this chapter.

§ 206.8 Who may file petition.

A petition under this Subpart B may be filed by an entity, including a trade association, firm, certified or recognized union, or group of workers, which is representative of a domestic industry producing an article like or directly competitive with a foreign article which it is claimed is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to such domestic industry. An entity is considered to be representative of such industry when it represents firms and/or workers accounting for a majority of the production of the article by the industry. If an entity represents less than a majority of such production, it may still be considered to be representative of an industry if the circumstances of its representation warrant it.

§ 206.9 Contents of petition.

A petition under this Subpart B shall include assertions, supported by specific information that an article is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article. Such petition shall include the following information:

(a) *Product description.* A petition shall name and precisely describe the like or directly competitive domestic article concerned, and shall name and precisely describe the imported article concerned, specifying the United States tariff provision under which such article is classified and the current tariff treatment thereof.

(b) *Names of represented producers.* A petition shall include the names and locations of the firms represented in the petition and of their establishments in which the named or described domestic article concerned is produced.

(c) *Names of unrepresented producers.* A petition shall include the names and locations of all other producers of the domestic article concerned known to the petitioner.

(d) *Import data.* A petition shall include import data for each of the most recent 5 full years forming the basis of the claim that there has been an increase in imports, either actual or relative to domestic production, of the named and described foreign article.

(e) *Domestic production data.* A petition shall include data on total U.S. production of the named and described domestic article concerned for each of the most recent 5 full years.

(f) *Data showing injury.* A petition shall include quantitative data indicating the nature and extent of the serious injury to the domestic industry concerned, with particular reference to the extent of idling of productive facilities in the industry, the inability of a significant number of firms to operate at a reasonable level of profit, and unemployment or underemployment in the industry; and/or quantitative data indicating the nature and extent of the threat of serious injury to the domestic industry concerned, with particular reference to a decline in sales, a higher and growing inventory, and a downward trend in production, profits, wages, or employment (or increasing underemployment) in the industry.

(g) *Cause of injury.* A petition shall include an enumeration and description of the causes believed to be resulting in the injury, or threat thereof, described under (f), and a statement regarding the extent to which increased imports, either actual or relative to domestic production, of the named and described foreign article are believed to be such a cause, supported by specific data.

(h) *Purposes for seeking relief.* A petition shall include a statement describing the specific purposes for which import relief is being sought, which may include such objectives as facilitating the orderly transfer of resources to alternative uses and other means of adjustment to new conditions of competition.

(i) *Efforts to compete.* A petition shall include a statement on the efforts made by firms and workers in the domestic industry concerned to compete more effectively with imports.

§ 206.10 Time for reporting.

The Commission will make its report to the President at the earliest practicable time, but not later than 6 months after the date on which a properly filed petition is received.

§ 206.11 Public report.

Upon making a report to the President of the results of an investigation to which this Subpart B relates, the Commission will make such report public (with the exception of information which the Commission determines to be confidential) and cause a summary thereof to be published in the FEDERAL REGISTER.

Subpart C—Investigations Upon Petition From Relief From Market Disruption

§ 206.12 Applicability of subpart.

This Subpart C applies specifically to investigations under section 406(a) of the Trade Act.[2] For other applicable rules, see Subpart A of this Part and Part 201 of this chapter.

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[1] Section 201 of the Trade Act provides in pertinent part as follows:

"(a)(1) A petition for eligibility for import relief for the purpose of facilitating orderly adjustment to import competition may be filed with the International Trade Commission (hereinafter in this chapter referred to as the "Commission") by an entity, including a trade association, firm, certified or recognized union, or group of workers, which is representative of an industry. The petition shall include a statement describing the specific purposes for which import relief is being sought, which may include such objectives as facilitating the orderly transfer of resources to alternative uses and other means of adjustment to new conditions of competition.

"(b)(1) Upon the request of the President or the Special Representative for Trade Negotiations, upon resolution of either the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate, upon its own motion, or upon the filing of a petition under subsection (a)(1), the Commission shall promptly make an investigation to determine whether an article is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article.

"(2) In making its determinations under paragraph (1), the Commission shall take into account all economic factors which it considers relevant, including (but not limited to)—

"(A) with respect to serious injury, the significant idling of productive facilities in the industry, the inability of a significant number of firms to operate at a reasonable level of profit, and significant unemployment or underemployment within the industry;

"(B) with respect to threat of serious injury, a decline in sales, a higher and growing inventory, and a downward trend in production, profits, wages, or employment (or increasing underemployment) in the domestic industry concerned; and

"(C) with respect to substantial cause, an increase in imports (either actual or relative to domestic production) and a decline in the proportion of the domestic market supplied by domestic producers.

* * * * *

"(4) For purposes of this section, the term "substantial cause" means a cause which is important and not less than any other cause.

"(5) In the course of any proceeding under this subsection, the Commission shall, for the purpose of assisting the President in making his determinations under sections 202 and 203, investigate and report on efforts made by firms and workers in the industry to compete more effectively with imports.

* * * * *

[2] Section 406 of the Trade Act provides in pertinent part as follows:

"(a)(1) Upon the filing of a petition by an entity described in section 201(a)(1), upon request of the President or the Special Representative for Trade Negotiations, upon resolution of either the Committee on Ways and Means of the House of Representatives or the Committee on Finance of the Senate, or on its own motion, the International Trade Commission (hereinafter in this section referred to as the "Commission") shall promptly make an investigation to determine, with respect to imports of an article which is the product of a Communist country, whether market disruption exists with respect to an article produced by a domestic industry.

"(e) For purposes of this section—

"(1) The term "Communist country" means any country dominated or controlled by communism.

"(2) Market disruption exists within a domestic industry whenever imports of an article, like or directly competitive with an article produced by such domestic industry, are increasing rapidly, either absolutely or relatively, so as to be a significant cause of material injury, or threat thereof, to such domestic industry.

§ 206.13 Who may file petition.

A petition under this Subpart C may be filed by an entity, including a trade association, firm, certified or recognized union, or group of workers, which is representative of a domestic industry producing an article with respect to which there are imports of a like or directly competitive article which are the product of a Communist country, which imports, it is claimed, are increasing rapidly, either absolutely or relatively to domestic production, so as to be a significant cause of material injury, or the threat thereof, to such domestic industry. An entity is considered to be representative of such industry when it represents firms and/or workers accounting for a majority of the production of the article by the industry. If an entity represents less than a majority of such production, it may still be considered to be representative of an industry if the circumstances of its representation warrant it.

§ 206.14 Contents of petition.

A petition under this Subpart C shall include assertions, supported by specific information, that imports of an article the product of a Communist country which are like or directly competitive with an article produced by a domestic industry, are increasing rapidly, either absolutely or relatively, so as to be a significant cause of material injury, or threat thereof, to such domestic industry. Such petition shall include the following information:

(a) *Product description.* A petition shall name and precisely describe the like or directly competitive article concerned which is the product of a Communist country, specifying the United States tariff provision under which such article is classified and the current tariff treatment thereof, and shall name and precisely describe the domestic article concerned.

(b) *Names of represented producers.* A petition shall include the names and locations of the firms represented in the petition and of their establishments in which the named and described domestic article concerned is produced.

(c) *Names of unrepresented producers.* A petition shall include the names and locations of all other producers of the domestic article concerned known to the petitioner.

(d) *Import data.* A petition shall include import data for each of the most recent 5 full years forming the basis of the claim that imports from a Communist country of an article like or directly competitive with the article produced by the domestic industry concerned are increasing rapidly, either absolutely or relatively to domestic production.

(e) *Domestic production data.* A petition shall include data on total U.S. production of the named and described domestic article concerned for each of the most recent 5 full years.

(f) *Data showing injury.* A petition shall include quantitative data indicating the nature and extent of the material injury to the domestic industry concerned, with particular reference to the extent of idling of productive facilities in the industry, the inability of a significant number of firms to operate at a reasonable level of profit, and unemployment or underemployment in the industry; and/or quantitative data indicating the nature and extent of the threat of material injury to the domestic industry concerned, with particular reference to a decline in sales, a higher and growing inventory, and a downward trend in production, profits, wages, or employment (or increasing underemployment) in the industry.

(g) *Cause of injury.* A petition shall include an enumeration and description of the causes believed to be resulting in the injury, or threat thereof, described under paragraph (f) of this section, and a statement regarding the extent to which increased imports, either absolutely or relatively to domestic production, of the named and described Communist article concerned are believed to be such a cause, supported by specific data.

§ 206.15 Time for reporting.

The Commission will make its report to the President at the earliest practicable time but not later than 3 months after the date on which a properly filed petition is received.

§ 206.16 Public report.

Upon making a report to the President of the results of an investigation to which this Subpart C relates, the Commission will make such report public (with the exception of information which the Commission determines to be confidential) and cause a summary thereof to be published in the FEDERAL REGISTER.

Subpart D—Review of, and Advice on the Probable Economic Effect of the Extension, Reduction, or Termination of, Import Relief to Industries To Prevent or Remedy Import Injury

§ 206.17 Applicability of subpart.

This Subpart D applies specifically to the functions and duties of the Commission under the provisions of section 203(i) of the Trade Act of 1974 [*] that deal with Commission review of import relief imposed by the President to prevent or remedy serious injury or market disruption to domestic industries, and with the provision of advice to the President by the Commission, under section 203(i) of the Trade Act of 1974 and section 351(d) of the Trade Expansion Act of 1962,[*] in regard to the probable economic effect on such industries of the extension, reduction, or termination of such relief. For other applicable rules see Part 201 of this chapter.

§ 206.18 Continuing review maintained.

As long as any import relief imposed by the President pursuant to section 351 or 352 of the Trade Expansion Act of 1962 or section 203 of the Trade Act of 1974 remains in effect, the Commission will

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[*] Section 203(i) of the Trade Act provides as follows:

"(1) So long as any import relief provided pursuant to this section or section 351 or 352 of the Trade Expension Act of 1962 remains in effect, the Commission shall keep under review developments with respect to the industry concerned (including the progress and specific efforts made by the firms in the industry concerned to adjust to import competition) and upon request of the President shall make reports to the President concerning such developments.

"(2) Upon request of the President or upon its own motion, the Commission shall advise the President of its judgment as to the probable economic effect on the industry concerned of the extension, reduction, or termination of the import relief provided pursuant to this section.

"(3) Upon petition on behalf of the industry concerned, filed with the Commission not earlier than the date which is 9 months, and not later than the date which is 6 months, before the date any import relief provided pursuant to this section or section 351 or 352 of the Trade Expansion Act of 1962 is to terminate by reason of the expiration of the initial period therefor, the Commission shall advise the President of its judgment as to the probable economic effect on such industry of such termination.

"(4) In advising the President under paragraph (2) or (3) as to the probable economic effect on the industry concerned, the Commission shall take into account all economic factors which it considers relevant, including the considerations set forth in section 202 (c) and the progress and specific efforts made by the industry concerned to adjust to import competition.

"(5) Advice by the Commission under paragraph (2) and (3) shall be given on the basis of an investigation during the course of which the Commission shall hold a hearing at which interested persons shall be given a reasonable opportunity to be present, to produce evidence, and to be heard.

[*] Section 351(d) of the Trade Expansion Act provides as follows:

"(1) So long as any increase in, or imposition of, any duty or other import restriction pursuant to this section or pursuant to section 7 of the Trade Agreements Extension Act of 1951 remains in effect, the United States International Trade Commission shall keep under review developments with respect to the industry concerned, and shall make annual reports to the President concerning such developments.

"(2) Upon request of the President or upon its own motion, the United States International Trade Commission shall advise the President of its judgment as to the probable economic effect on the industry concerned of the reduction or termination of the increase in, or imposition of, any duty or other import restriction pursuant to this section or section 7 of the Trade Agreements Extension Act of 1951.

"(3) [Repealed].

"(4) In advising the President under this subsection as to the probable economic effect on the industry concerned, the United States International Trade Commission shall take into account all economic factors which it considers relevant, including idling of productive facilities, inability to operate at a level of reasonable profit, and unemployment or underemployment.

"(5) Advice by the United States International Trade Commission under this subsection shall be given on the basis of an investigation during the course of which the United States International Trade Commission shall hold a hearing at which interested persons shall be given a reasonable opportunity to be present, to produce evidence, and to be heard." (19 U.S.C. 1981).

keep under review developments with respect to the industry receiving such import relief (including the progress and specific efforts made by the firms in the industry to adjust to import competition), and upon request of the President shall make reports to the President concerning such developments. Unless otherwise ordered, no hearings or other formal proceedings will be had in connection with such continuing review, and information necessary to keep developments under review will be sought by questionnaires and other means.

§ 206.19 Investigations to determine the probable economic effect on an industry receiving import relief of the extension, reduction, or termination of such relief.

Investigations for the purpose of providing the basis for the advice of the Commission to the President, under section 203(i)(2) of the Trade Act of 1974 or section 351(d)(2) of the Trade Expansion Act of 1962, as to the Commission's judgment of the probable economic effect on an industry receiving import relief, under section 203 of the Trade Act of 1974 or section 351 or 352 of the Trade Expansion Act of 1962, of the reduction or termination of such import relief (or, with respect to import relief imposed under section 203, of the extension of such import relief) will be instituted by publication of notice thereof in the FEDERAL REGISTER only upon request of the President or upon the Commission's own motion. An investigation upon the Commission's own motion will be instituted whenever, in the course of its continuing review of developments in the industry concerned under section 206.18 of this Part, the Commission has reason to believe that the import relief imposed by the President may no longer be necessary, either in whole or in part, to prevent or remedy serious injury to such industry.

§ 206.20 Investigations to determine the probable economic effect on an industry receiving import relief of the automatic termination of such relief by reason of the expiration of the initial period therefor.

(a) *Institution of investigations.* Investigations for the purpose of providing the basis for the advice of the Commission to the President under section 203(i)(3) of the Trade Act of 1974 as to the Commission's judgment of the probable economic effect on an industry receiving import relief of the termination of such relief by reason of the expiration of the initial period therefor will be instituted by publication of notice thereof in the FEDERAL REGISTER upon petition filed on behalf of the industry concerned.

(b) *Who may file petition.* A petition under this section 206.20 may be filed by an entity, including a trade association, firm, certified or recognized union, or group of workers, which is representative of the industry producing the domestic article concerned in the investigation of the Commission which resulted in the imposition by the President of the import relief. An entity is considered to be representative of such industry when it represents firms and/or workers accounting for a majority of the production of the article by the industry. If an entity represents less than a majority of such production, it may still be considered to be representative of an industry if the circumstances of its representation warrant it.

(c) *Time for filing.* A petition under this section 206.20 may not be filed earlier than the date which is 9 months, or later than the date which is 6 months, before the date the import relief is to terminate by reason of the expiration of the initial period therefor.

(d) *Contents of petition.* Petitions filed under this § 206.20 shall include the following information:

(1) *Names of represented producers.* A petition shall include the names and locations of the firms represented in the petition and of their establishments in which the domestic article concerned is produced.

(2) *Names of unrepresented producers.* A petition shall include the names and locations of all other producers of the domestic article concerned known to the petitioner.

(3) *Import data.* A petition shall include import data by quantity, for each of the most recent 5 full years, on the foreign article concerned.

(4) *Domestic production data.* A petition shall include data on total U.S. production of the domestic article concerned for each of the most recent 2 full years.

(5) *Progress and efforts to compete.* A petition shall include a statement on the progress and specific efforts made by the industry concerned to adjust to and compete more effectively with the competition from imports of the foreign article concerned.

(6) *Benefit of import relief.* A petition shall include a statement of how the import relief provided has promoted adjustment to, and the ability of the industry concerned to compete more effectively with, the competition from imports of the foreign article concerned.

(7) *Reasons for not terminating.* A petition shall include a statement of the reasons why petitioner believes that the import relief provided should not terminate.

§ 206.21 Reports.

After completion of an investigation to which this subpart relates, the Commission will report to the President its judgment based upon such investigation, as to the probable economic effect on the industry concerned of the extension, reduction, or termination of the import relief in question, as the case may be.

Issued: August 8, 1975.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.75-21214 Filed 8-12-75;8:45 am]

notices

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

DEPARTMENT OF STATE

[Public Notice CM-5/78]

GOVERNMENT ADVISORY COMMITTEE ON INTERNATIONAL BOOK AND LIBRARY PROGRAMS

Notice of Meeting

The Government Advisory Committee on International Book and Library Programs is announcing a meeting of its Task Force to discuss a draft international agreement designed to avoid the double taxation of copyright royalties remitted from one country to another. The meeting is open to the public and will be held in Room 1406 in the Department of State, 2201 C Street, NW., Washington, D.C. from 10 a.m. to 4 p.m. on September 24, 1975.

The Task Force will develop a set of options for the U.S. Delegation to the November 1975 meeting of a Committee of Governmental Experts which is being convened by UNESCO in cooperation with the World Intellectual Property Organization.

Members of the public may submit written comments to the Chairman prior to September 17, 1975. The Chairman, will as time permits, entertain all comments made by the public attending the meeting.

For purposes of fulfilling building security requirements, anyone wishing to attend the meeting must advise the Executive Secretary by telephone in advance of the meeting. Telephone: (202) 632-2841.

Dated: August 6, 1975.

CAROL M. OWENS,
Executive Secretary.

[FR Doc.75-21113 Filed 8-12-75;8:45 am]

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

GRANTING OF RELIEF

Notice is hereby given that pursuant to 18 U.S.C. Section 925(c), the following named persons have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding one year.

It has been established to my satisfaction that the circumstances regarding the convictions and each applicant's record and reputation are such that the applicants will not be likely to act in a manner dangerous to public safety, and that the granting of the relief will not be contrary to the public interest.

Anderson, Glen F., 1626 Reaney Avenue, St. Paul, Minnesota, convicted on May 28, 1974, in the District Court of Ramsey County, Minnesota.

Bonine, Clifford L., 2619 Dirr, Parsons, Kansas, convicted on June 17, 1970, in the District Court, Neosho County, Kansas.

Burnett, James A., Rt. 6, Box 310, Charlottesville, Virginia, convicted on February 23, 1973, in the United States District Court, Northern District of Georgia.

Clardy, Eris W., RFD #1, Box 162, Unionville, Tennessee, convicted on January 4, 1950, in the United States District Court, Eastern Division, Tennessee.

Czerniawski, Peter T., 3898 Prescott Avenue, Hamtramck, Michigan, convicted on June 16, 1948, in the Recorder's Court, Detroit, Michigan.

Davis, Warren E., Old Stage Road, Benson, Vermont, convicted on July 19, 1957, in the Municipal Court of the City of Rutland, Vermont.

Derr, George Charles, Snyder Hill Road, Cattaraugus, New York, convicted on December 8, 1959, in the Court of Quarter Sessions, Delaware County, Pennsylvania.

Duke, John Thomas, 9002 Grandview Highway, Harrietta, Michigan, convicted in or about October 1966, in the Recorder's Court, Detroit, Michigan.

Farnham, William Alton, 15 Morton Place, Augusta, Maine, convicted on February 24, 1967, and on June 2, 1967, in the Superior Court of Kennebec County, Maine.

Fleischman, Danny O., 1180 Rice Avenue, Lima, Ohio, convicted on August 8, 1967, in the Common Pleas Court, Allan County, Ohio.

Gifford, John D., 1041 North Eighth Street, Terre Haute, Indiana, convicted on September 21, 1960, in the Circuit Court of Vigo County, Indiana.

Grande, David S., Route 1, Box 177A, Chesterfield, Virginia, convicted on January 16, 1953, in the Charles City County Court, Virginia.

Harvey, Dennis Joe, 408 Hillcrest Road, Kingston Springs, Tennessee, convicted on November 5, 1965, in the United States District Court, Eastern District, Missouri; on June 7, 1966, in the Davidson County Criminal Court, Nashville, Tennessee; and on February 25, 1969, in the Circuit Court, Frankfort, Kentucky.

Henderson, Roger Dale, 101 Sycamore Street, Rocky Mount, Virginia, convicted on April 5, 1972, in the Circuit Court of Franklin County, Virginia.

Jachimowicz, Eugene, 30949 Sutherland, Warren, Michigan, convicted on August 6, 1964, in the Recorder's Court of the City of Detroit, Michigan.

Jann, Larry Allen, 1874 Lewis Drive, Niles, Michigan, convicted on or about January 17, 1957, and on or about July 24, 1959, in the Circuit Court for the County of Berrien, Michigan.

Lachance, Wayne H., 15 Huntress Street, Portland, Maine, convicted on August 15, 1969, and on December 27, 1971, in the Superior Court of Kennebec County, Maine.

Licano, Leonard H., 2335 Kellogg Court, Altadena, California, convicted on July 11, 1968, in the Superior Court of the State of California, for the County of Los Angeles.

Lundy, Eugene, 4245 N. Post Road, Indianapolis, Indiana, convicted on December 7, 1971, in the Hamilton County Superior Court, State of Indiana.

McCann, Eddy L., 5710 Glenmont, Houston, Texas, convicted on June 21, 1973, in the 174th District Court, Harris County, Texas.

Margiot, Ronald L., 3828 Second Avenue, La Crescenta, California, convicted on March 15, 1973, in the California Superior Court.

Miner, Donald E., 301 Lima Street, Beaverdam, Ohio, convicted on April 3, 1970, in the Court of Common Pleas, Allen County, Ohio.

Moran, Thomas Edward, Jr., 1500 Highwood Drive, NW., Cedar Rapids, Iowa, convicted on May 14, 1971, in the District Court for Linn County, Iowa.

Pearce, Donn, 2443 Whale Harbor Lane, Ft. Lauderdale, Florida, convicted on April 25, 1949, in the Criminal Court of Record, Hillsborough County, Florida.

Plunkett, Lecil, Rt. #1, Lynn, Alabama, convicted on or about April 3, 1967, in the United States District Court, Northern District of Alabama; and on August 3, 1972, in the United States District Court, Northern District of Mississippi.

Pulley, Alvin J., General Delivery, Penitas, Texas, convicted on June 27, 1962, in the Criminal Court, Davidson County, Tennessee.

Quick, Truman L., 5604 Glade Road, Lot 10, Anniston, Alabama, convicted on February 5, 1971, in the Circuit Court of Pulaski County, Illinois.

Scifo, Peter J., Jr., 20220 S. Elm Lane, Wind Lake, Wisconsin, convicted on May 10, 1962, on December 20, 1962, and on March 5, 1963, in the Superior Court, Los Angeles, California.

Spencer, Louis L., 293 W. State Street, Pleasantville, Pennsylvania, convicted on October 23, 1945, in the Court of Quarter Sessions, Erie County, Pennsylvania.

Terrell, Charles A., 7430 North Drive, Wonder Lake, Illinois, convicted on April 13, 1961, in the Winnebago County Circuit Court, Illinois.

Waller, Daniel Dewey, 11265 E. Laketon Avenue, Ravenna, Michigan, convicted on May 15, 1973, in the United States District Court, Western District, Michigan.

Yanosky, Joseph Henry, 1002 Lincoln, Traverse City, Michigan, convicted on or about May 11, 1961, in the Circuit Court for the County of Leelanau, Michigan.

Signed at Washington, D.C. this 1st day of August 1975.

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

[FR Doc.75-21114 Filed 8-12-75;8:45 am]

Bureau of Engraving and Printing

DEPUTY DIRECTOR ET AL.

Delegation of Authority To Act as Director Under Specified Conditions

1. Under the authority conferred upon me by Treasury Department Order No. 129 (Revision No. 2), dated April 22, 1955, the following officials of the Bureau of Engraving and Printing, in the order of succession enumerated, shall act as Director of the Bureau of Engraving and Printing during the absence or disability of or in the event of a vacancy in the Office of the Director of the Bureau of Engraving and Printing:

(1) Deputy Director.

(2) Assistant Director, Administration.

(3) Assistant Director, Research & Engineering.

(4) Assistant Director, Operations.

2. In the event of an enemy attack upon any point within the continental limits of the United States, the officials named in paragraph 1 and, in addition, the following officials of the Internal Revenue Service, in the order of succession enumerated, are authorized to exercise so much of the authority of the Secretary of the Treasury and of the Director of the Bureau of Engraving and Printing as is necessary to insure continuous performance of all essential functions of the Bureau of Engraving and Printing:

(1) Assistant Regional Commissioner (Administration), Internal Revenue Service, Federal Office Building, Cincinnati, Ohio 45202.

(2) Assistant Regional Commissioner (Administration), Internal Revenue Service, Federal Office Building, Atlanta, Georgia 30303.

3. The purpose of the authorization contained in paragraph 2 is to provide a temporary expedient to meet emergency conditions. The respective officials will be notified when they are to cease to exercise the authority herein delegated. This order of succession supersedes the order of this Bureau dated July 16, 1968.

Dated: August 4, 1975.

JAMES A. CONLON,
Director, Bureau of Engraving and Printing.

[FR Doc.75-21115 Filed 8-12-75;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

JOINT STRATEGIC TARGET PLANNING STAFF SCIENTIFIC ADVISORY GROUP

Closed Meeting

Pursuant to the provisions of section 10 of Public Law 92-463, effective January 5, 1973, notice is hereby given that a closed meeting of the Joint Strategic Target Planning Staff Scientific Advisory Group will be held at Offutt Air Force Base, Nebraska, during the period:

Tuesday, 7 October 1975, through Thursday, 9 October 1975.

The entire meeting is devoted to the discussion of classified information as defined in Section 552(b)(1), Title 5 of the U.S. Code, therefore will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

AUGUST 8, 1975.

[FR Doc.75-21142 Filed 8-12-75;8:45 am]

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

NATIONAL ADVISORY COMMITTEE ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Meeting

Notice is hereby given that the Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice, a subdivision of the National Advisory Committee on Juvenile Justice and Delinquency Prevention, will meet on Monday, August 25, 1975 in Washington, D.C. The meeting is scheduled to convene at 10 a.m., in the Andretta Room (Room 1101) at the 10th and Constitution Avenue, N.W., entrance of the Department of Justice, Main Building, Washington, D.C. The meeting will adjourn by 5 p.m.

Discussion will focus on the statement to be submitted to the President and Congress pursuant to Section 247(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415), on the organization of the standards to be recommended, and on the schedule for their development.

The meeting will be open to the public.

For further information, contact: Mr. Frederick P. Nader, Acting Assistant Administrator, Office of Juvenile Justice and Delinquency Prevention, Law Enforcement Assistance Administration, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

GERALD H. YAMADA,
Attorney-Advisor, Office of General Counsel.

[FR Doc.75-21112 Filed 8-12-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NATIONAL ADVISORY BOARD

Notice of Meeting

Notice is hereby given that the National Advisory Board of the Bureau of Land Management will meet in the Stockmen's Hotel, Elko, Nevada, September 8-10, 1975. The meeting will be devoted principally to consideration of problems and programs associated with multiple use management of range resources on the national resource lands. The morning and afternoon of the first day will consist of presentations and discussions on the following topics: Director's report; range conditions on the national resource lands; proposed amendments to the grazing regulations; wild horse and burro management; environmental impact statement requirements for the Bureau's range program; the role of advisory boards under the Federal Advisory Committee Act and new regulations; and, committee work. The committees and their assigned topics are as follows: Environmental Protection, Health and Safety Hazards on the National Resource Lands; Public Land Users, Evaluation and Critique of a Management Framework Plan; Resource Management, Criteria for the Sale and Exchange of National Resource Lands; and, Program and Operations, National Advisory Board Size, Composition, and Operations.

The second day of the meeting, September 9, will involve field examination of management practices on the national resource lands. Members of the public wishing to participate in the field trip will have to furnish their own transportation. September 10, the final day of the meeting, will be devoted to committee work in the development of recommendations, and consideration by the full Board of such recommendations.

The meeting of the full board and its committees will be open to the public. Time will be made available beginning at 3:30 p.m. on Monday, September 8, for brief statements by members of the public. Such statements should be limited to matters set forth in the agenda. Those wishing to make an oral statement on an agenda topic should notify the Director (230), Bureau of Land Management, Washington, D.C. 20240 by close of business September 5, 1975. Any interested person or organization may file a written statement with the Board for its consideration. Such statements may be submitted at the meeting or mailed to the Director (230), Bureau of Land Management, Washington, D.C. 20240. Further information concerning the meeting may be obtained from Mr. Carl Gidlund, Public Affairs Officer, Bureau of Land Management, Federal Building, 300 Booth Street, Reno, Nevada 89502. His telephone number is (702) 784-5911.

August 6, 1975.

CURT BERKLUND,
Director, Bureau of Land Management.

[FR Doc.75-2111 Filed 8-12-75;8:45 am]

WYOMING STATE MULTIPLE USE ADVISORY BOARD

Meeting

AUGUST 4, 1975.

Notice is hereby given that the Wyoming State Multiple Use Advisory Board will meet at 8:15 a.m. August 26, 27, 1975 at the Little America Motel, Cheyenne, Wyoming.

The agenda will include the role of the State Board, its organization, the proposed Board operating procedures, the current Bureau of Land Management state organizational program posture, an overview of major public land issues, an analysis of issues and other presentations.

The meeting will be open to the public. Oral or written statements may be sub-

mitted for the Board's consideration during the second day of the meeting. Such statements should be limited to matters set forth in the agenda. Those wishing to make an oral statement must inform the State Director (912), Bureau of Land Management, Box 1828, Cheyenne, Wyoming 82001, in writing by close of business August 20, 1975. Time limits for oral presentations may be established by the chairman to ensure that all may be heard within the time available for such statements. Any interested person or organization may file a written statement with the Board for its consideration. Such statements may be submitted at the meeting or mailed to the State Director (912), Bureau of Land Management, Box 1828, Cheyenne, Wyoming 82001.

Further information concerning the meeting, may be obtained from Mr. John Burnett, Public Affairs Officer, Bureau of Land Management, Box 1828, Cheyenne, Wyoming 82001. His telephone number is (307) 778-2220, ext. 2384.

DANIEL P. BAKER,
State Director.

[FR Doc.75-21093 Filed 8-12-75;8:45 am]

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant:

Zoological Society of Cincinnati, 3400 Vine Street, Cincinnati, Ohio 45220
Edward J. Maruska, Zoo Director

OMB NO. 42-R1575

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Exchanging one male Persian leopard cub (Panthera pardus saxicolor), Cincinnati Zoo, Cincinnati, Ohio, with one male Persian leopard cub (Panthera pardus saxicolor) from Leipzig Zoo, Leipzig, Germany. Purpose of this exchange is to gain new blood line for breeding at the Cincinnati Zoo and Leipzig Zoo.

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Zoological Society of Cincinnati
3400 Vine Street
Cincinnati, Ohio 45220
(513-281-4700)

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:
☐ MR. ☐ MRS. ☐ MISS ☐ MS.
HEIGHT | WEIGHT
DATE OF BIRTH | COLOR HAIR | COLOR EYES
PHONE NUMBER WHERE EMPLOYED | SOCIAL SECURITY NUMBER
OCCUPATION
ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
The Cincinnati Zoo is owned by the City of Cincinnati and managed and operated by the non-profit corporation known as the Zoological Society of Cincinnati. Purpose is for exhibiting animals for public and for conservation, education and research of the animals.
INDICATE NAME AND PHONE NUMBER OF PERSON RESPONSIBLE FOR ACTIVITY, OFFICER, DIRECTOR, ETC.
Edward J. Maruska, Director, (513) 281-4700
IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED
Ohio

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Zoological Society of Cincinnati
Cincinnati, Ohio

in exchange with

Zoologischer Garten Leipzig
Leipzig, Germany

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☒ YES ☐ NO
(If yes, list license or permit numbers)
End. Species Permit No. ES-85
End. Species Permit No. ES-105

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☐ YES ☐ NO
(If yes, list jurisdictions and type of documents)
Animals are all captive born.

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$50.00

10. DESIRED EFFECTIVE DATE
As soon as possible

11. DURATION NEEDED
Permanent exchange

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b)) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED:
50 CFR 13

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) Edward J. Maruska
DATE July 10, 1975

3-100
8/74

JULY 10, 1975.

DIRECTOR (FWS/LE),
U.S. Fish and Wildlife Service, U.S. Department of the Interior, P.O. Box 19183, Washington, D.C. 20036.

DEAR SIR: The Cincinnati Zoo is applying for an Endangered Species Permit to exchange captive born Persian leopards *Panthera pardus saxicolor* with the Leipzig Zoo under the Endangered Species Act of 1973. We would like to send a male cub born here December 25, 1974, for a male cub born in Leipzig October 7, 1974.

1. Common and scientific names of the species or subspecies, number, age, and sex of the wildlife to be covered in the permit.

One male Persian leopard "Najad" born in the Cincinnati Zoo on the 25th of December, 1974. This animal was born to "Sherezade" and "Shah". Both parents were born at the Cincinnati Zoo. This male is to be exchanged for the male born at the Leipzig Zoo (unnamed) the 7th of October, 1974. Parents are "Peter", born July 2, 1961, in Munster, Germany, parents were captured in Iran; and "Mixe", born 1966/67, purchased from G. van den Brink, July, 1967, and captured in Iran. Common and scientific names: Persian leopard, *Panthera pardus saxicolor*.

2. Copy of the contract or other agreement under which such wildlife is to be imported, showing the country of origin, name and address of the seller or consignor, date of the contract, number and weight (if available), and description of the wildlife.

Attached is a copy of a letter from Dr. Siegfried Seifert, director of the Leipzig Zoo, in which he states his interest in exchanging zoo-born male leopard cubs.

3. A full statement of justification for the permit including details of the project or other plans for utilization of the wildlife in relation to zoological, educational, scientific, or propagational purposes as appropriate and the planned disposition of the wildlife upon termination of the project.

The Cincinnati Zoo is the only zoo in this hemisphere using this rare subspecies at the present time. The original pair includes a male purchased in 1957 from Hagenbach when approximately nine months old. This animal was born in an European collection, and the female was purchased on January 7, 1972, and was captured in Iran. This female suffers from severe hyperparathyroidism and had difficulty in giving birth. Numerous offspring were born dead. Three viable offspring were taken by two separate Cesarean sections. Because of the difficulties with the original female, we have not had the excellent success we have had with other leopard subspecies. As an example, we have a trio of African leopards *Panthera pardus pardus*, that have produced 60 offspring since 1962, of which 56 survived. We also have a pair of black leopards *Panthera pardus fusca* that have produced 17 offspring since 1962. We have stopped breeding of both African and black leopards because of the inability to dispose of the offspring. A male "Shah" born on the 26th July, 1970, and a female "Sherezade" born on the 26th July, 1970, brother and sister, bred and reproduced two offspring on the 25th of December, 1974, the male of which we would like to use in this exchange.

We are very desirous of obtaining an infusion of new blood to prevent continued inbreeding of this rare subspecies. As the enclosed correspondence from Dr. Seifert indicates, Leipzig has also been successful in propagating Persian leopards.

As stated above, it is very desirable at this time to begin a new blood line to maintain the vigor of this stock. As surplus animals

become available through our breeding program, specimens will be made available to qualified zoological parks that have professed interest in acquiring and propagating this rare subspecies. Upon the demise of any cats in this stock, Dr. Robert J. Izor, Division of Mammals, Field Museum of Natural History, Chicago, Illinois, has expressed interest in obtaining specimens for the Museum.

4. A description and the address of the institution or other facility where the wildlife will be used or maintained.

This animal will be held at the Cincinnati Zoo. The Zoological Park is owned by the City of Cincinnati and managed and operated by the non-profit corporation known as the Zoological Society of Cincinnati. The postal address is Cincinnati Zoo, 3400 Vine Street, Cincinnati, Ohio, U.S.A. 45220. The telephone number is 513-281-4700.

5. A statement that at the time of application the wildlife to be imported is still in the wild, was born in captivity, or has been removed from the wild.

As documented in Mr. Maruska's and Dr. Seifert's letters, the animals are captive born.

6. A resume of the applicant's attempts to obtain the wildlife to be imported from sources which would not cause the death or removal of additional animals from the wild.

The animals are zoo born and constitute no drain on the population.

Enclosed is a personnel resume.

7. (i) A complete description, including photographs or diagrams, of the area and facilities in which the wildlife will be housed.

Our leopards are presently housed in a series of five cages, each cage has dimensions of 7 ft. x 8 ft. x 10 ft. We are presently designing a series of large, spacious outdoor exhibit areas for our Persian and snow leopards. This cat complex is funded and a copy of the conceptual drawing of the exhibit area is enclosed along with correspondence with the architectural firm. The dimensions for the outdoor facilities are 34 ft. long, 26 ft. wide, and 18 ft. high. These large enclosures will have rocky ledges and trees which will provide the cats with ample exercise. The present inside cages will be retained as breeding dens.

(ii) A brief resume of the technical expertise available, including any experience the applicant or his personnel have had in propagating the species or closely related species to be imported.

See enclosed personnel resume.

7. (iii) A statement of willingness to participate in a cooperative breeding program and maintain or contribute data to a studbook.

Mr. Alan H. Shoemaker, Zoologist, of the Columbia Zoological Society is maintaining data for studbooks on the rare leopard subspecies. Correspondence is enclosed, and we wholeheartedly support his efforts in maintaining a studbook on the Persian leopard.

(iv) A detailed description of the type, size and construction of the container; arrangements for feeding, watering, and otherwise caring for the wildlife in transit; and the arrangements for caring for the wildlife on importation into the United States.

The cats will be shipped by air in crates that comply with the International Air Transport Association (IATA) Live Animals Regulations.

I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable parts in Subchapter B of Chapter I, Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

Sincerely,

EDWARD J. MARUSKA,
Director.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before September 12, 1975.

Dated: August 7, 1975.

MARSHALL L. STINNETT,
Acting Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-21022 Filed 8-12-75;8:45 am]

Office of the Secretary

WATER RESEARCH AND EDUCATION ADVISORY COMMITTEE

Meeting

A meeting of the Water Research and Education Advisory Committee will be held on September 8, 1975, at 9:30 a.m., Room 5160 (Secretary's Conference Room), U.S. Department of the Interior, Washington, D.C.

The meeting is open to the public. Since this is the first meeting of this Advisory Committee, the meeting will be an organizational session with discussion on such matters as FY-77 water research goals and objectives, FY-77 water research program planning, and pending organic act legislation for the Office of Water Research and Technology. Interested persons may make oral/written presentations to the Committee or file written statements.

Further information concerning this meeting may be obtained from Jack C. Jorgensen, Assistant Director—Technology Transfer, Office of Water Research and Technology, U.S. Department of the Interior, Washington, D.C. 20240, telephone 343-8445.

DONALD G. WALDON,
Deputy Assistant Secretary of the Interior.

AUGUST 7, 1975.

[FR Doc.75-21194 Filed 8-12-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

FLUE-CURED TOBACCO ADVISORY COMMITTEE

Meeting

The Flue-Cured Tobacco Advisory Committee meeting will be held on August 28, 1975, at 1 p.m., in the Tobacco Division, AMS, laboratory, Room 223, Flue-Cured Tobacco Cooperative Stabilization Corporation, 1306 Annapolis Drive, Raleigh, North Carolina 27605.

The purpose of the meeting is to discuss necessary adjustments in the selling schedules to reflect redesignations and to consider the reallocation of selling time between the various marketing areas. Also, other matters as specified in 7 CFR Part 29, Subpart G, § 29.9404 will be discussed.

The meeting is open to the public but space and facilities are limited. Public participation will be limited to written statements submitted before or at the meeting unless their participation is otherwise requested by the Committee Chairman. Persons, other than members, who wish to attend the meeting should contact Mr. J. W. York, Director, Tobacco Division, Agricultural Marketing Service, 300 12th Street, S.W., United States Department of Agriculture, Washington, D.C. 20250, (202) 447-2567.

WILLIAM H. WALKER, III,
Acting Administrator, Agricultural Marketing Service.

[FR Doc.75-21318 Filed 8-12-75;8:45 am]

Agricultural Stabilization and Conservation Service

NATIONAL TOBACCO ADVISORY COMMITTEE

Public Meeting

Pursuant to Public Law 92-463, notice is hereby given of a meeting of the National Tobacco Advisory Committee on August 29, 1975, 10 a.m., in the Auditorium known as the Scott Building located on the State Fairgrounds, Raleigh, North Carolina.

The purpose of the meeting is to review the supply and demand outlook for flue-cured tobacco to determine whether the 1976-crop quota and allotment should be changed.

The meeting will be open to the public. Any member of the public may file a written statement with the Committee, before or within one week following the meeting.

The names of the members of the Committee, agenda, summary of the meeting and other information pertaining to the meeting may be obtained from William Lanier, Director, Tobacco & Peanuts Division, Agricultural Stabilization & Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Signed at Washington, D.C., August 6, 1975.

JOSEPH J. TODD,
Acting Director, Tobacco & Peanuts Division, ASCS, U.S. Dept. of Agriculture.

[FR Doc.75-21122 Filed 8-12-75;8:45 am]

Forest Service

CIBOLA NATIONAL FOREST GRAZING ADVISORY BOARD

Notice of Meeting

The Cibola National Forest Grazing Advisory Board will meet Thursday,

September 4, 1975, at 10 a.m., at Town House Motel, Santa Fe, New Mexico.

The purpose of the meeting will be for organizational purposes. Election of officers will be held during this meeting.

The meeting will be open to the public. Persons who wish to attend should notify Wallace L. Lloyd via telephone, 766–2185, or in writing at 10308 Candelaria, N.E., Albuquerque, New Mexico 87112. Written statements may be filed with the Committee before or after the meeting.

Dated: August 5, 1975.

DAVID M. DAILEY,
Acting Forest Supervisor.

[FR Doc.75–21108 Filed 8–12–75;8:45 am]

CLARKDALE-WILLIAMS HIGHWAY PROPOSAL

Notice of Availability of Supplement To 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 supplement to the draft environmental statement for the Clarkdale-Williams Highway Proposal in Arizona, USDA–FS–DES(Adm) R3–72–21.

The supplement makes new information available to concerned agencies, organizations, and individuals.

The supplement to the draft environmental statement was transmitted to CEQ on August 6, 1975.

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

USDA, Forest Service, South Agriculture Bldg., Rm. 3230, 14th & Independence Ave., SW, Washington, D.C. 20250.
USDA, Forest Service, Southwestern Region, 517 Gold Avenue, SW., Albuquerque, New Mexico 87102.
Prescott National Forest, 344 South Cortez, Prescott, Arizona 86301.

Single copies are available upon request to Forest Supervisor, Prescott National Forest, P.O. Box 2549, Prescott, Arizona 86301; and the Regional Forester, Southwestern Region, 517 Gold Avenue, SW, Albuquerque, New Mexico 87102. Copies are also available from the Colorado Plateau Environmental Advisory Council, P.O. Box 1389, Flagstaff, Arizona 86001. Please refer to the name and number of the environmental statement when ordering.

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

Comments are invited from the public, 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 the Forest Supervisor, Prescott National Forest, P.O. Box 2549, Prescott, Arizona 86301. Comments must be received on or before October 14, 1975, in order to be considered in the preparation of the final environmental statement.

M. J. HASSELL,
Deputy Regional Forester, Region 3.

AUGUST 6, 1975.

[FR Doc.75–21109 Filed 8–12–75;8:45 am]

NORTH END DISTRICT GRAZING ADVISORY BOARD

Meeting

The North End District Grazing Advisory Board will hold a meeting at 9 a.m., September 23, 1975. The group will meet on the Divide Road at the turn-off to the Musser Cow Camp. (Sec. 35, T. 50 N., R. 16 W.)

The purpose of the meeting and ride will be (1) to receive recommendations whether the September 16, 1966 agreement regarding stocking on the Musser Allotment should be continued or renegotiated, (2) to receive any other recommendations concerning management and administration of National Forest grazing lands and (3) election of advisory board officers.

The meeting will be open to the public. Persons who wish to attend should notify Acting District Ranger Don Wood, P.O. Box 1150, Grand Junction, Colorado 81501, telephone 242–8211.

The Board has established the following rules for public participation:

1. Furnish own transportation to and from meeting place. This includes horse, riding tack and vehicles to transport self and horse.

2. Furnish own food, bedroll and other subsistence as desired for the trip.

Written statements may be filed with the Board before or after the meeting.

JIMMY R. WILKINS,
Forest Supervisor.

AUGUST 6, 1975.

[FR Doc.75–21165 Filed 8–12–75;8:45 am]

Soil Conservation Service

EAST FORK ABOVE LAVON (TRINITY) WATERSHED PROJECT, TEXAS

Notice of Availability of Negative Declaration

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the East Fork Above Lavon (Trinity) Watershed Project, Collin and Grayson Counties, Texas.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Edward E. Thomas, State Conservationist, Soil Conservation Service, USDA, First National Bank Building, Temple, Texas 76501, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The remaining planned works of improvement as described in the negative declaration include conservation land treatment supplemented by 4 single purpose floodwater retarding structures.

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

Soil Conservation Service, USDA, First National Bank Building, Temple, Texas 76501.

Requests for the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until August 28, 1975.

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

JOSEPH W. HAAS,
Acting Deputy Administrator for Water Resources, Soil Conservation Service.

AUGUST 4, 1975.

[FR Doc.75–21105 Filed 8–12–75;8:45 am]

JACOBS CREEK WATERSHED, PENNSYLVANIA

Notice of Availability of Negative Declaration

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Jacobs Creek Watershed project, Fayette County, Pennsylvania.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Benny Martin, State Conservationist, Soil Conservation Service, USDA, Box 985, Federal Square Station, Harrisburg, Pennsylvania 17108, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection, flood prevention and recreation. A part of the remaining planned works of improvement, as described in the negative declaration, include conservation land treatment supplemented by installation of recreation facilities on 21 acres of a 312-acre park.

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

Soil Conservation Service, USDA, Box 985, Federal Square Station, Harrisburg, Pennsylvania 17108.

Requests for the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until August 28, 1975.

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

JOSEPH W. HAAS,
Acting Deputy Administrator for Water Resources, Soil Conservation Service.

AUGUST 5, 1975

[FR Doc.75-21106 Filed 8-12-75;8:45 am]

PATTERSON CREEK SUBWATERSHED PROJECT, WEST VIRGINIA

Notice of Availability of Negative Declaration

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for work remaining to be done in the Patterson Creek Subwatershed Project, Mineral and Grant Counties, West Virginia.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. James S. Bennett, State Conservationist, Soil Conservation Service, USDA, Federal Building, High Street, Morgantown, West Virginia 26505, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection, flood prevention, and water-based recreation. The remaining planned works of improvement, as described in the negative declaration include conservation land treatment supplemented by six single-purpose floodwater retarding structures, one multiple-purpose structure, and associated recreation facilities.

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

Soil Conservation Service, USDA, Federal Building, High Street, Morgantown, West Virginia 26505.

Requests for the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until August 28, 1975.

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

JOSEPH W. HAAS,
Acting Deputy Administrator for Water Resources, Soil Conservation Service.

AUGUST 4, 1975.

[FR Doc.75-21107 Filed 8-12-75;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-458]

AMERICAN PRESIDENT LINES, LTD.

Application

Notice is hereby given that American President Lines, Ltd. has applied for amendment of its Operating-Differential Subsidy Agreements, Contract Nos. FMB-50 and FMB-76 to permit interchange of subsidized C6 type containerships between services in both contracts and to enable containerships to perform service obligations under either or both contracts with vessels subsidized under either contract. The application contemplates that a transpacific containership sailing would be permitted to call at both California and Washington-Oregon and count as a sailing under Contract Nos. FMB-50 and FMB-76.

As information, the minimum/maximum sailing requirements of the two operating-differential subsidy contracts will remain the same; no increase in sailings are requested and no additional vessels covered by FMB-50 and FMB-76 are proposed. The Operator desires to reinstate its Round-the-World Service (Westbound), and to modify its existing RW feeder service so as to provide feeder service betwen ports in Singapore, Indonesia, Malaysia, and Thailand now authorized in the Operator's service descriptions. The vessels which the Operator intends to use for the reinstituted Round-the-World (Westbound) service are to be those vessels in excess of its needs in the transpacific services.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to Section 605(c) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1175), should by the close of business on August 22, 1975 notify, the Secretary, Maritime Subsidy Board in writing in triplicate, and file petition for leave to intervene in accordance with the Rules of Practice and Procedure of the Maritime Subsidy Board.

Each such statement of interest and petition to intervene shall state whether a hearing is requested under section 605 (c) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1175) and with as much specificity as possible the facts that the intervenor would undertake to prove at such a hearing.

In the event a Section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated in an essential service, served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of United States registry in such essential service is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

Any service authorized pursuant to the application Noticed herein will not be deemed existing service within the meaning of section 605(c) for purposes of Docket No. S-417.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS)).

By Order of the Maritime Administration.

Dated: August 8, 1975.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-21076 Filed 8-12-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration

ADVISORY COMMITTEES

Meetings

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), announcement is made of the following National Advisory bodies scheduled to assemble during the month of September 1975:

CLINICAL PSYCHOPHARMACOLOGY RESEARCH REVIEW COMMITTEE

September 8-9; 9 a.m.

Conference Room C, Parklawn Bldg., Rockville, Maryland.

Open—September 8, 9-10 a.m.

Closed—Otherwise.

Contact Antoinette C. Simms, Parklawn Building, Room 9-105.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3524.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research activities and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 10 a.m., September 8, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open

to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

MENTAL HEALTH SERVICES RESEARCH REVIEW COMMITTEE

September 8-10; 9 a.m.

The Belmont (Smithsonian Institution's Conference Center) Elkridge, Md.

Open—September 8, 9-9:30 a.m.

Closed—Otherwise.

Contact James Cumiskey, Parklawn Building, Room 11C-17.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-6165.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to mental health services research and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 9:30 a.m., September 8, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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EPIDEMIOLOGIC STUDIES REVIEW COMMITTEE

September 11-12; 9 a.m.

Conference Room Shenandoah A, Ramada Inn, 1900 N. Ft. Myer Drive, Arlington, Va.

Open—September 11, 9-10 a.m.

Closed—Otherwise.

Contact Lavinia Walsh, Parklawn Building, Room 10C-09.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3774.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research and training activities in the field of epidemiology and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 10 a.m., September 11, the meeting will be open for discussion of adminitrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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JUVENILE PROBLEMS RESEARCH REVIEW COMMITTEE

September 11-12; 9 a.m.

Chancery II, Embassy Row Hotel, 2015 Massachusetts Avenue, N.W., Washington, D.C.

Open—September 11, 9-9:30 a.m.

Closed—Otherwise.

Contact Diana Souder, Parklawn Building Room 10-99.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3566.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to development from infancy to young adulthood and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 9:30 a.m., September 11, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing the initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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METROPOLITAN MENTAL HEALTH PROBLEMS REVIEW COMMITTEE

September 11-12; 9 a.m.

Conference Room B, Quality Inn, 1330 Massachusetts Avenue, N.W., Washington, D.C.

Open—September 11, 9-9:30 a.m.

Closed—Otherwise.

Contact Phyllis Pinzow, Parklawn Building, Room 15-99.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3373.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health, Division of Special Mental Health Programs, Center for Studies of Metropolitan Problems relating to research, training, and fellowship activities and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 9:30 a.m., September 11, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5) and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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PRECLINICAL PSYCHOPHARMACOLOGY RESEARCH REVIEW COMMITTEE

September 11-12; 9 a.m.

Suite G101, Sheraton-Park Hotel, 2600 Woodley Road, N.W., Washington, D.C.

Open—September 11, 9-9:30 a.m.

Closed—Otherwise.

Contact Marion Miller, Parklawn Building, Room 9-97.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3454.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to preclinical psychopharmacology research and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 9:30 a.m., September 11, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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NEUROPSYCHOLOGY RESEARCH REVIEW COMMITTEE

September 11-13; 9 a.m.

North Scott Room, Gramercy Inn, 1616 Rhode Island Avenue, NW., Washington, D.C.

Open—September 11, 9-10 a.m.

Closed—Otherwise.

Contact Eileen Nugent, Parklawn Building, Room 10C-06.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3942.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to neuropsychology research and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 10 a.m., September 11, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of

Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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CRIME AND DELINQUENCY REVIEW COMMITTEE

September 17-19; 9 a.m.

Plaza Room, Dupont Plaza Hotel, 1500 New Hampshire Avenue, N.W., Washington, D.C.

Open—September 17, 9-10:30 a.m.

Closed—Otherwise.

Contact Carol Beall, Parklawn Building, Room 12C-16.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3728.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research and training activities in crime and delinquency, law and mental health, and individual violent behavior and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 10:30 a.m. September 17, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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MINORITY GROUP MENTAL HEALTH PROGRAMS REVIEW COMMITTEE

September 17-19; 9 a.m.

Terrace Room, Linden Hill Hotel, 5400 Pooks Hill Road, Bethesda, Md.

Open—September 17, 9-12 noon.

Closed—Otherwise.

Contact Edna M. Hardy Hill, Parklawn Building, Room 7-103.

5600 Fishers Lane, Rockville, Maryland 20852, 301-443-2988.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to minority mental health research and training and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 12 noon, September 17, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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SOCIAL SCIENCES RESEARCH REVIEW COMMITTEE

September 18-20; 9 a.m.

Executive Room, Dupont Plaza Hotel, Dupont Circle, N.W., Washington, D.C.

Open—September 18, 9-9:30 a.m.

Closed—Otherwise.

Contact Marilyn Andersen, Parklawn Building, Room 10-95.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3936.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to social science research and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 9:30 a.m., September 18, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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CLINICAL PROGRAM—PROJECTS RESEARCH REVIEW COMMITTEE

September 19-20; 9 a.m.

Warren Room, Sheraton-Park Hotel, 2600 Woodley Road, N.W., Washington, D.C.

Open—September 19, 9-10 a.m.

Closed—Otherwise.

Contact Evelyn Cralle, Parklawn Building, Room 10C-25.

5600 Fishers Lane, Rockville, Maryland 20852, 301-443-4707.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to clinical research and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 10 a.m., September 19, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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PERSONALITY AND COGNITION RESEARCH REVIEW COMMITTEE

September 19-21; 9 a.m.

Room 227, Gramercy Inn, 1616 Rhode Island Avenue, N.W., Washington, D.C.

Open—September 19, 9-10 a.m.

Closed—Otherwise.

Contact Shirley Maltz, Parklawn Building, Room 10C-06.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-3942.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research activities and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 10 a.m., September 19, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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ALCOHOL RESEARCH REVIEW COMMITTEE

September 24-26; 9 a.m.

Holiday Inn, 8120 Wisconsin Avenue, Bethesda, Maryland.

Open—September 24, 9-10 a.m.

Closed—Otherwise.

Contact J. C. Teegarden, Ph. D., Parklawn Building, Room 6C-03.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-4223.

Purpose: The Committee provides initial review of applications for basic research grants, applied research grants, and special grants, in such project areas as pharmacological, physiological, sociological and psychological aspects of alcohol use, incidence and prevalence of alcohol-related problems and makes recommendations to the Director of the National Institute on Alcohol Abuse and Alcoholism and to the National Advisory Council on Alcohol Abuse and Alcoholism.

Agenda: From 9 to 10 a.m., September 24, the meeting will be open for discussion of administrative announcements and program developments. Otherwise the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d)

of Public Law 92-463 (5 U.S.C. Appendix I).

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DRUG ABUSE RESEARCH REVIEW COMMITTEE

September 24-26; 9 a.m.

Conference Rooms 845, 873 and 677, Rockwall Bldg., Rockville, Maryland.

Open—September 24; 9-9:30 a.m.

Closed—Otherwise.

Contact Ms. Ellen Simon Stover, Rockwall Building, Room 750.

11400 Rockville Pike, Rockville, Md. 20852, 301-443-6664.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute on Drug Abuse relating to research activities and makes recommendations to the National Advisory Council on Drug Abuse for final review.

Agenda: From 9 to 9:30 a.m., September 24, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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SOCIAL PROBLEMS RESEARCH REVIEW COMMITTEE

September 25-26; 9 a.m.

Jackson Room, Washington Hilton Hotel, Connecticut Avenue at Columbia Road, N.W., Washington, D.C.

Open—September 25, 9-9:30 a.m.

Closed—Otherwise.

Contact Dr. Herbert H. Coburn, Parklawn Building, Room 9C-14, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4843.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the Division of Extramural Research Programs, NIMH, relating to the field of social problems and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 9:30 a.m., September 25, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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ALCOHOL TRAINING REVIEW COMMITTEE

September 25-27; 9 a.m.

Conference Room C, Parklawn Bldg., Rockville, Maryland.

Open—September 25, 9-11 a.m.

Closed—Otherwise.

Contact Dr. Melvin Davidoff, Parklawn Building, Room 16C-26, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-1056.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute on Alcohol Abuse and Alcoholism, ADAMHA, relating to training activities and makes recommendations to the National Advisory Council on Alcohol Abuse and Alcoholism for final review.

Agenda: From 9 to 11 a.m., September 25, the Committee will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administraton, pursuant to the provisions of Section 552(b)(5) and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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CLINICAL PROJECTS RESEARCH REVIEW COMMITTEE

September 25-27; 9 a.m.

Warren Room, Sheraton-Park Hotel, 2600 Woodley Road, N.W., Washington, D.C.

Open—September 25, 9-10 a.m.

Closed—Otherwise.

Contact Harriet German, Parklawn Building, Room 10C-25.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-4707.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to clinical research and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 10 a.m., September 25, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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EXPERIMENTAL PSYCHOLOGY RESEARCH REVIEW COMMITTEE

September 25-27; 9 a.m.

Circle Room, Dupont Plaza Hotel, Dupont Circle, N.W., Washington, D.C.

Open—September 25, 9-9:30 a.m.

Closed—Otherwise.

Contact Sally Connell, Parklawn Building, Room 10-05.

5600 Fishers Lane, Rockville, Maryland 20852, 301-443-3936.

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to experimental psychology research and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 9 to 9:30 a.m., September 25, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

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MENTAL HEALTH SMALL GRANT COMMITTEE

September 25; 1 p.m.

September 26-27; 8:30 a.m.

Executive Suite and Parlor 509, Statler Hilton Hotel, 16th and K Streets, N.W., Washington, D.C.

Open—September 25, 4-5 p.m.

Closed—Otherwise.

Contact Mary E. Enyart, Parklawn Building, Room 10C-14.

5600 Fishers Lane, Rockville, Md. 20852, 301-443-4337.

Purpose: The Committee is charged with the initial review of small grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to mental health research and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda: From 4 to 5 p.m., September 25, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix I).

Substantive information may be obtained from the contact person listed above.

The NIAAA and NIMH Information Officers who will furnish summaries of the meetings and rosters of the Committee members are located in the Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852. The NIAAA Information Officer is Mr. Harry C. Bell, Associated Director for Public Affairs, National Institute on Alcohol Abuse and Alcoholism, Room 6C–15, Telephone No. 443–3306. The NIMH Information Officer is Mr. Edwin Long, Deputy Director, Division of Scientific and Technical Information, National Institute of Mental Health, Room 15–105, Telephone No. 443–3600. The NIDA Information Officer who will furnish summaries of the meeting and rosters of the Committee members is Mr. Joshua Hammond, Program Information Officer for Drug Abuse, National Institute on Drug Abuse, Room 814, Rockwall Building, 11400 Rockville Pike, Rockville, Maryland 20852, Telephone No. 443–6458.

Dated: August 8, 1975.

CAROLYN T. EVANS,
Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc.75-21097 Filed 8-12-75;8:45 am]

Center for Disease Control

VENEREAL DISEASE CONTROL ADVISORY COMMITTEE

Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92–463), the Center for Disease Control announces the following Committee meeting:

Name: Venereal Disease Control Advisory Committee.
Date: September 18–19, 1975.
Place: Room 207, Building 1, Center for Disease Control, 1600 Clifton Road, N.E., Atlanta, Georgia 30333.
Time: 9:00 a.m.
Type of meeting: Open.
Contact person: Joe H. Miller, Executive Secretary of Committee, Building 1, Room 3070, Center for Disease Control, Atlanta, Georgia 30333, Phone: AC–404 633–3311, extension 3937.
Purpose: The Committee is charged with advising on means and methods of implementing venereal disease control programs, reviewing current and proposed program operations and suggesting new areas of control emphasis.
Agenda: Items will include: status report on venereal disease; orientation and background discussion of current program emphasis and future direction; professional and lay training efforts; information/education initiatives; current and future operational research; and new areas of program emphasis.

Agenda items are subject to change as priorities dictate.

The meeting will be open to public observation and participation. A roster of members and other relevant information regarding the meeting may be obtained from the contact person listed above.

Dated: August 7, 1975.

DAVID J. SENCER,
Director, Center for Disease Control.

[FR Doc.75-21329 Filed 8-12-75;8:45 am]

Food and Drug Administration

ANTI-INFECTIVE AGENTS ADVISORY COMMITTEE

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776 (5 U.S.C. App. I)), the Food and Drug Administration announces the renewal of the Anti-Infective Agents Advisory Committee by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond August 30, 1975.

Authority for this committee will expire August 30, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: August 7, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-21099 Filed 8-12-75;8:45 am]

PANEL ON REVIEW OF ALLERGENIC EXTRACTS

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776 (5 U.S.C. App. I)), the Food and Drug Administration announces the renewal of the Panel on Review of Allergenic Extracts by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond August 24, 1975.

Authority for this panel will expire August 24, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: August 7, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-21100 Filed 8-12-75;8:45 am]

PANEL ON REVIEW OF BLOOD AND BLOOD DERIVATIVES

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776 (5 U.S.C. App. I)), the Food and Drug Administration announces the renewal of the Panel on Review of Blood and Blood Derivatives by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond August 24, 1975.

Authority for this panel will expire August 24, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: August 7, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-21103 Filed 8-12-75;8:45 am]

PANEL ON REVIEW OF SKIN TEST ANTIGENS

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776 (5 U.S.C. App. I)), the Food and Drug Administration announces the renewal of the Panel on Review of Skin Test Antigens by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond August 24, 1975.

Authority for this panel will expire August 24, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: August 7, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-21098 Filed 8-12-75;8:45 am]

SURGICAL DRUGS ADVISORY COMMITTEE

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776 (5 U.S.C. App. I)), the Food and Drug Administration announces the renewal of the Surgical Drugs Advisory Committee by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond September 14, 1975.

Authority for this committee will expire September 14, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: August 7, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-21101 Filed 8-12-75;8:45 am]

Health Resources Administration

ANNUAL REPORTS

Filing

Notice is hereby given that pursuant to Section 13 of Public Law 92–463, the Annual Report for the following Health Resources Administration committees have been filed with the Library of Congress:

Cooperative Health Statistics Advisory Committee; United States National Committee on Vital and Health Statistics; Long-Term Care for the Elderly Research Review and Advisory Committee; Federal Hospital Council; Health Services Developmental Grants Study Section; Health Care Technology Study Section; Health Services Research Study Section; Health Services Research Training Committee; National Advisory Council on Nurse Training; National Advisory Council on Health Professions Education.

Copies are available to the public for inspection at the Library of Congress, Special Forms Reading Room, Main Building, or weekdays between 9:00 a.m. and 4:30 p.m. at the Department of Health, Education, and Welfare, Department Library, North Building, Room 1436, 300 Independence Avenue, S.W., Washington, D.C. 20201, Telephone (202) 245-6791.

Dated: August 7, 1975.

JAMES A. WALSH,
Associate Administrator for Operations and Management.

[FR Doc.75-21153 Filed 8-12-75;8:45 am]

Health Services Administration

ANNUAL REPORTS

Filing

Notice is hereby given that pursuant to Section 13 of Public Law 92-463, the Annual Report for the following Health Services Administration committee has been filed with the Library of Congress:

Indian Health Advisory Committee.

Copies are available to the public for inspection at the Library of Congress, Special Forms Reading Room, Main Building, or weekdays between 9:00 a.m. and 4:30 p.m. at the Department of Health, Education, and Welfare, Department Library, North Building, Room 1436, 300 Independence Avenue, S.W., Washington, D.C. 20201, Telephone (202) 245-6791.

Dated: August 7, 1975.

WILLIAM H. ASPDEN, Jr.,
Acting Associate Administrator for Management.

[FR Doc.75-21152 Filed 8-12-75;8:45 am]

National Institutes of Health

ANIMAL RESOURCES ADVISORY COMMITTEE

Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Animal Resources Advisory Committee, Division of Research Resources, October 7-8, 1975, A-325 Conference Room, School of Medicine, University of Washington, Seattle, Washington. This meeting will be open to the public on October 7 from 8:30 a.m. to 12:30 p.m., during which time there will be a scientific presentation covering Laboratory Animal Medicine and Comparative Primatology. After lunch, the meeting will be open to the public from 1:30 until 3:00 p.m., during which time there will be brief staff presentations on the current status of the Animal Resources Program. The Committee will select future meeting dates. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5, U.S. Code and Section 10(d) of Public Law 92-463, the meeting will be closed to the public from 3:00 p.m. to 5:00 p.m. on October 7 and from 8:30 a.m. to adjournment on October 8 for the review, discussion, and evaluation of initial pending, supplemental, and renewal grant applications. The closed portions of the meeting involve solely the internal expression of views and judgments of Committte members on individual grant applications containing detailed research protocols, designs and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. James Augustine, Information Officer, Division of Research Resources, Building 31, Room 5B39, Bethesda, Maryland 20014, 301/496-5545, will provide summaries of the meeting and rosters of Committee members. Dr. John E. Holman, Executive Secretary, Animal Resources Advisory Committee, Building 31, Room 5B35, Bethesda, Maryland 20014, 301/496-5507, will furnish substantive program information.

Dated: August 5, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer, NIH.

(Catalog of Federal Domestic Assistance Program No. 13.306, National Institutes of Health)

[FR Doc.75-21193 Filed 8-12-75;8:45 am]

COOPERATIVE GROUP CHAIRMEN OF CLINICAL INVESTIGATIONS BRANCH

Meeting

Notice is hereby given of the Cooperative Group Chairman Meeting of the Clinical Investigations Branch, Division of Cancer Treatment, National Cancer Institute, September 16, 1975, Building 31, Room 11A10, Bethesda, Maryland 20014.

This meeting will be open to the public from 9 a.m. to 5 p.m. on September 16, 1975, to discuss and review cooperative group clinical, operational, and procedural activities. Attendance by the public will be limited to space available.

For additional information, please contact: Dr. Raul Mercado, Jr., Chief, Clinical Investigations Branch, Division of Cancer Treatment, National Cancer Institute, National Institutes of Health, Room 820, Westwood Building, Bethesda, Maryland 20014, (301) 496-7058.

Dated: August 5, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer, National Institutes of Health.

[FR Doc.75-21187 Filed 8-12-75;8:45 am]

CONTRACEPTIVE EVALUATION RESEARCH CONTRACT REVIEW COMMITTEE

Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Contraceptive Evaluation Research Contract Review Committee, National Institute of Child Health and Human Development, October 1, 1975, Building 31, Conference Room 7, National Institutes of Health, Bethesda, Maryland.

The entire meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on October 1 to discuss the review of current program, budget FY 76, and program development. Attendance by the public will be limited to space available.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Building 31, Room 2A-04, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1848, will provide summaries of the meeting and rosters of the committee members.

Dr. Heinz W. Berendes, Chief, Contraceptive Evaluation Branch, Center for Population Research, NICHD, Landow Building, Room A-714, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-4924, will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.832, National Institutes of Health.)

Dated: August 5, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer, National Institutes of Health.

[FR Doc.75-21192 Filed 8-12-75;8:45 am]

DIVISION OF CANCER CONTROL AND REHABILITATION

Meeting

Notice is hereby given of a workshop discussion by government and contract representatives on the subject of planning for cervical cytology screening programs, National Cancer Institute, September 5, 1975, Conference Room 8, Building 31, National Institutes of Health.

This meeting will take place from 9:00 a.m. to 5:00 p.m. on September 5, and will be open to the public. Attendance by the public will be limited to space available.

For additional information, please contact: Dr. Joanne Luoto, Blair Building, Room 624, Division of Cancer Control and Rehabilitation, National Cancer Institute, National Institutes of Health, Bethesda, Maryland 20014, 301/427-7990.

Dated: August 5, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer, National Institutes of Health.

[FR Doc.75-21186 Filed 8-12-75;8:45 am]

HEART AND LUNG RESEARCH REVIEW COMMITTEES A AND B

Establishment

The National Institutes of Health announces the establishment on July 14, 1975, of the public advisory committees, Heart and Lung Research Review Committee A and Heart and Lung Research Review Committee B, under the authority of section 222 of the Public Health Service Act (42 U.S.C. 217a). These advisory committees shall be governed by the provisions of the Federal Advisory Committee Act (Public Law 92-463) setting forth standards governing the establishment and use of advisory committees.

Both of these committees shall advise the Secretary, the Assistant Secretary for Health, and the Director, National Institutes of Health, by reviewing applications for grants-in-aid and contract proposals for the support of multidisciplinary basic and clinical research.

Authority for these committees will expire June 30, 1977, unless the Secretary, DHEW, formally determines that continuance is in the public interest.

(Catalog of Federal Domestic Assistance Program Nos. 13.837, 13.838, and 13.839, National Institutes of Health.)

Dated: August 4, 1975.

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc.75-21188 Filed 8-12-75;8:45 am]

LIPID METABOLISM ADVISORY COMMITTEE

Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Lipid Metabolism Advisory Committee, National Heart and Lung Institute on September 25, 1975 in Building 31, Room 5A16, Bethesda, Maryland.

The entire meeting will be open to the public from 8:30 a.m. to 5 p.m. to discuss the Lipid Metabolism Branch status report and the Lipid Research Clinics Program status report. Attendance by the public will be limited to space available. Mr. York Onnen, Chief, Public Inquiries and Reports Branch, NHLI, National Institutes of Health, Building 31, Room 5A21, Bethesda, Maryland 20014, (301) 496-4236, will provide summaries of the meeting and rosters of the committee members.

Dr. Basil M. Rifkind, Chief, Lipid Metabolism Branch, NHLI, Building 31, Room 4A18, (301) 496-1681, will provide substantive program information.

Dated: August 5, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-21191 Filed 8-12-75;8:45 am]

MENTAL RETARDATION RESEARCH COMMITTEE

Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Mental Retardation Research Committee, National Institute of Child Health and Human Development, on September 25-26, 1975, in the Landow Building, Room C-418, 7910 Woodmont Avenue, Bethesda, Maryland.

The meeting will be open to the public on September 25 from 8:30 p.m. to 10:00 p.m. to discuss items relative to the committee's activities including announcements by the Head of the Mental Retardation Branch and the Executive Secretary of the Committee. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552(b)(5) and 552(b)(6), Title 5, U.S. Code and Section 10(d) of P.L. 92-463, the meeting will be closed to the public on September 26 from 8:30 a.m. to adjournment on September 26 for the review, discussion and evaluation of individual renewal grant applications. The closed portion of the meeting will involve solely the internal expression of views and judgments of committee members on individual grant applications containing detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Building 31, Room 2A-04, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1848, will provide a summary of the meeting and a roster of committee members. Dr. Lyle Lloyd, Executive Secretary, Mental Retardation Research Committee, NICHD, Landow Building, Room C-704, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1383, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.317, National Institutes of Health.)

Dated: August 5, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-21190 Filed 8-12-75;8:45 am]

NATIONAL COMMISSION ON ARTHRITIS AND RELATED MUSCULOSKELETAL DISEASES

Meeting

Pursuant to P.L. 92-463, notice is hereby given of the meetings of the National Commission on Arthritis and Related Musculoskeletal Diseases on September 8, 9, and 10, 1975 (places and times given below). All of the meetings will be open to the public.

On September 8 and 9, the Commission will meet at Braniff Place, 180 West Broadway, Tucson, Arizona. From 2:00 p.m. to 5:00 p.m. on September 8, the Commission will have a business and planning meeting. On September 9, from 9:30 a.m. to 1:30 p.m., the Commission will hear testimony from interested members of the public.

On September 10, from 9:30 a.m. to 1:30 p.m. the Commission will meet at the Royal Inn-Wharf, 1355 Harbor Drive, San Diego, California, to hear public testimony.

Members of the public who wish to appear before the Commission during those times when the Commission is prepared to receive public testimony shall file a written statement or detailed summary of remarks with the Commission before 5:00 p.m. on August 29, 1975. Statements or summaries shall be sent or delivered to Mr. Victor Wartofsky, address below.

The time allotted to each participant will be determined by the Commission Chairman based upon the number of individuals who request an opportunity to make presentations.

Mr. Victor Wartofsky, Information Officer, NIAMDD, National Institutes of Health, Building 31, Room 9A04, Bethesda, Maryland 20014, (301) 496-3583, will provide summaries of the meeting and rosters of the Commission members.

(Catalog of Federal Domestic Assistance Program No. 13.846, National Institutes of Health.)

Dated: August 6, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-21185 Filed 8-12-75;8:45 am]

VISION RESEARCH PROGRAM COMMITTEE

Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Vision Research Program Committee, National Eye Institute on September 12, 1975, at the Landow Building, conference room C-418, in Bethesda, Maryland.

This meeting will be open to the public from 1:00 p.m. until adjournment for discussion of proposed program planning activities of the NEI and a status report on the vitrectomy studies. Attendance by the public will be limited to space available. In accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code and Section 10(d) of P.L. 463, the meeting will be closed to the public from 9:00 a.m. until 12:00 noon for the review, discussion and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal informa-

tion concerning individuals associated with the applications.

Mr. Julian Morris, Information Officer, National Eye Institute, National Institutes of Health, Bethesda, Maryland 20014, Building 31, room 6A–27, telephone (301) 496–5248, will furnish summaries of the meeting and rosters of committee members.

Substantive program information may also be obtained from Dr. Wilford L. Nusser, Chief, Scientific Programs Branch, Extramural and Collaborative Programs, National Eye Institute, National Institutes of Health, Bethesda, Maryland 20014, Building 31, room 6A–52, telephone (301) 496–5301.

(Catalog of Federal Domestic Assistance Program No. 13.331, National Institutes of Health.)

Dated: August 5, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75–21189 Filed 8–12–75;8:45 am]

CLINICAL APPLICATION AND PREVENTION ADVISORY COMMITTEE

Meeting

Correction

In FR Doc. 75–20061, which announces the meeting of the above-named committee on September 12, 1975, and which appears on page 32369 of the issue for Friday, August 1, 1975, in the third paragraph the fourth and fifth lines, reading "496–2533, will furnish substantive program information." are incorrect and should be deleted.

Office of Education

EARLY EDUCATION FOR HANDICAPPED CHILDREN

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 623 of the Education of the Handicapped Act (20 U.S.C. 1423), the U.S. Commissioner of Education has established a final closing date of November 3, 1975 for receipt of applications for new early education projects and December 1, 1975 for receipt of applications for noncompeting continuation grants.

Applications must be received by the U.S. Office of Education Application Control Center on or before the aforementioned dates.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.444A model demonstration project; 13.444B outreach. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than October 29, 1975 for new projects and November 26, 1975 for continuation projects, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted by the Application Control Center after 4:00 p.m. Washington, D.C. time, on the closing date.

C. *Program information and forms.* Information and applications may be obtained from the Program Development Branch, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

D. *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a) and the program regulations (45 CFR Part 121d) published in the Federal Register on February 20, 1975 at 40 FR 7416. (20 U.S.C. 1423)

(Catalog of Federal Domestic Assistance, No. 13.444 Early Education for Handicapped Children)

Dated: August 7, 1975.

DUANE J. MATTHEIS,
Acting U.S. Commissioner
of Education.

[FR Doc.75–21134 Filed 8–12–75;8:45 am]

SPECIAL PROJECT GRANTS

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 505 of Title V–A of the Elementary and Secondary Education Act of 1965 (79 Stat. 51, 20 U.S.C. 865), applications are being accepted for grants to State educational agencies for continuation of special projects conditionally approved during fiscal year 1975 for such funding.

Applications must be received by the U.S. Office of Education Application Control Center on or before November 3, 1975.

A. Applications sent by mail.

An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.485. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than October 29, 1975, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail room in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.*

An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4:00 on the closing date.

C. *Program information and forms.*

Information and application forms may be obtained from the Division of State Assistance, Bureau of School Systems, Office of Education, Room 3010, 7th and D Streets, S.W., Washington, D.C. 20202.

D. *Applicable regulations and funding criteria.*

The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) published in the FEDERAL REGISTER on November 6, 1973, and regulations governing Federal Financial Assistance for Strengthening State Departments of Education (45 CFR Part 119), published in the FEDERAL REGISTER on May 15, 1971. Applications will be evaluated according to funding criteria contained in 45 CFR, Part 100a, Section 100a.26.

(20 U.S.C. 865)

(Catalog of Federal Domestic Assistance Number 13.485; Strengthening State Departments of Education—Grants for Special Projects)

Dated: August 7, 1975.

DUANE J. MATTHEIS,
Acting U.S. Commissioner
of Education.

[FR Doc.75–21133 Filed 8–12–75;8:45 am]

Office of the Secretary

NATIONAL COMMISSION FOR THE PROTECTION OF HUMAN SUBJECTS ON BIOMEDICAL AND BEHAVIORAL RESEARCH

Meeting

Notice is hereby given that the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research will meet on Septem-

ber 12, 13 and 14, 1975, in Conference Room 6, C Wing, Building 31, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014. The meeting will be held on September 14 only if it is determined to be necessary at the meeting of the Commission on September 13. The meeting will be open to the public from 10 a.m. to adjournment on September 12 and from 9 a.m. to adjournment on September 13 and 14, subject to the limitations of available space.

The agenda will include discussion of issues identified in the legislative mandate to the Commission under Public Law 93-348 and briefings on research involving prisoners and research involving the retarded.

In accordance with the provisions of section 10(d) of Public Law 92-463, the meeting will be closed to the public from 9 to 10 a.m. on September 12 for the discussion of internal personnel matters, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Requests for information should be directed to Ms. Anne Ballard (301-496-7776), Room 125, Westwood Building, 5333 Westbard Avenue, Bethesda, Maryland 20016.

Dated: July 29, 1975.

CHARLES U. LOWE,
Executive Director, National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research.

[FR Doc.75-21196 Filed 8-12-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. EX 73-5; Notice 5]

INTERMECCANICA AUTOMOBILI

Termination of Temporary Exemption From Motor Vehicle Safety Standards

This notice terminates the temporary exemption from several Federal motor vehicle safety standards granted Intermeccanica Automobili on the grounds that the exemption is no longer in the public interest or consistent with the objectives of the National Traffic and Motor Vehicle Safety Act of 1966.

Intermeccanica Automobili of Turin, Italy has twice been granted temporary exemption from several Federal safety standards on the grounds that compliance would cause it substantial economic hardship. In 1969, it was granted exemptions from Standard Nos. 201, 202, 203, 204, and 301 for its Italia model (Federal Highway Administration Exemption No. 69-4). In 1974, its Indra model was exempted until January 1, 1977 from compliance with Standards Nos. 201, 212, 215 and 301 (NHTSA Exemption No. 73-5, 39 FR 10315). Because the company has been unwilling or unable to resolve certain compliance problems with the Italia in an enforcement proceeding, the Administrator has decided to terminate the company's current exemption.

Between 1969 and a date prior to May 1973, Intermeccanica manufactured 128 passenger cars for sale in the United States. An inspection of 15 of these vehicles showed that none had the tire inflation placard required by 49 CFR 571.-110, Motor Vehicle Safety Standard No. 110, or means to lock the operator's door as required by 49 CFR 571.206, Motor Vehicle Safety Standard No. 206, or occupant restraint labeling in accordance with 49 CFR 571.209, Motor Vehicle Safety Standard No. 209, as required by 49 CFR 571.208, Motor Vehicle Safety Standard No. 208. Tires on two of the vehicles were not labeled according to 49 CFR 571.109, Motor Vehicle Safety Standard No. 109. None of the vehicles were provided with consumer information pursuant to 49 CFR Part 575. The NHTSA asked the company its views on these matters by letter of August 10, 1971, but received no response.

In April 1973, Intermeccanica petitioned for a new exemption for its Indra model, and was informed that its petition would not be processed until an answer had been provided to the letter of August 10, 1971. The company then promptly responded, stating among other things that it would furnish tire inflation placards to distributors and that it would send consumer information to NHTSA under separate cover. There is no record that the company did either.

Accordingly, the agency asked the company on April 5, 1974, to show cause why a civil penalty should not be imposed, and afforded it an opportunity to submit information, data, or arguments relative to this matter. On November 11, 1974, the company was informed that the Administrator would consider a compromise of $1,000 as appropriate under the circumstances provided the company conducted a notification campaign. The company did not respond. On April 29, 1975, the company was informed that the Administrator was considering termination of Exemption No. 73-5 because of its violations and was offered an opportunity to submit its views. It responded by letter of May 6, 1975, agreeing to pay $1,000 within 30 days. On July 1, 1975, it wrote that there would be a further delay, unspecified in length, before it could settle the matter.

Because Intermeccanica Automobili has not met the obligations imposed upon a manufacturer of motor vehicles by the National Traffic and Motor Vehicle Safety Act of 1966 as set forth above, it is hereby found that continued exemption of the company from compliance with motor vehicle safety standards is no longer consistent with the public interest or the objectives of the Act. Accordingly, NHTSA Exemption No. 73-5 is hereby terminated, effective September 12, 1975.

(Sec. 3, Pub. L. 92-543, 86 Stat. 1159 (15 U.S.C. 1410); delegation of authority at 49 CFR 1.51)

Issued on August 7, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-21089 Filed 8-12-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 22859; Order 75-8-38]

AIRLIFT INTERNATIONAL, INC.

Domestic Air Freight Rate Investigation; Order of Suspension

Adopted by the Civil Aeronautics Board at its office in Washington D.C. on the 8th day of August, 1975.

By tariff revisions[1] issued July 11 and marked to become effective August 10, 1975, Airlift International, Inc. (Airlift) proposes, *inter alia*, to increase numerous domestic bulk and container general commodity rates and charges, and add and reduce container rates in various markets. Bulk minimum charges per shipment are to be increased by $2.00 to $14.00 for hauls under 1,000 miles, and $17.00 for longer hauls.

Airlift asserts that the proposal would bring its rates into closer alignment with competition while making an improvement in revenues of about $1,047,000, or 6.4 percent of revenues received in 1974. However, even with the proposed increase, Airlift forecasts that it would incur an operating loss of about $1.2 million, based upon 1974 operations.

The proposed rates and charges come within the scope of the *Domestic Air Freight Rate Investigation* (DAFRI), Docket 22859, and their lawfulness will be determined in that proceeding. The issue now before the Board is whether to suspend the proposal or to permit it to become effective pending investigation.

The Board has reviewed these rates in the light of recent industry-average costs, including a full return on investment, of carrying air freight. With the exception of exception rates on human remains, Airlift's proposed rates and charges do not exceed those costs and will be permitted to become effective.

The proposed rates on human remains, however, are published in the tariff as an exception rating equal to 165 percent of the general commodity rates, and would significantly exceed the costs for that traffic in all markets. In view of the foregoing and upon consideration of all other relevant factors, the Board finds that the proposal, to the extent it results in higher rates for movements of human remains, should be suspended.

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

IT IS ORDERED THAT:

1. Pending hearing and decision by the Board, the new and increased rates, charges, and provisions described in Appendix A hereto are suspended and their use deferred to and including November 11, 1975, unless otherwise ordered by the Board, and that no change be made therein during the period of suspension, except by order or special permission of the Board; and

2. Copies of this order shall be filed with the tariffs and served upon Airlift International, Inc.

[1] Revisions to Airline Tariff Publishing Company, Agent, Tariffs C.A.B. Nos. 169 and 227.

This order will be published in the FEDERAL REGISTER.[2]

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-21150 Filed 8-12-75;8:45 am]

[Docket No. 25659; Order 75-8-41]

LOCAL SERVICE CLASS SUBSIDY RATE

Class Rate VII

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 8th day of August, 1975.

On July 14, 1975, the Board adopted Order 75-7-64 which found the fair and reasonable annual subsidy due and payable to the seven local service carriers in Class Rate VII, on and after July 1, 1975, to be $65.0 million. Exceptions to Order 75-7-64 were received from Hughes Airwest and Texas International.[1]

Hughes' exception points out an error in the computation of its nonoperating income offset and that an adjustment to its property acquisition adjustment was incorrect. Upon examination, we find that Hughes' nonoperating income offset was indeed overstated in Order 75-7-64 due to a staff error in the computation of reinvested capital gains [2] and the $1.6 million adjustment to Hughes' system investment to reflect a write-off in their property acquisition adjustment was also made incorrectly.

Hughes' annual net subsidy due and payable, as reflected in Order 75-7-64, on and after July 1, 1975 was $8.7 million. However, after corrections to nonoperating income and investment, the annual net subsidy due and payable to Hughes, on and after July 1, 1975 is $9.3 million. The increase is due to increases in adjusted operating breakeven need, return, taxes, and the deficiency in eligible services, and a decrease in the ineligible profit offset.

Based on the foregoing corrections, we find that the fair and reasonable annual net subsidy due and payable to the seven carriers in Class Rate VII, on and after July 1, 1975, is $65.6 million.

Accordingly, it is ordered that: [3] 1. Effective on and after July 1, 1975, Appendices A, I, B, I-B, C, I-C, F-1, L, and M-1 of Order 75-7-64 shall hereby be corrected based on the corresponding attached appendices [3a]

2. The subsidy due and payable to each carrier on and after July 1, 1975,[4] shall be computed on the basis of the daily subsidy rate set forth for each carrier in Appendix L (Third Revised) in Order 75-7-64, after corrections based on Appendices attached to this order;

3. This order shall be effective as of the date of service hereof; and

4. This order shall be served upon all parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-21151 Filed 8-12-75;8:45 am]

[Docket No. 24612, etc.]

SERVICIO AEREO DE HONDURAS, S.A. (SAHSA); FOREIGN PERMIT RENEWAL AND AMENDMENTS (HONDURAS)

Postponement of Prehearing Conference

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the prehearing conference in the above-entitled proceeding which was assigned to be held on August 21, 1975, (40 F.R. 31977, July 30, 1975) is postponed to August 27, 1975, at 10:00 a.m. (local time) and will be held in Room 503, Universal Building, 1825 Connecticut Avenue, N.W., Washington, D.C.

Dated at Washington, D.C., August 7, 1975.

[SEAL] DEE C. BLYTHE,
Administrative Law Judge.

[FR Doc.75-21149 Filed 8-12-75;8:45 am]

CIVIL SERVICE COMMISSION

FEDERAL EMPLOYEES PAY COUNCIL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2:00 p.m. on Wednesday, August 27, 1975. This meeting will be held in room 5323 of the U.S. Civil Service Commission building, 1900 E. Street, N.W., and will consist of continued discussions on the fiscal year 1976 comparability adjustment for the statutory pay systems of the Federal Government.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent.

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

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

NOTICE OF SYSTEM OF RECORDS

Pursuant to the Privacy Act of 1974 (Public Law 93-579, 31 December 1974) as reflected in 5 U.S.C. 552a(e)(4), the following notice of system of records that are maintained by the Committee for Purchase from the Blind and Other Severely Handicapped is published as set forth below.

Comments and views regarding these system of records may be filed with the Committee not later than September 12, 1975. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

By the Committee.

C. W. FLETCHER,
Executive Director.

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

NOTICE OF SYSTEM OF RECORDS

INDEX

CBH-1 General Personnel File
CBH-2 General Financial Records
CBH-3 Payroll Records

+1—CBH-1.

+2$—General Personnel File for Committee for Purchase from the Blind and Other Severely Handicapped.

+4$—2009 14th Street North, Suite 610, Arlington, Virginia 22201.

+5$—Committee members and employees (past and present).

+6$—General personnel information, including, among other data, photographs, applications, position description, request for and notification of personnel action, training records, security clearances, titles, service computation date, date of birth, grade, salary, employment history, home address, age, marital status, social security number, home telephone number, resume, letter of recommendation, and short biographical sketches. System contains copies of Civil Service Commission personnel forms including, among others: data for nonsensitive or noncritical-sensitive position, and payroll change slip. Information is used by authorized Committee employees in the performance of their duties.

+7$—5 U.S.C., generally, and Public Law 92-28.

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[2] Appendix filed as part of the original document.

[1] Texas' filing was an exception in name only. Since it did not object to the final findings and conclusions, it need not be dealt with here.

[2] Further investigation revealed a similar error with regard to Southern. After correction, both Southern's adjusted eligible need and its eligible need deficiency increase slightly. However, the annual net subsidy due and payable to Southern remains at $7.4 million because of the ceiling limitation.

[3] This order is not intended to disturb the service mail rates established pursuant to other orders of the Board.

[3a] Appendices filed as part of the original document.

[4] The profit offset from ineligible services and the eligible improvement or deficiency as determined herein are effective from July 1, 1975, through December 31, 1975.

+8$—See Appendix.
+9$
+9A$—Paper.
+9B$—Manual and by name.
+9C$—Files locked in office; records are available to authorized persons only.
+9D$—In accordance with General Records Schedule FPMR 101–11.4.
+10$—Executive Director, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.
+11$—Contact individual listed above.
+12$—Requests from individuals should be addressed to the Executive Director of the Committee staff. Requests may also be made in person. For written requests, the individual should provide full name, address, telephone number, and the dates of the activity. For personal visits the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.
+13$—Rules for access to records and for contesting the contents and appealing initial determinations will be promulgated in 41 CFR 51.
+14$—Official personnel records and the individual.
+1—CBH–2.
+2$—General Financial Records for Committee for Purchase from the Blind and Other Severely Handicapped.
+4$—General Services Administration, Central Office, copies held by the Committee. (GSA holds records for Committee under contract).
+5$—Committee employees.
+6$—SF 1038, Application and account for advance of funds; Vendor register and vendor payment tape. Information is used by accounting technicians to maintain adequate financial information and by other officers and employees of GSA and the Committee who have a need for the record in the performance of their duties.
+7$—31 U.S.C., generally and Public Law 92–28.
+8$—See appendix.
+9$—
+9A$—Paper and tape.
+9B$—Manual and automated by name.
+9C$—Stored in guarded building; released only to authorized personnel.
+9D$—Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).
+10$—Executive Director, 2009 Fourteenth Street, North, Suite 610, Arlington, Virginia 22201.
+11$—Contact system manager listed above.
+12$—Requests from individuals should be addressed to the Executive Director of the Committee staff. Requests may also be made in person. For written requests the individual should provide full name, address, telephone number, and the dates of the activity. For personal visits the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.
+13$—Rules for access to records and for contesting the contents and appealing initial determinations will be promulgated in 41 CFR 51.
+14$—The subject individual; the Committee.
+1—CBH–3.
+2$—Payroll records for Committee for Purchase from the Blind and Other Severely Handicapped.
+4$—General Services Administration, Region 3 Office; copies held by the Committee (GSA holds records for Committee under contract).
+5$—Past and present Committee employees.
+6$—Varied payroll records, including, among other documents, time and attendance cards, payment vouchers, comprehensive listing of employees, health benefits records, requests for deductions, tax forms, W2 forms, overtime requests, leave data, retirement records. Records are used by Committee and GSA employees to maintain adequate payroll information for Committee employees and otherwise by Committee and GSA employees who have a need for the record in the performance of their duties.
+7$—31 U.S.C., generally.
+8$—See appendix.
+9$
+9A$—Paper and microfilm.
+9B$—Social Security Number.
+9C$—Stored in guarded building, released only to authorized personnel.
+9D$—Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1280.2).
+10$—Executive Director, 2009 Fourteenth Street, North, Suite 610, Arlington, Virginia 22201.
+11$—Contact system manager listed above.
+12$—Requests from individuals should be addressed to the Executive Director of the Committee staff. Requests may also be made in person. For written requests, the individual should provide full name, address, telephone number, and the dates of the activity. For personal visits the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.
+13$—Rules for access to records and for contesting the contents and appealing initial determinations will be promulgated in 41 CFR 51.
+14$—The subject individual; the Committee.

% $ APPENDIX (CBH)

$In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

$A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license grant or other benefit.

$A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

$A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

$A record from this system of records may be disclosed to officers and employees of a federal agency for purpose of audit.

[FR Doc.75–21090 Filed 8–12–75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 415–1]

AMBIENT AIR MONITORING REFERENCE AND EQUIVALENT METHODS

Notice of Equivalent Method Designation

Notice is hereby given that the EPA has designated two manual methods for the measurement of ambient concentrations of SO_2 as Equivalent Methods in accordance with 40 CFR Part 53—Ambient Air Monitoring Reference and Equivalent Methods, promulgated February 18, 1975 (40 FR 7044). The specific designated methods are:

(1) EQS–0775–001, "Pararosaniline Method for the Determination of Sulfur Dioxide in the Atmosphere—Technicon I Automated Analysis System."

(2) EQS–0775–002, "Pararosaniline Method for the Determination of Sulfur Dioxide in the Atmosphere—Technicon II Automated Analysis System."

These methods were tested and information was compiled by EPA under § 53.7 of 40 CFR Part 53.

As Designated Equivalent Methods, either of these methods is acceptable for use by States and other control agencies for purposes of § 51.17a of 40 CFR Part 51—Requirements for Preparation, Adoption, and Submittal of Implementation Plans (36 FR 22398) as amended February 18, 1975 (40 FR 7042). However, to qualify for purposes of § 53.7, measurements made by either of these methods must be carried out in strict accordance with the procedures and specifications provided in the complete and detailed method description. Copies of the method description for either of these methods, or further information, may be obtained from any of the EPA Regional Offices or from the Environmental Monitoring and Support Laboratory, Department E (MD–76), United States Environmental Protection Agency.

Research Triangle Park, North Carolina 27711.

WILSON K. TALLEY,
Assistant Administrator for Research and Development.

AUGUST 8, 1975.

[FR Doc.75-21212 Filed 8-12-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

ELECTRIC POWER FACILITY CONSTRUCTION INCENTIVE ACT OF 1975

Availability of Draft Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA) the Federal Energy Administration (FEA) has prepared a draft environmental impact statement on the Electric Power Facility Construction Incentive Act of 1975.

The document has been prepared to consider the environmental impact of, and alternatives to, this Act which amends the Internal Revenue Code. The Act contains five major titles as follows:

Title I deals with the increase in investment credit for electric utility property other than petroleum-fueled generating facilities.

Title II deals with the extension of the period during which pollution control facilities may qualify for 5-year amortization and provides a similar amortization period for investment to convert or replace petroleum-fueled generating facilities into or with facilities using different fuels.

Title III permits depreciation deductions on construction expenditures beginning with the year such expenditures are made for building electric power property other than generating facilities which use petroleum or petroleum products as a principal fuel.

Title IV permits stockholders of electric utilities who elect to reinvest their dividends in stock of those utilities to defer taxability of such dividends until such stock is disposed of.

Title V limits most of the tax benefits provided by the first three titles to utilities permitted by their regulatory agencies to include construction work in progress in their rate bases. Those same tax benefits are also individually subject to a normalization requirement.

Single copies of the draft environmental statement may be obtained from the FEA Office of Communications and Public Affairs, Room 220, Old Post Office Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C. 20461.

Issued in Washington, D.C., August 7, 1975.

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

[FR Doc.75-21074 Filed 8-8-75;9:13 am]

FEDERAL MARITIME COMMISSION

ATLANTIC CONTAINER LINE (G.I.E.) AND HAPAG LLOYD AKTIENGESELLSCHAFT

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, September 2, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:
George F. Galland, Esquire, Galland, Kharasch, Calkins & Brown, 1054 Thirty-First Street, N.W., Washington, D.C. 20007.

Agreement No. 9672-1, between the above-named lines, is an agreement reflecting the substitution of Atlantic Container Line (G.I.E.) (a French corporation) for Atlantic Container Line, Ltd. (a Bermuda corporation) effective July 1, 1975.

By Order of the Federal Maritime Commission.

Dated: August 7, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-21136 Filed 8-12-75;8:45 am]

JAPAN-EAST COAST U.S.A. CONTAINERSHIP SERVICE AGREEMENT

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., San Juan, Puerto Rico and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before August 25, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:
Charles F. Warren, Esq., 1100 Connecticut Avenue, N.W., Washington, D.C. 20036.

Agreement No. 9975-3, among the Japanese flag carriers comprising the Japan-East Coast U.S.A. containership service agreement, would modify the basic agreement by adding clarifying and amplifying language to Article 7 (Container Interchange) so that Article 7 would read as follows: (proposed addition *underscored*):

Container Interchange:

The parties may interchange their empty containers and/or related equipment (*trailers, containers, chassis, bogies and compament parts thereof*) *between themselves and also between themselves and inland carriers* as circumstances and conditions of the trades may require, subject to such mutually acceptable terms and conditions as they may see fit.

By Order of the Federal Maritime Commission.

Dated: August 8, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-21138 Filed 8-12-75;8:45 am]

NORTH ATLANTIC UNITED KINGDOM FREIGHT CONFERENCE

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the

Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before September 2, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:
Howard A. Levy, Esquire, Suite 727, 17 Battery Place, New York, New York 10004.

Agreement No. 7100-18 among the member lines of the above-named conference is an application for permanent extension of duration of the Conference's intermodal authority.

By Order of the Federal Maritime Commission.

Dated: August 7, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-21137 Filed 8-12-75;8:45 am]

PORT OF ASTORIA AND KEER GRAIN CORP.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before September 2, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement filed by:
R. Grondale, Bunge Corporation, One Chase Manhattan Plaza, New York 10005.

Agreement No. T-3121, between Port of Astoria (Port) and Kerr Grain Corporation (Kerr) provides for Kerr to operate Port's grain elevator under an agreement providing generally for the parties to evenly divide gross operating profits from that operation. The facility will be used for the handling and storing of grain in bulk. Kerr will charge tariffs which are published by the Port and which are agreeable to both parties.

By order of the Federal Maritime Commission.

Dated: August 8, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-21139 Filed 8-12-75;8:45 am]

FEDERAL TRADE COMMISSION

CORPORATE PATTERNS SURVEY

Authorization of Collection of Economic Reports

Notice is hereby given that the Federal Trade Commission has given final approval to the Corporate Patterns Report survey of the 1,000 largest manufacturing companies. This survey, cleared by the General Accounting Office on March 24, 1975, will be conducted by the Bureau of Economics and will principally collect value of shipments data for the year 1972 for each of 1,300 manufacturing product classes. Corporate Patterns Report data will provide detailed market share information for corporations that account for more than three-fourths of the total assets of all manufacturing corporations. The forms will be mailed on Friday, August 22.

The Commission's resolution approving the survey specifies that no individual company data will be published before January 1, 1978, or five years after the 1972 year for which data will be collected.

In a supplementary statement on confidentiality, the Commission stated it would consider individual company data to be exempt from disclosure pursuant to a Freedom of Information Act request for access but noted it would comply with official requests for data from a Congressional committee or pursuant to a court order.

The 1972 Corporate Patterns Report is the first such survey since data for the year 1950 were collected in the initial survey of this type. In its statement to the General Accounting Office, however, the Commission indicated that it planned to collect 1977 data during 1978.

Besides value of shipments, the survey will also collect information about ownership links among the 1,000 largest manufacturers, about their interests in joint ventures, and about their sales in nonmanufacturing activities. The firms will be given ninety (90) days to complete the report forms. In order to reduce their burden, a screening form will be used to determine whether smaller, borderline companies have large enough manufacturing activities to be included in the survey.

The principal uses of the survey results will be to provide the Commission with a comprehensive data base for enforcement efforts, economic studies, and policy planning activities. The data will be essential in fully and promptly evaluating the competitive impact of mergers and other changes in market structure. In economic studies, the data will be used to relate market structure to diversification, integration, and merger activities.

The texts of the Commission's resolution and statement concerning confidentiality are as follows:

RESOLUTION AUTHORIZING AND DIRECTING THE COLLECTION OF ECONOMIC REPORTS

Whereas, the Federal Trade Commission is authorized by Section 6 of the Federal Trade Commisison Act to gather and compile information concerning, and to investigate from time to time the organization, business, conduct, practices and management of corporations (as specified in the Federal Trade Commission Act) engaged in commerce, and their relation to other corporations and to individuals, associations and partnerships; and

Whereas, the Federal Trade Commission may require that such corporations file annual or special reports, or both, furnishing to the Commission such information as may be needed as to their organization, business, conduct, practices, management, and their relation to other corporations, partnerships and individuals; and

Whereas, it is deemed necessary in the public interest for the Federal Trade Commission to gather information as to the nature of business and the relation of such corporations and of corporations and businesses acquired by such corporations to other corporations, individuals, associations, and partnerships which are interrelated in varying degrees with other corporations, individuals, associations, and partnerships within the various industries and lines of commerce in the United States, as to their majority ownership interests, as to their value of shipments or production by product class in manufacturing, as to their sales, business receipts or other appropriate value measure by major group and more detailed classification in nonmanufacturing activities, as to their acquisitions and dispositions of companies or part of companies, as to their net sales and total assets, as to the financial and other characteristics of their minority-interest

companies, including buyer and seller relationships with their joint ventures for the purpose of making reports authorized under Section 6(f) of the Federal Trade Commission Act concerning concentration, diversification and integration of firms by product classes and major groups and for the purpose of obtaining precise information as to the position of firms and of competitive conditions in various product markets to the end that a proper determination of the effect on competition may be made in connection with the administration and enforcement of Section 5 of the Federal Trade Commission Act and Sections 2, 3 and 7 of the Clayton Act, as amended.

Now, therefore, it is hereby resolved that the Federal Trade Commission, in the exercise of the powers vested in it by Section 6 of the Federal Trade Commission Act, and with the aid of any and all powers conferred upon it by law and any and all compulsory processes available to it, do forthwith proceed to investigate and collect information, including information in the form of reports, of the nature and for the purposes hereinabove stated, from such corporations engaged in commerce as may be designated by the Commission pursuant to general or special orders. It is further resolved that no information for individual companies will be published before January 1, 1978.

STATEMENT OF THE COMMISSION CONCERNING CONFIDENTIALITY OF INDIVIDUAL COMPANY DATA SUBMITTED PURSUANT TO CORPORATE PATTERNS REPORT (CPR)—1972

The Commission will not publish earlier than January 1, 1978, any individual company data submitted pursuant to CPR–1972. In addition, subject to the conditions noted below, the Commission pledges not to disclose earlier than January 1, 1978, any individual company data to persons not employed by the Commission. The Commission considers the individual company data to be confidential and exempt under 5 U.S.C. § 552 (b)(4) from disclosure pursuant to a Freedom of Information Act request for access.

This pledge will not apply to the Commission's furnishing individual company data in response to an official request from a committee or subcommittee of Congress or pursuant to court order. In the event of such release, the Congressional committee or subcommittee or the court will be advised that the Commission and company consider the material to be confidential.

Consultants retained by the Commission who pledge to maintain the confidentiality of the data may be given access to individual company data.

If the Commission decides to disclose individual company data to a Congressional committee or pursuant to a court order, the company will be provided with ten (10) days' prior notice where possible, and in any event as much notice as can reasonably be given.

Issued by direction of the Commission dated July 29, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-21209 Filed 8-12-75;8:45 am]

INTERNATIONAL TRADE COMMISSION

[AA1921-Inq.-2]

NEW, ON-THE-HIGHWAY, FOUR-WHEELED, PASSENGER AUTOMOBILES

Notice of 30-day Inquiry and Hearing [1]

Having received advice from the Treasury Department on August 7, 1975, that, during the course of determining whether to institute an investigation with respect to new, on-the-highway, four-wheeled, passenger automobiles from Belgium, Canada, France, Italy, Japan, Sweden, the United Kingdom, and West Germany in accordance with section 201(c) of the Antidumping Act, 1921 (19 U.S.C. 160(c)), it concludes from the information available to it that there is substantial doubt whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of importation of this merchandise into the United States, the United States International Trade Commission on August 8, 1975, instituted inquiry AA1921-Inq.-2, under section 201(c)(2) of the Act, to determine whether:

There is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Relevant portions of the Treasury Department advice are as follows:

According to the preliminary information thus far available to us, the domestic industry's production of subcompact-compact automobiles, that merchandise generally most competitive with imports, appears to have increased by 36 percent from 1972–1974, and in 1973 and 1974 for the first time in recent years, exceeded imports in absolute numbers. During 1972–1974, imports of automobiles increased only by 3.6 percent.

During the 1972–1973 period, U.S. production of intermediate-full size autos increased 3.6 percent. However, from 1973 to 1974, U.S. production of such autos declined 40 percent. While this data poses some difficulties of interpretation, we do not feel that standing alone it creates the substantial doubt requiring referral to the Commission.

However, both Mr. William Eberle, President of the Motor Vehicle Manufacturer's Association, and Mr. Elliot M. Estes, President of General Motors, have recently testified before Congress that the U.S. auto industry's problems are not due to imports. In addition, an April 1975 Staff Economic Report, of the Office of Economic Research, U.S. Department of Commerce (not an official Commerce Department position), supports Mr. Eberle and Mr. Estes. The Department of Labor, in its August 1, 1975 adjustment assistance decision for Chrysler workers stated that imports have contributed relatively little to the decline in the U.S. automobile industry as a whole, finding in one particular class of automobile that imports contributed to the decline in U.S. production. For compact, standard, and luxury autos, the Department found that the recession and other non-import factors were sufficient to explain the decline in output and employment.

I therefore conclude that these views minimizing the effect of imports on the present state of the domestic industry create the substantial doubt which requires reference of this case to the Commission for appropriate consideration pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Preliminarily, alleged margins of sales at less than fair value, from petitioners' information, appear to range as follows:

Belgium—up to 43 percent on 1974 imports valued at $216 million.

Canada—up to 20 percent on 1974 imports valued at $3 billion.

France—up to 24 percent on 1974 imports valued at $45.5 million.

Italy—up to 41 percent on 1974 imports valued at $240 million.

Japan—up to 24 percent on 1974 imports valued at $1.7 billion.

Sweden—up to 43 percent on 1974 imports valued at $227 million.

United Kingdom—up to 35 percent on 1974 imports valued at $156 million.

West Germany—up to 73 percent on 1974 imports valued at $1.9 billion.

Total automobile imports during 1974 were valued at roughly $7.5 billion with domestic production during the same period estimated $20.8 billion.

Hearing. A public hearing in connection with the inquiry will be held in the Commission's Hearing Room, International Trade Commission Building, 701 E Street, NW., Washington, D.C. 20436, beginning at 10:00 a.m., EDT, on Tuesday, August 19, 1975. All parties will be given an opportunity to be present, to produce evidence, and to be heard at such hearing. Requests to appear at the public hearing should be received by the Secretary of the Commission in writing, at its office in Washington, D.C., not later than noon Friday, August 15, 1975. It is suggested that parties who have a common interest endeavor whenever possible to arrange for a consolidated presentation of their views.

Requests to appear must contain:

a. The name and organization of the witness or witnesses who will testify, and the name, address, telephone number, and organization of the person filing the request.

b. An estimate of the aggregate time desired for presentation of oral testimony by all witnesses for whose appearance the request is filed.

Because of the limited time available under the statute, the Commission reserves the right to limit the time assigned to witnesses.

[1] This 30-day inquiry is being conducted under a new provision (section 201(c)) added to the Antidumping Act, 1921, by section 321 of the Trade Act of 1974 (88 Stat. 2043). If the determination to be made by the Commission under section 201(c) is negative, the current related antidumping investigations of the Department of Treasury will be permitted to continue; if, on the other hand, any determination to be made by the Commission is affirmative, the related Treasury investigations will be terminated.

Questioning of witnesses will be limited to members of the Commission and the Commission's staff.

Written statements. Interested parties may submit statements in writing in lieu of, and in addition to, appearance at the public hearing. A signed original and nineteen true copies of such statements should be submitted. To be assured of their being given due consideration by the Commission, such statements should be received no later than August 22, 1975.

Issued: August 8, 1975.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.75-21215 Filed 8-12-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS WORKING GROUP ON PLUTONIUM SHIPPING PACKAGES

Meeting

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards Working Group on Plutonium Shipping Packages will hold a meeting on August 28, 1975 in Parlors A and B of the O'Hare Hilton Hotel, O'Hare International Airport, Chicago, Illinois. The purpose of this meeting will be to develop information for consideration by the ACRS to evaluate the ability of the packages used for shipping plutonium and other comparably hazardous material to survive airplane crashes.

The agenda for the subject meeting shall be as follows:

Thursday, August 28, 1975, 9:00 a.m. until the conclusion of business. The Working Group will hear presentations by representatives of the Nuclear Regulatory Commission (NRC) Staff and the Energy Research and Development Administration (ERDA) Staff and their consultants and will hold discussions with these groups pertinent to its evaluation.

In connection with the above agenda item, the Working Group may hold Executive Sessions not open to the public, at 8:30 a.m. and at the end of the day to consider matters relating to the above evaluation. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Working Group members and internal deliberations for the purpose of formulating recommendations to the ACRS.*

In addition to the Executive Sessions, the Working Group may hold closed sessions with representatives of the NRC and ERDA Staffs and their consultants for the purpose of discussing privileged information concerning proprietary information and physical security, if necessary.

I have determined, in accordance with Subsection 10(d) of Public Law 92-463, that the above-noted Executive Sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that a closed session may be held, if necessary, to discuss certain documents and information which are privileged and fall within exemption (4) of 5 U.S.C. 552(b). Further, any non-exempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect the free interchange of internal views, to avoid undue interference with agency or Working Group operation, and to avoid public disclosure of proprietary information.

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

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

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

(a) Persons wishing to submit written statements regarding the agenda items may do so by mailing a readily reproducible copy thereof, postmarked no later than August 21, 1975 to the Executive Secretary, ACRS, NRC, Wash., D.C. 20555. Background information concerning items to be discussed at the meeting can be found in related documents on file and available for public inspection at the Nuclear Regulatory Commission Public Document Room, 1717 H St., N.W., Wash., D.C. 20555.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement so that appropriate arrangements can be made. To the extent that time available for the meeting permits, the Working Group will receive oral statements at an appropriate time chosen by the Chairman of the Working Group.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for opportunity to present oral statements, and the time allotted can be obtained by a prepaid telephone call on August 27th to the Office of the Executive Secretary of the Committee (telephone 202/634-1374, ATTN: Mr. Gary R. Quittschreiber) between 8:15 a.m. and 5:00 p.m., Eastern Daylight Time.

(d) Questions may be propounded only by members of the Working Group and its consultants.

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

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

(g) A copy of the transcript of the open portion of the meeting will be available for inspection on or after September 4th, 1975 at the NRC Public Document Room, 1717 H St., N.W., Wash., D.C. 20555. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street, N.E., Washington, D.C. 20555 (telephone 202/547-6222) upon payment of appropriate charges.

(h) On request, copies of the minutes of the meeting will be made available for inspection at the NRC Public Document Room, 1717 H St., N.W., Wash., D.C. 20555 after November 28th, 1975. Copies may be obtained upon payment of appropriate charges.

Date August 7, 1975.

JOHN C. HOYLE, *Advisory Committee Management Officer.*

[FR Doc.75-21126 Filed 8-12-75;8:45 am]

[Docket Nos. 50-452 and 50-453]

DETROIT EDISON CO. (GREENWOOD ENERGY CENTER, UNITS 2 AND 3)

Schedule for Conference of the Parties

A conference of all the Parties in the above matter will begin at 10:00 a.m., local time, on Tuesday, September 9, 1975, in Room 108, Federal Building, 526 Water Street, Port Huron, Michigan 48060.

Because of the impact of the schedule proposed by the Applicant on the interests of all the Parties, the purpose of this conference is to give all the Parties an opportunity to express their views with respect to it.

It is so ordered.

Dated at Bethesda, Maryland, this 7th day of August 1975.

For the Atomic Safety and Licensing Board.

JAMES R. YORE, *Chairman.*

[FR Doc.75-21130 Filed 8-12-75;8:45 am]

[Docket Nos. 50-269, etc.]

DUKE POWER CO.

Proposed Issuance of Amendments to Facility Operating Licenses

The Nuclear Regulatory Commission (the Commission) is considering the issuance of amendments to Facility Operating Licenses No. DPR-38, DPR-47, and DPR-55 issued to Duke Power Company (the licensee) for operation of the Oconee Nuclear Station, Units 1, 2, and 3 (the facility), pressurized-water reactors located in Oconee County, South Carolina, and each currently authorized for operation at power levels up to 2568 MWt.

In accordance with the licensee's application for license amendments dated July 9, 1975, the amendments would modify operating limits in the Technical Specifications based upon an evalua-

tion of ECCS performance calculated in accordance with an acceptable evaluation model that conforms to the requirements of the Commission's regulations in 10 CFR Section 50.46. The amendments would modify various limits established in accordance with the Commission's Interim Acceptance Criteria, and would, with respect to the Oconee Nuclear Station, Units 1, 2, and 3, terminate the further restrictions imposed by the Commission's December 27, 1974 Order for Modification of License, and would impose instead, limitations established in accordance with the Commission's Acceptance Criteria for Emergency Core Cooling Systems for Light Water Nuclear Power Reactors, 10 CFR Section 50.46.

Prior to issuance of the proposed license amendments, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By 9–12–75, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendments to the subject facility operating licenses. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Sectioin 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and Section 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Mr. Troy B. Conner, Conner, Hadlock & Knotts, 1747 Pennsylvania Avenue, NW., Washington, D.C. 20006, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see (1) the application for amendments dated July 9, 1975, and (2) the Commission's Order for Modification of License and the documents referred to in the Order dated December 27, 1974 published in the FEDERAL REGISTER on January 9, 1975 (40 FR 1787), which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina. The license amendments and the Safety Evaluation, when issued, may be inspected at the above locations, and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 5th day of August 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.75-20981 Filed 8-12-75;8:45 am]

[Docket Nos. 50-443 and 50-444]

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, ET AL. (SEABROOK STATION, UNITS 1 AND 2)

Order Setting Evidentiary Hearing

The Atomic Safety and Licensing Board (the Board) conducted an evidentiary hearing on the issues arising under the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 *et seq.* from May 27, 1975 through July 3, 1975. The Board adjourned that hearing and indicated that it would schedule the evidentiary hearing on the environmental issues arising under the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4231 *et seq.* at a later date. The purpose of this Notice and Order is to set the evidentiary hearing on environmental issues and on any issues still outstanding under the Atomic Energy Act.[1]

Accordingly, please take notice and it is hereby ordered that the evidentiary hearing on environmental issues and the issues still outstanding under the Atomic Energy Act of 1954, is scheduled to begin at 10:00 a.m. local time, August 26, 1975 in the Derby Room at Wentworth-By-the-Sea Hotel, New Castle, New Hampshire 03801. This evidentiary hearing will run continuously until all evidence has been taken on these issues or until continued by further order of the Board.

Members of the public are invited to attend this evidentiary hearing and individuals or organizations wishing to make limited appearances pursuant to § 2.715(a) of the Commission's Rules of Practice, 10 CFR Part 2, will be permitted to do so prior to the start of the hearing.

Dated at Bethesda, Maryland this 18th day of July 1975.

By order of the Atomic Safety and Licensing Board.

DANIEL M. HEAD,
Chairman.

[FR Doc.75-21128 Filed 8-12-75;8:45 am]

[1] The one major issue remaining unresolved under the Atomic Energy Act is compliance by the Applicant with the new Appendix I to 10 CFR Part 50.

[Docket No. P-531A]

PUBLIC SERVICE COMPANY OF OKLAHOMA, INC. (BLACK FOX NUCLEAR GENERATING STATION, UNITS 1 AND 2)

Establishment of Atomic Safety and Licensing Board To Rule on Petitions

Pursuant to delegation by the Commission dated December 29, 1972, published in the FEDERAL REGISTER (37 F.R. 28710) and Sections 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717 and 2.721 of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established to rule on petitions and/or requests for leave to intervene in the above-named proceeding.

This action is in reference to the "Notice of Receipt of Attorney General's Advice and Time for Filing of Petitions to Intervene on Antitrust Matters" published by the Commission in the above matter, (40 F.R. 28507—July 7, 1975.)

The members of the Board are:

Ivan W. Smith, Esq., Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

John M. Frysiak, Esq., Member, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dr. Leonard W. Weiss, Member, Department of Economics, University of Wisconsin, Madison, Wisconsin 53706.

Dated at Bethesda, Maryland this 7th day of August 1975.

ATOMIC SAFETY AND LICENSING BOARD PANEL,
JAMES R. YORE,
Acting Chairman.

[FR Doc.75-21129 Filed 8-12-75;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a guide in its Regulatory Guide

Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.14, Revision 1, "Reactor Coolant Pump Flywheel Integrity," describes a method acceptable to the NRC staff of implementing requirements with regard to minimizing the potential for failures of the flywheels of reactor coolant pump motors in light-water-cooled power reactors.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed (listed below) or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 1.14, Revision 1, will, however, be particularly useful in evaluating the need for an early revision if received by October 9, 1975.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

Other Division 1 Regulatory Guides currently being developed include the following:

Prevention of Fracture of Structural Discontinuities in Reactor Pressure Vessel.
Protection Against Postulated Events and Accidents Outside of Containment.
Fracture Toughness Requirements for Materials for Class 2 and 3 Components.
Maintenance of Water Purity in PWR Secondary Systems.
Criteria for Heatup and Cooldown Procedures.
Effects of Residual Elements on Predicted Radiation Damage.
Surveillance Testing and Inservice Inspection of Thermal Barrier and Steam Generator Materials in High-Temperature Gas-Cooled Reactors.
Surveillance and Postirradiation Examination of Fuel Rods in Lead Assemblies.
Design Load Combinations for Component Supports.
Interim Guide on Tornado Missiles.
Criteria for Plugging Steam Generator Tubes.
Structural Design Criteria for Fuel Assemblies in Light-Water-Cooled Reactors.
Overhead Crane Handling Systems for Nuclear Power Plants.
Recommended Procedure for Reintering Test to Monitor Densification Stability of Production Fuel.
Qualifications for Cement Grouting for Prestressing Tendons in Containment Structure.
Posttensioned Prestressing Systems for Concrete Reactor Vessels and Containment.
Inservice Monitoring of Core and Core Support Structure Motion Via Neutron-Flux Measurement.
Loose Parts Monitoring Program for the Primary System.
Tornado Design Classification.
Overpressure Protection of Low-Pressure Systems Connected to Reactor Coolant Pressure Boundary.
Protective Coatings for Light-Water Reactor Containment Facilities.
Quality Assurance Requirements for Installation, Inspection, and Testing of Mechanical Equipment and Systems.
Assumptions Used for Evaluating the Potential Radiological Consequences of a BWR Radioactive Offgas System Failure.
Fire Protection Criteria for Nuclear Power Plants.
Requirements for Auditing of Quality Assurance Programs for Nuclear Power Plants.
Quality Assurance Requirements for Control of Procurement of Equipment, Materials, and Services for Nuclear Power Plants.
Instrumentation for Light-Water-Cooled Nuclear Power Plants to Assess Plant Conditions During and Following an Accident.
Quality Assurance Requirements for Lifting Equipment.
Maintenance and Testing of Batteries.
Qualification Test of Class IE Cables, Connections, and Field Splices for Nuclear Power Plants.
Seismic Qualification of Class I Electric Equipment.
Fuel Oil Systems for Standby Diesel Generators.
Quality Assurance Requirements for the Manufacture of Class IE Instrumentation and Electric Equipment for Nuclear Power Plants.
Assumptions Used for Evaluating the Potential Radiological Consequences of a Liquid Radioactive Waste System Accident.
Containment Isolation Provisions.
Instrument Spans and Setpoints.
Initial Startup Testing Program for Facility Shutdown from Outside the Control Room.
Periodic Testing of Diesel Generators.
Qualification of Inspection, Examination, and Testing Personnel for Nuclear Facilities.
Quality Assurance Program Requirements for Nuclear Power Plant Fuels.
Testing of Nuclear Air Cleaning Systems.
Preoperational and Initial Startup Testing of Feedwater Systems for BWRs.
Design Criteria for Overload Protection of Motor-Operated Valves.
Identification of Materials, Parts, and Components for Nuclear Power Plants.
Probable Maximum Storm Surge Flooding on Lakes and Sea Shores.
Protection of Nuclear Power Plants Against Industrial Sabotage.
Emergency Planning for Nuclear Power Plants.
Control Room Manning.
Flood Protection for Nuclear Power Plants.
Hydrologic Design Criteria for Water Control Structures Constructed for Nuclear Power Plants.
Spill Analysis—Dispersion and Dilution in Surface and Ground Water.
Design Objectives for LWR Spent Fuel Facilities.
Design Objectives for LWR Fuel Handling Systems.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 4th day of August 1975.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director,
Office of Standards Development.

[FR Doc.75-21127 Filed 8-12-75;8:45 am]

[Docket No. 50-255]

CONSUMERS POWER CO.

Proposed Issuance of Amendment to Provisional Operating License

The Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Provisional Operating License No. DPR-20 issued to Consumers Power Company (the licensee) for operation of the Palisades Plant (the facility), located in Van Buren County, Michigan.

The present license requires that at the end of no more than 90 effective full power days or no more than 9 calendar months of operation from the initial criticality after February 1975, (which occurred March 28, 1975) whichever occurs first, an inspection of the steam generator tubes will be conducted in accordance with the requirements of Regulatory Guide 1.83, 'Inservice Inspection of Pressurized Water Reactor Steam Generator Tubes' (issued June 1974) as that guide applies to inspections after the baseline inspection.

The proposed amendment would increase the allowable operation time to 135 effective full power days before the next inspection. The requirement to conduct an inspection at the end of 9 calendar months would be retained in its present form. The amendment is proposed by the licensee's application for amendment dated August 5, 1975, as supplemented by letter dated August 6, 1975.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By September 12, 1975, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject provisional operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Atten-

tion: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to M. I. Miller, Esquire, Isham, Lincoln & Beale, Suite 4200, One First National Plaza, Chicago, Illinois 60670 and J. L. Bacon, Esquire, Consumers Power Company, 212 West Michigan Avenue, Jackson, Michigan 49201, the attorneys for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated August 5, 1975 as supplemented by letter dated August 6, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C., and at the Kalamazoo Public Library, 315 South Rose Street, Kalamazoo, Michigan 49006. The Safety Evaluation, when issued, may be inspected at the above locations, and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this eighth day of August, 1975.

NUCLEAR REGULATORY COMMISSION,
ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.75-21285 Filed 8-12-75;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, SUBCOMMITTEE ON WESTINGHOUSE WATER REACTORS

Meeting

In accordance with the purposes of Sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the ACRS Subcommittee on Westinghouse Water Reactors will hold a meeting on August 28, 1975 at the Host Airport Hotel, Houston Intercontinental Airport, Houston, Texas 77060. The purpose of this meeting is to continue the review of the Westinghouse RESAR-41 reference system and standard safety analysis report.

The agenda for the subject meeting shall be as follows:

Thursday, August 28, 1975, 9:00 a.m. until the conclusion of business. The Subcommittee will meet with representatives of the NRC Staff and the Westinghouse Electric Corporation, the Applicant.

In connection with the above agenda item, the Subcommittee will hold Executive Sessions, not open to the public, at 8:30 a.m. and at the end of the day to consider matters relating to the above application. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Subcommittee members and internal deliberations for the purpose of formulating recommendations to the ACRS.

In addition to Executive Sessions, the Subcommittee may hold closed sessions with representatives of the NRC Staff and Applicant for the purpose of discussing privileged information concerning plant physical security and other matters related to plant design, construction, and operation, if necessary.

I have determined, in accordance with Subsection 10(d) of Public Law 92-463, that the above-noted Executive Sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552 (b) and that a closed session may be held, if necessary to discuss certain documents and information which are privileged and fall within exemption (4) of 5 U.S.C. 552 (b). Further, any non-exempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect the free interchange of internal views, to avoid undue interference with agency or Subcommittee operation, and to avoid public disclosure of proprietary information.

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

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

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

(a) Persons wishing to submit written statements regarding the agenda items may do so by mailing a readily reproducible copy thereof, postmarked no later than August 21, 1975 to the Executive Secretary, ACRS, NRC, Wash., D.C. 20555. Background information concerning items to be discussed at the meeting can be found in the Preliminary Safety Analysis Report for this project and related documents on file and available for public inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H St., NW., Wash. D.C. 20555. Comments which fail to meet the specified mailing date noted above will be considered to the extent practicable.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement so that appropriate arrangements can be made. To the extent that time available for the meeting permits, the Subcommittee will receive oral statements at an appropriate time chosen by the Chairman of the Subcommittee.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for opportunity to present oral statements and the time allotted, can be obtained by a prepaid telephone call on August 27, 1975 to the Office of the Executive Secretary of the Committee, (telephone 202/634-1371, ATTN: Mr. M. W. Libarkin) between 8:15 a.m. and 5:00 p.m., Eastern Daylight Time.

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

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

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

(g) Persons desiring to attend portions of the meeting where proprietary information, other than plant security information, is to be discussed may do so by providing to the Executive Secretary, ACRS, NRC, Wash., D.C. 20555, seven days prior to the meeting a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(h) A copy of the transcript of the open portion of the meeting will be available for inspection on or after September 2, 1975 in the NRC Public Document Room, 1717 H St., N.W., Wash., D.C. 20555. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street, N.E., Wash., D.C. 20002 (telephone 202/547-6222) upon payment of appropriate charges.

(i) On request, copies of the minutes of the meeting will be made available for inspection at the NRC Public Document Room, 1717 H St., N.W., Wash., D.C. 20555 after November 28, 1975. Copies may be obtained upon payment of appropriate charges.

Dated: August 11, 1975.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.75-21284 Filed 8-12-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 830]

ASSIGNMENT OF HEARINGS

AUGUST 8, 1975.

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.

MC 106495 Sub 16, Lewis Truck Lines, Inc., now assigned September 29, 1975, at Wahpeton, N. Dak., will be held in the District Court Room, Richland County Courthouse.

MC 118848 Sub 18, Domenico Bus Service, Inc., now assigned September 22, 1975, at Newark, N.J., will be held in Courtroom No. 3, Post Office Bldg., Federal Square.

MC 3647 Sub 459, Transport of New Jersey, now assigned September 30, 1975, at Newark, N.J., will be held in Courtroom No. 3, Post Office Bldg., Federal Square.

MC 119792 Sub 46, Chicago Southern Transportation, now assigned September 9, 1975 at St. Paul, Minn., will be held in Court Room 2, 7 Floor, Federal Bldg., U.S. Courthouse, 316 N. Robert's Street.

MC 111545 Sub 210, Home Transportation Company, Inc., now being assigned October 15, 1975, at Dallas, Tex. (1 day), in a hearing room to be later designated.

MC 140762 Trinity Industries Transportation, Inc., now being assigned October 16, 1975 (2 days), at Dallas, Tex.; in a hearing room to be later designated.

MC 133095 Sub 75, Texas-Continental Express, Inc., now being assigned October 20, 1975 (1 day), at Dallas, Tex.; in a hearing room to be later designated.

MC 119789 Sub 234, Caravan Refrigerated Cargo, Inc., now being assigned October 21, 1975, at Dallas, Tex. (2 days); in a hearing room to be later designated.

MC 120257 Sub 23, K. L. Breeden & Sons, Inc., now being assigned October 23, 1975 (2 days), at Dallas, Tex.; in a hearing room to be later designated.

MC 127042 Sub 152, Hagen, Inc., now assigned September 10, 1975, at St. Paul, Minn., will be held in Court Room 2, 7 Floor, Federal Bldg., U.S. Courthouse, 316 N. Robert's Street.

MC 40978 Sub 23, Chair City Motor Express Company, now assigned September 11, 1975, at St. Paul, Minn., will be held in Court Room 2, 7 Floor, Federal Bldg., U.S. Courthouse, 316 N. Robert's Street.

MC 140509 Sub 1, Art Kohler Trucking, Inc., now assigned September 9, 1975, at St. Paul, Minn., will be held in Court Room 2, 7 Floor, Federal Bldg., U.S. Courthouse, 316 N. Robert's Street.

MC-F 12296, Twin City Freight, Inc.—Purch. (Port.)—United-Buckingham Freight Lines, Inc., and MC-F-12300, Midwest Motor Express, Inc.—Purch. (Port.)—United-Buckingham Freight Lines, Inc., now assigned September 15, 1975 at St. Paul, Minn., will be held in Court Room 2, 7 Floor, Federal Bldg., 316 N. Robert's Street.

MC 111496 Sub 18, Twin City Freight, Inc., MC 103435 Sub 224, United-Buckingham Freight Lines, Inc., and MC 111496 Sub 20, now assigned September 15, 1975 at St. Paul, Minn., will be held in Court Room 2, 7 Floor, Federal Bldg., U.S. Courthouse, 316 N. Robert's Street.

MC 2153 Sub 45, Midwest Motor Express, Inc. and MC 103435 Sub 224, United-Buckingham Freight Lines, Inc., now assigned September 15, 1975 at St. Paul, Minn. will be held in Court Room 2, 7 Floor, Federal Bldg., 316 N. Robert's Street.

MC 135414 Sub 2, Langer Truck Line, Inc., now being assigned October 21, 1975 (3 days), at Jefferson, Mo., in a hearing room to be later designated.

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-21205 Filed 8-12-75;8:45 am]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

AUGUST 8, 1975.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's Rules of Practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

California Docket No. A 55838, filed July 28, 1975. Applicant: ANELLO TRUCKING CO., 1999 Stone Avenue, San Jose, Calif. 95125. Applicant's representative: E. H. Griffiths, 1182 Market Street, Suite 207, San Francisco, Calif. 94102. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities*, (except as hereinafter provided): (1) Between all points and places in the San Francisco Territory as described in Part II. (2) Between all points and places on or within a 15 mile lateral of the following routes: (a) State Highways 99 and 70 between Oroville and Bakersfield, inclusive; (b) Interstate Highways 80 and 40 between San Francisco and Auburn, inclusive; (c) Interstate Highways 50, 580, and 5 between San Francisco and Sacramento, inclusive; (d) State Highway 4 between Pinole and Stockton, inclusive; (e) Interstate Highway 5 between Stockton and its intersection with State Highway 99 at Wheeler Ridge, inclusive; (f) Interstate Highway 680 between Vallejo and San Jose, inclusive; (g) Interstate Highway 101 between Ukiah and King City, inclusive; (h) State Highway 17 between San Rafael and Santa Cruz, inclusive; (i) State Highway 1 between Santa Cruz and Carmel, inclusive;

(j) State Highway 152 between Watsonville and its intersection with State Highway 99 south of Chowchilla, inclusive. In performing Road to Hillsdale Avenue; easterly along Hillsdale Avenue to U.S. Highway 101; northwesterly along U.S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 17 (Oakland Road); northerly along State Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo Avenue); northerly along U.S. Highway 40 to and including the City of Richmond; southwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said waterfront and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to point of beginning. Except that applicant shall not transport any shipments of:

(1) Used household goods, personal effects and office, store and institution furniture, fixtures, and equipment not packed in accordance with the crated property requirements set forth in Item 5 of Minimum Rate Tariff 4-B. (2) Automobiles, trucks and buses, viz: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis. (3) Livestock, viz: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine, or wethers. (4) Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers, or a combination of such highway vehicles. (5) Commodities when transported in bulk, in dump trucks, or in hopper-type trucks. (6) Commodities when trans-

ported in motor vehicles equipped for mechanical mixing in transit.

(7) Portland or similar cements, in bulk or packages, when loaded substantially to capacity of motor vehicle. (8) Logs. (9) Articles of extraordinary value. (10) Trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper. (11) Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment. (12) Explosives or dangerous articles. (13) Fresh fruits and vegetables. Intrastate, interstate, and foreign commerce authority sought.

HEARING: Date, time, and place not yet fixed. Requests for procedural information should be addressed to the Public Utilities Commission, State of California, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif. 94102 and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-21199 Filed 8-12-75;8:45 am]

[Notice No. 53]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

AUGUST 12, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before September 2, 1975. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75954. By order of August 7, 1975, the Motor Carrier Board approved the transfer to G & R Transport, Inc., Wausau, Wis., of the operating rights in Certificate No. MC 108435 and all subnumbers thereunder (except No. MC 108435 (Sub-No. 8)) issued to Oscar C. Radke, doing business as Radke Transit, Wausau, Wis., authorizing the transportation of lumber, rough and manufactured granite, and rough natural stone, supplies used in quarrying and fabricating granite, brick, plaster, drain tile, flue lining, coke, hardboard, metal frames, panels, lime, and limestone, to and from specified points in the United States generally in and east of Wisconsin, and animal feed and animal feed concentrates in bags and in bulk from Davenport, Iowa, to points in Wisconsin and Illinois. Nancy J. Johnson, 4506 Regent Street, Suite 100, Madison, Wis. 53705, attorney for applicants.

No. MC-FC-75968. By order of August 7, 1975, the Motor Carrier Board approved the transfer to John M. Radke, Marathon, Wis., of the operating rights in Certificate No. MC-108435 (Sub-No. 8) issued November 14, 1972, to Oscar C. Radke, doing business as Radke Transit, Wausau, Wis., authorizing the transportation of animal and poultry feed, in bulk, and animal and poultry feed, in bags, when moving at the same time and in the same vehicle therewith, from Minneapolis, Minn., to specified points in Wisconsin. Nancy J. Johnson, 4506 Regent Street, Suite 100, Madison, Wis. 53705, attorney for applicants.

No. MC-FC-75970. By order of August 6, 1975, the Motor Carrier Board approved the transfer to Wisconsin Northern Transportation Co., Inc., Eau Claire, Wisconsin, of Certificate No. MC 81592 (Sub-No. 4), issued March 5, 1974, to Frederick A. Zank, doing business as Wisconsin Northern Transportation Company, Eau Claire, Wisconsin, authorizing the transportation of passengers over regular routes, between Eau Claire, Wisc., and Duluth, Minn., serving the intermediate point of Superior, Wisc., and those between Superior and Eau Claire, Wisc. Frederick A. Zank, Wisconsin Northern Transportation Co., Inc., Washington Heights, Eau Claire, Wisconsin 54701, representative of applicants.

No. MC-FC-75992. By order entered August 7, 1975, the Motor Carrier Board approved the transfer to Hanover Transfer & Storage, Inc., Hanover, N.H., of the operating rights set forth in Certificates Nos. MC 9790 and MC 9790 (Sub-No. 1), issued October 6, 1949, and August 21, 1958, respectively, to Richard L. Hawes and Marion W. Hawes, doing business as The Hanover Transfer, Hanover, N.H., authorizing the transportation of canoes and accessories, household goods, school furniture and equipment, and personal effects of students, and general commodities, with the usual exceptions, between points in New Hampshire, Vermont, Connecticut, Massachusetts, New York, Maine, Rhode Island, and New Jersey. Albert J. Cirone, Jr., National Bank Building, Suite 209, Lebanon, N.H. 03766, attorney for applicants.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-21200 Filed 8-12-75;8:45 am]

[Notice No. 28]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

AUGUST 8, 1975.

The following letter-notices of proposals (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), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 C.F.R. 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 C.F.R. 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 C.F.R. 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 1936 (Deviation No. 16), B & P MOTOR EXPRESS, INC., 720 Gross Street, Pittsburgh, Pa. 18224, filed July 24, 1975. Carrier's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Deerfield, Ohio, over U.S. Highway 224 to junction U.S. Highway 30, thence over U.S. Highway 30 to Ft. Wayne, Ind., and (2) From Boardman, Ohio, over the same routes described in (1) above to Ft. Wayne, Ind., and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Deerfield, Ohio, over Ohio Highway 14 to Cleveland, Ohio, thence over Ohio Highway 254 to junction Ohio Highway 57, thence over Ohio Highway 57 to Lorain, Ohio, thence over Ohio Highway 2 to Toledo, Ohio, thence over Ohio Highway 120 to junction U.S Highway 20, thence over U.S. Highway 20 to Elkhart, Ind., thence over U.S. Highway 33 to Ft. Wayne, Ind., and (2) From Boardman, Ohio, over Ohio Highway 7 to Youngstown, Ohio, thence over Ohio Highway 18 to junction Ohio Highway 14, thence over the routes as described in (1) above to Ft. Wayne, Ind., and return over the same routes.

No. MC 111231 (Deviation No. 37), JONES TRUCK LINES., 610 E. Emma Ave., Springdale, Ark. 72764, filed July 29, 1975. Carrier's representative: Kim D. Mann, 702 World Center Bldg., 918 Sixteenth Street, N.W., Washington, D.C. 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From El Dorado, Ark., over U.S. Highway 167 to junction U.S. Highway 79, thence over U.S. Highway 79 to junction U.S. Highway 70, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From El Dorado, Ark., over U.S. Highway 82 to Greenville, Miss., thence over U.S. Highway 61 to Memphis, Tenn. thence over U.S. Highway 70 to junction U.S. Highway 79, and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-21203 Filed 8-12-75;8:45 am]

TEMPORARY AUTHORITY TERMINATION

Corrections

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
Notice No. 26, published Feb. 27, 1975:		
Herman Bros., Inc., MC-61396 Sub-239	MC-61396 Sub-248	Apr. 11, 1974
Herman Bros., Inc., MC-61396 Sub-249	MC-61396 Sub-252	Apr. 8, 1974
Notice No. 27, published Mar. 4, 1975:		
Raymond Boyce Honeycutt, MC-139597 Sub-1	MC-139597 Sub-2	Jan. 15, 1975
Notice No. 33, published Apr. 2, 1975:		
Shelton Trucking Service, Inc., MC-124887 Sub-2	MC-124887 Sub-3	May 6, 1974
Notice No. 38, published Apr. 14, 1975:		
Carroll Truck Lines, Inc., MC-129727 Sub-4	MC-129727 Sub-5	June 3, 1974
Notice No. 41, published Apr. 24, 1975:		
Hirschbach Motor Lines, Inc., MC-117686 Sub-150	MC-117686 Sub-149	Mar. 3, 1975
Notice No. 42, published Apr. 24, 1975:		
Milton Transportation, Inc., MC-136343 Sub-9	MC-136343 Sub-10	Dec. 2, 1974
Notice No. 43, published Apr. 25, 1975:		
Elwood Lynch, MC-138384 Sub-3	MC-138384 Sub-4	Sept. 27, 1974
Notice No. 51, published May 29, 1975:		
Groendyke Transport, Inc., MC-111401 Sub-381, Sub-382, and Sub-386.	MC-111401 Sub-385	Apr. 21, 1974
Richard D. Foltz, MC-111289 Sub-3	MC-111289 Sub-4	Aug. 1, 1974
Notice No. 53, published June 4, 1975:		
Ruan Transport Corp., MC-107496 Sub-860, Sub-868, Sub-869, and Sub-897.	MC-107496 Sub-879	Nov. 13, 1974
Notice No. 57, published June 23, 1975:		
Byrne Trucking, Inc., MC-71652 Sub-4	MC-71652 Sub-7	Apr. 17, 1975
Capitol Truck Line, Inc., MC-120800 Sub-51	MC-120800 Sub-55	Mar. 19, 1975
D.b.a. Kirkpatrick Trucking, MC-126389 Sub-2	MC-106594 Sub-3	Mar. 15, 1975
Notice No. 62, published June 26, 1975:		
Southern Pacific Transport, MC-30319 Sub-144	MC-30319 Sub-147	Jan. 13, 1975
Arco Auto Carriers, Inc., MC-52657 Sub-708	MC-52657 Sub-602	Jan. 15, 1975
Purolator Courier Corp., MC-112750 Sub-306	MC-112750 Sub-312	Jan. 21, 1975
Morosa Bros., Inc., MC-134888 Sub-2	MC-134888 Sub-3	Jan. 15, 1975
Conjo Enterprises, Inc., MC-138343	MC-138343 Sub-1	Do.
Brunswich Petroleum Trans., MC-138572 Sub-1 and Sub-2	MC-138572 Sub-3	Jan. 10, 1975
Naaykens Transport, Ltd., MC-139208	MC-139208 Sub-1	Jan. 15, 1975
Notice No. 63, Published June 26, 1975:		
Ellsworth Freight Lines, MC-113362 Sub-267	MC-113362 Sub-269	Jan. 28, 1975
Mercury Freight Lines., MC-113528 Sub-18	MC-113528 Sub-19	Jan. 30, 1975
D.b.a. Gibbons Trucking Service, MC-128857 Sub-6	MC-128857 Sub-7	Jan. 28, 1975
Notice No. 78, Published July 31, 1975:		
Brink's Inc., MC-124328 Sub-72	MC-124328 Sub-66	July 22, 1975
Coors Transportation Co., MC-136407 Sub-2	MC-136407 Sub-3	July 2, 1975
Aelrod L. Schaefer, d.b.a. Al's Mobile Feed Service, MC-139899 Sub-1 and Sub. 2.	MC-139899 Sub-3	July 3, 1975

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-21204 Filed 8-12-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Applications

AUGUST 8, 1975.

The following applications 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(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of *verified statements* in opposition with the Interstate Commerce Commission within 30 days from the date of publication. (This procedure is outlined in the Commission's report and order in *Gateway Elimination*, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 88368 (Sub-No. 27G) (Partial correction), filed June 4, 1974, published in the FEDERAL REGISTER issue of June 24, 1975, and republished as corrected this issue. Applicant: CARTWRIGHT VAN LINES, INC., 11901 Cartwright Avenue, Grandview, Mo. 64030. Applicant's representative: Charles Ephraim 1250 Connecticut Avenue, NW., Suite 600, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission.

NOTE.—The purpose of this republication is to state the commodities transported under all the 52 routes previously published in the FEDERAL REGISTER of June 24, 1975. The rest of the notice remains as originally published.

Office of Proceedings

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

Notice

AUGUST 8, 1975.

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), 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 *within 10 days* from the date of this publication. 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 95490 (Sub-No. E13) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER July 2, 1975. Applicant: UNION CARTAGE CO., 9A Southwest Cutoff, Worchester, Mass. 10604. Applicant's representative: Edward J. Kiley, Suite 501, 1730 M St., NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages, soda water, carbonic gas*, and *containers* therefor, between points in Middlesex, Suffolk, and Essex Counties, Mass., on the one hand, and, on the other, points in New Jersey. The purpose of this filing is to eliminate the gateway of points within 15 miles of Springfield, Mass. (excluding Springfield, Mass.). The purpose of this correction is to clarify the territorial description.

No. MC 95490 (Sub-No. E14) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER July 2, 1975. Applicant: UNION CARTAGE CO., 9A Southwest Cutoff, Worcester, Mass. 01604. Applicant's representative: Edward J. Kiley,

Suite 501, 1730 M St., NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages, soda water, carbonic gas,* and *containers* therefor, between points in Middlesex, Suffolk, and Essex Counties, Mass., on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateway of points within 15 miles of Springfield, Mass. (excluding Springfield, Mass.). The purpose of this correction is to correct the territorial description.

No. MC 108119 (Sub-No. E8), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities*, as contractors' equipment, heavy and bulky articles, machinery and machinery parts, articles requiring specialized handling or rigging, and *machinery, materials, supplies, and equipment* used or useful in road construction, mining, logging, and sawmill operations, which, because of size or weight, require special handling or the use of special equipment, and *related parts, materials, and supplies*, when their transportation is incidental to the transportation by carrier of commodities which, by reason of size or weight require special handling or the use of special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, which because of size or weight, require special handling or the use of special equipment, and which are embraced within such commodities as contractors' equipment, heavy and bulky articles, machinery and machinery parts, articles requiring specialized handling or rigging, and machinery, materials, supplies, and equipment used or useful in road construction, mining, logging, and sawmill operations, restricted to commodities which are transported on trailers, and restricted in (1) and (2) against the transportation of farm machinery to, or from Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, and Wyoming:

(a) Between points in Montana in and west of Flathead and Missoula Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of a line beginning at the Kansas-Nebraska State line, and extending along U.S. Highway 281 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 183, thence along U.S. Highway 183 to the Kansas-Oklahoma State line, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (Upper Peninsula), Minnesota, Mississippi, that part of Nebraska on and east of U.S. Highway 281, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of a line beginning at the United States-Canada International Boundary line and extending along North Dakota Highway 1 to junction Interstate Highway 94, thence along Interstate Highway 94 to junction U.S. Highway 281, thence along U.S. Highway 281 to the North Dakota-South Dakota State line, that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 183 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction Oklahoma Highway 34, thence along Oklahoma Highway 34 to junction U.S. Highway 283, thence along U.S. Highway 283 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of U.S. Highway 281, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line, and extending along U.S. Highway 183 to junction U.S. Highway 277, thence along U.S. Highway 277 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Mexico International Boundary line near Laredo, Tex., Vermont, Virginia, West Virginia, and Wisconsin;

(b) Between points in Montana within Lewis and Clark, Powell, Granite, Ravalli, Anaconda, Jefferson, Beaverhead, Silver Bow, and Madison Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of U.S. Highway 281, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (Upper Peninsula), Minnesota, Mississippi, that part of Nebraska on and east of U.S. Highway 281, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of a line beginning at the United States-Canada International Boundary line and extending along North Dakota Highway 1 to junction North Dakota Highway 13, thence along North Dakota Highway 13 to junction North Dakota Highway 32, thence along North Dakota Highway 32 to the North Dakota-South Dakota State line, that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line, and extending along U.S. Highway 281 to junction U.S. Highway 183, thence along U.S. Highway 183 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line, and extending along South Dakota Highway 25 to junction South Dakota Highway 10, thence along South Dakota Highway 10 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 281, thence along U.S. Highway 281 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 183 to junction U.S. Highway 277, thence along U.S. Highway 277 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Mexico International Boundary line near Laredo, Tex., Vermont, Virginia, West Virginia, and Wisconsin. The purpose of this filing is to eliminate the gateways of that part of Montana west of a line extending from the United States-Canada International Boundary line along U.S. Highway 89 to Livingston, Mont., thence along U.S. Highway 10 to Laurel, Mont., thence along U.S. Highway 310 to the Montana-Wyoming State line, including points on the indicated portions of the highways specified, and Minnesota.

No. MC 95490 (Sub-No. E15) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER July 2, 1975. Applicant: UNION CARTAGE CO., 9A Southwest Cutoff, Worcester, Mass. 01604. Applicant's representative: Edward J. Kiley, Suite 501, 1730 M St., NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages, soda water, carbonic gas,* and *containers* therefor, between points in Middlesex, Suffolk, and Essex Counties, Mass., on the one hand, and, on the other, points in Connecticut (except those in Windham, Tolland, and New London Counties). The purpose of this filing is to eliminate the gateway of points within 15 miles of Springfield, Mass. (except Springfield, Mass.). The purpose of this correction is to correct the territorial description.

No. MC 95490 (Sub-No. E18) (Correction), filed June 14, 1974, published in the FEDERAL REGISTER July 2, 1975. Applicant: UNION CARTAGE CO., 9A Southwest Cutoff, Worcester, Mass. 01604. Applicant's representative: Edward J. Kiley, Suite 501, 1730 M St., NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Malt beverages, in containers, from Merrimack, N.H., to points in Arrostook and Washington Counties, Maine, and those in Penobscot, Piscatquis, and Somerset Counties, Maine, on and north of Maine Highway 6. The purpose of this filing is to eliminate the gateway of Natick, Mass. The purpose of this correction is to correct the territorial description.

No. MC 107002 (Sub-No. E266), filed July 10, 1975. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Methanol*, in bulk, in tank vehicles, from points in Santa Rosa County, Fla., to points in Oklahoma, Texas, (Harrison County, Miss.)*, Iowa, Kansas, Wisconsin (Barfield, Ark., and points within ten miles thereof)*, Illinois, Michigan, Missouri (Memphis, Tenn.)*, Indiana, Minnesota

(Cedartown, Ga.)*, Ohio (McIntosh, Ala.)*, and West Virginia (the plant site of Monsanto Chemical Co., at Anniston, Ala.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107002 (Sub-No. E267), filed July 7, 1975. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, in bulk, in tank vehicles, from points in Quitman, Randolph, Terrell, Lee, Clay, Calhoun, Dougherty, Worth, Early, Miller, Baker, Mitchell, Colquitt, Cook, Seminole, Decatur, Grady, Thomas, Brooks, and Loundes Counties, Ga., to points in New York. The purpose of this filing is to eliminate the gateway of Dothan, Ala.

No. MC 107002 (Sub-No. E268), filed July 7, 1975. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, in bulk, in tank vehicles, from points in Mississippi on and south of U.S. Highway 84 to points in New York. The purpose of this filing is to eliminate the gateway of Dothan, Ala.

No. MC 107102 (Sub-No. E137), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *new commercial, institutional, and household steel sinks*, (1) from points in Kern, Los Angeles, Orange, S. Ls. Obisp., Santa Barbara, Ventura Counties, Calif., to points in Wayne, Woodford, Washington, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Pulaski, Rock Castle, Russell, Taylor, Anderson, Clinton, Casey, Boyle, Adair, Cumberland, Letcher, Knox, McCreary, Owsley, Leslie, Perry, Pike, Jackson, Whitley, Knott, Lee, Laurel, Harlan, Floyd, Estill, Clay, Breathitt, Bell, Wolfe, Carroll, Carter, Clark, Elliott, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Nicholas, Owen, Pendleton, Powell, Robertson, Rowan, Scott, Campbell, Boyd, Bath, Bourbon, Boone, Bracken Counties, Ky.; (2) from points in Imperial, Riverside, and San Diego, Counties, Calif., to points in Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Woodford, Wayne, Washington, Taylor, Madison, Russell, Rockcastle, Pulaski, Marion, Mercer, Metcalfe, Monroe, Anderson, Adair, Boyle, Letcher, McCreary, Owsley, Perry, Harlan, Pike, Whitley, Jackson, Knott, Knox, Laurel, Lee, Estill, Leslie, Floyd, Clay, Breathitt, Bell, Boyd, Bracken, Campbell, Carroll, Carter, Clark, Elliott, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Wolfe, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Micholas, Owen, Pendleton, Powell, Robertson, Rowan, Scott, Bourbon, Boone, Bath Counties, Ky.; (3) from points in San Bernard County, Calif., to points in Woodford, Anderson, Boyle, Casey, Clinton, Wayne, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Washington, Marion, Mercer, Metcalfe, Monroe, Pulaski, Rockcastle, Russell, Taylor, Adair, Letcher, Laurel, Lee, Leslie, McCreary, Breathitt Clay, Estill, Floyd, Harlan, Jackson, Knott, Owsley, Perry, Pike, Whitley, Knox, Bell, Powell, Robertson, Rowan, Bourbon, Boyd, Bracken, Campbell, Carroll, Carter, Clark, Elliott, Fleming, Franklin, Gallatin, Boone, Scott, Grant, Greenup, Harrison, Wolfe, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Nicholas, Owen, Pendleton, Bath Counties, Ky.; from points in Alameda, Alpine, Amador, Calaveras, Cntra Cost, Colusa, Eldorado, Madera, Marin, Mariposa, Merced, Mono, Monterey, Napa, Placer, San Francisco, Sacramento, San Mateo, Santa Criz, San Benito, San Joaquin, Santa Clara, Solano, Sonoma, Stanislaus, Sutter, Tuolumne, Yolo, Glenn, Humboldt, Lake, Mendicino, Tehama, Trinity, Butte, Lassen Modoc, Nevada, Plumas, Shasta, Sierra, Siskiyou, Yuba Counties, Calif., to points in Kentucky. The purpose of this filing is to eliminate the gateway of St. Charles, Ill.

No. MC 107102 (Sub-No. E138), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New commercial, institutional, and household steel sinks*, (1) from points in Alachua, Baker, Bradford, Clay, Duval, Flagler, Levy, Marion, Nassau, Putnam, St. Johns, Union Counties, Fla., to points in Mahaska, Wayne, Story, Tama, Webster Poweshiek, Warren, Marion, Marshall, Monroe, Polk, Madison, Lucas, Jasper, Hardin, Hamilton, Grundy, Greene, Decatur, Dallas, Clarke, Boone, Appanoose, Woodbury, Osceola, O'Brien, Pocahontas, Plymouth, Palo Alto, Sioux, Monona, Sac, Lyon, Kossuth, Ida, Humboldt, Emmet, Dickinson, Crawford, Clay, Cherokee, Carroll, Calhoun, Buena Vist, Shelby, Taylor, Union, Ringgold, Pottawatta, Page, Montgomery, Mills, Harrison, Guthrie, Fremont, Cass, Audubon, Adams, Adair, Howard, Winnegabo, Hancock, Mitchell, Winneshiek, Worth, Wright, Franklin, Floyd, Fayette, Delaware, Clayton, Chickasaw, Cerro Gord, Butler, Buchanan, Bremer, Black Hawk, Allamakee Counties, Iowa; (2) from points in Columbia, Dixie, Franklin, Gadsen, Gilchrist, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwannee, Taylor, Wakulla Counties, Fla., to points in Webster, Warren, Tama, Wayne, Story, Poweshiek, Marshall, Polk, Monroe, Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux, Woodbury, Carroll, Cherokee, Clay, Crawford, Buena Vist, Calhoun, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Union, Pottawatta, Ringgold, Shelby, Taylor, Adair, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Worth, Wright, Winneshiek, Mitchell, Winnebago, Floyd, Frannklin, Hancock, Howard, Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gord, Chickasaw, Clayton, Delaware, Fayette Counties, Iowa;

(3) From points in Calhoun, Escambia, Gulf, Holmes, Bay, Jackson, Okaloosa, Santa Rosa, Washington, Walton Counties, Fla., to points in Kossuth, Sac, Sioux, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Woodbury, Dickinson, Crawford, Calhoun, Buena Vist, Ida, Humboldt, Emmet, Clay, Carroll, Cherokee, Worth, Floyd, Wright, Franklin, Hancock, Howard, Mitchell, Winnebago, Winneshiek, Buchanan, Bremer, Black Hawk, Allamakee, Fayette, Delaware, Clayton, Chickasaw, Butler, Cerro Gord Counties, Iowa; (4) from points in Brevard, Citrus, Hernando, Hillsboro, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, Sumter, Volusia Counties, Fla., to points in Monroe, Polk, Poweshiek, Story, Tama, Warren, Wayne, Webster, Marshall, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Appanoose, Boone, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux, Woodbury, Buena Vist, Calhoun, Carroll, Cherokee, Dickinson, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Clay, Crawford, Union, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Pottawatta, Ringgold, Shelby, Taylor, Adair, Adams, Winneshiek, Worth, Wright, Mitchell, Winnebago, Bremer, Buchanan, Butler, Cerro Gord, Chickasaw, Clayton, Delaware, Fayette, Floyd, Franklin, Hancock, Howard, Allamakee, Black Hawk Counties, Iowa; (5) from points in Broward, Collier, Dade, Martin, Monroe, Palm Beach, St. Lucie, Charlotte, De sota, Glades, Hardee, Hendry, Highlands, Lee, Manatee, Okeechobee, Sarasota Counties, Fla., to points in Iowa. The purpose of this filing is to eliminate the gateway of St. Charles, Ill.

No. MC 107102 (Sub-No. E139), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New commercial, institutional, and household steel sinks*, (1) from points in Adair, Anderson, Boyle, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Marion, Madison, Mercer, Metcalfe, Monroe, Pulaski, Rockcastle, Russell, Taylor, Wayne, Washing-

ton, Woodford Counties, Ky., to points in Lucas, Decatur, Dallas, Clarke, Boone, Appanoose, Webster, Wayne, Warren, Tama, Story, Polk, Poweshiek, Monroe, Marshall, Marion, Mahaska, Madison, Jasper, Hardin, Grundy, Hamilton, Greene, Crawford, Clay, Cherokee, Carroll, Calhoun, Buena Vista, Woodbury, Stioux, Sac, Plymouth, Pocahontas, Osceola, Palo Alto, O'Brien, Monona, Lyon, Kossuth, Ida, Emmet, Humboldt, Dickinson, Mills, Harrison, Guthrie, Fremont, Audubon, Adair, Taylor, Shelby, Ringgold, Union, Pottawatta, Page, Montgomery, Cass, Adams, Cerro Gord, Butler, Buchanan, Bremer, Black Hawk, Allamakee, Wright, Winneshiek, Worth, Winnebago, Mitchell, Howard, Hancock, Franklin, Floyd, Fayette, Clayton, Delaware, Chickasaw Counties, Iowa; (2) from points in Bell, Breathitt, Clay, Estill, Floyd, Harlan, Jackson, Knox, Knott, Laurel, Lee Letcher, Leslie, McCreary, Owsley, Perry Pike, Whitley Counties, Ky., to points in Webster, Warren, Tama, Wayne, Story, Poweshiek, Polk, Monroe, Marshall, Marion, Mahaska, Madison, Jasper, Lucas, Hardin, Greene, Grundy, Hamilton, Decatur, Dallas, Clarke, Boone, Appanoose, Sioux, Woodbury, Sac, Pocahontas, Plymouth, Palo Alto, Osceola, O'Brien, Monona, Lyon, Ida, Kossuth, Humboldt, Emmet, Crawford, Dickinson, Clay, Cherokee, Carroll, Calhoun, Buena Vist, Shelby, Ringgold, Pottawatta, Union, Page, Taylor, Montgomery, Guthrie, Harrison, Mills, Fremont, Cass, Audubon, Adams, Adair, Wright, Worth, Winneshiek, Winnebago, Mitchell, Howard, Hancock, Franklin, Fayette, Floyd, Delaware, Clayton, Cerro Gord, Chickasaw, Butler, Buchanan, Bremer, Black Hawk, Allamakee Counties, Iowa;

(3) From points in Bath, Boone, Bourbon, Boyd, Bracken, Campbell, Carroll, Carter, Clark, Elliott, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton, Lawrence, Lewis, Magoffin, Martin, Mason, Menifee, Morgan, Montgomery, Nicholas, Owen, Pendleton, Powell, Rowan, Robertson, Scott, Wolfe Counties, Ky., to points in Clarke, Dallas, Decatur, Appanoose, Boone, Greene, Grundy, Hamilton, Hardin, Jasper, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Poweshiek, Polk, Story, Tama, Warren, Wayne, Webster, Buena Vist, Calhoun, Carroll, Cherokee, Clay, Dickinson, Crawford, Emmet, Humboldt, Ida, Kossuth, Lyon, Monona, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux, Woodbury, Audubon, Cass, Fremont, Adair, Adams, Harrison, Guthrie, Mills, Montgomery, Page, Pottawatta, Ringold, Taylor, Union, Shelby, Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gord, Chicasaw, Clayton, Delaware, Fayette, Floyd, Franklin, Mitchell, Hancock Howard, Winnebago, Winneshiek, Worth, Wright Counties, Iowa; (4) from points in Ballard, Carlisle, Calloway, Caldwell, Crittenden, Daviess, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McLean, McCracken, Trigg, Union, Webster, Counties, Ky., to points in Buchanan, Allamakee, Black Hawk, Bremer, Wright, Worth, Winneshiek, Winnebago, Mitchell, Howard, Hancock, Franklin, Floyd, Fayette, Clayton, Delaware, Chicasaw, Cerro Gord, Butler Counties, Iowa; (5) from points in Allen, Barren, Breckridge, Butler, Bullitt, Christian, Edmonson, Grayson, Hart, Hardin, Henry, Jefferson, La Rue, Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Shelby, Simpson, Spencer, Todd, Trimble, Warren Counties, Ky., to points in Sac, Pocahontas, Plymouth, Osceola, Palo Alto, O'Brien Monona, Lyon, Ida, Kossuth, Humboldt, Emmet, Dickinson, Crawford, Clay, Cherokee, Carroll, Calhoun, Buena Vist, Woodbury, Sioux Counties, Iowa; (6) from points in Allen, Barren, Breckridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hart, Hardin, Henry, Jefferson, LaRue Logan, Meade, Muhlenberg, Nelson, Ohio, Oldham, Sheleby, Simpson, Spencer, Todd, Trimble, Warren Counties, Ky., to points in Wright, Worth, Winneshiek, Winnebago, Mitchell, Howard, Hancock, Franklin, Fayette, Floyd, Delaware, Clayton, Chickasaw, Cerro Gord, Butler, Buchanan, Bremer, Black Hawk, Allamakee Counties, Iowa. The purpose of this filing is to eliminate the gateway of St. Charles, Ill.

No. MC 107102 (Sub-No. E140), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New commercial, institutional, and household steel sinks*, (1) from points in Coahoma, Grenada, Holmes, Bolivar, Carrol, Humphreys, Issaquema, Leflore, Montgomery, Quitman, Sharkey, Sunflower, Talahatchi, Washington, Warran, Yazoo, Alcorn, Benton, Calhoun, Choctaw, Chickasaw, Clay, Desota, Itawamba, Lafayette, Lee Lowndes, Marshall, Monroe, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Tunila, Union, Webster, Yalobush, Attala, Clarke, Clairborne, Copiah, Hinds, Jasper, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Smith, Winston, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Perry, Pearl River, Stone, Wayne, Adams, Amite, Franklin, Jefferson, Jeff Davis, Lawrence, Lincoln, Marion, Pike, Walthall, Wilkinson Counties, Miss., to points in Winneshiek, Worth, Wright, Winnebago, Mitchell, Howard, Hancock, Franklin, Floyd, Fayette, Delaware, Clayton, Chickaswa, Cerro Gord, Butler, Buchanan, Black Hawk, Bremer, Allamakee Counties, Iowa. The purpose of this filing is to eliminate the gateway of St. Charles, Ill.

No. MC 107102 (Sub-No. E141), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New commercial, institutional, and household steel sinks*, (1) from points in Allamance, Anson, Caswell, Cabarrus, Chatham, Davidson, Davie, Durham, Forsyth, Franklin, Granville, Guilford, Lee, Moore, Montgomery, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Stanly, Stokes, Union, Vance, Warren, Wake, Bertie, Beufort, Camden, Chowan, Currituck, Dare, Edgecombe, Gates, Halifax, Hertford, Hyde, Martin, Nash, Northampton, Pasquotank, Pamlico, Per Quiman, Pitt, Tyrrell, Washington, Wilson, Bladen, Brunswick, Carteret, Columbus, Craven, Cumberland, Duplin, Greene, Harnett, Hoke, Johnston, Jones, Lenoir, N. Hanover, Onslow, Pender, Robeson, Sampsoin, Scotland, Wayne, Alleghany, Alexander, Ashe, Avery, Burke, Catawba, Caldwell, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Surry, Watauga, Wilkes, Yadkin Counties, N.C., to points in Iowa; (2) from points in Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polke, Rutherford, Swain, Transylvania, Yancey Counties, N.C., to points in Wayne, Webster, Polk, Poweshiek, Story, Tama, Warren, Appanoose, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Jasper, Hardin, Hamilton, Lucas, Madison, Mahaska, Marion, Marshall, Monroe, Plymouth, Pocahontas, Sac, Sioux, Woodbury, Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Ida, Humboldt, Emmett, Kossuth, Lyon, Monona, O'Brien, Osceola, Adair, Adams, Audobon, Cass, Fremont, Guthrie, Harrison, Page, Montgomery, Mills, Pottawatta, Ringgold, Shelby, Taylor, Union, Winneshiek, Worth, Wright, Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gord, Chickasaw, Delaware, Fayette, Clayton, Floyd, Franklin, Hancock, Howard, Mitchell, Winnebago Counties, Iowa. The purpose of this filing is to eliminate the gateway of St. Charles, Ill.

No. MC 107102 (Sub-No. E142), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Indiana 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New commercial, institutional, and household steel sinks*, (1) from points in Clackamas, Columbia, Lane, Benton, Clatsop, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook Washington, Yamhill Counties, Ore., to points in Washington, Lee, Linn, Louisa, Muscatine, Scott, Van Buren, Wapello, Cedar, Davis, Clinton, Iowa, Jackson, Johnson, Jones, Benton, Keokuk, Des Mones, Dubuque, Henry, Jefferson Counties, Iowa. The purpose of this filing is to eliminate the gateway of St. Charles, Ill.

No. MC 107102 (Sub-No. E143), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *New commercial, institutional and household steel sinks*, (1) from points in Allendale, Barnwell, Bamberg, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, Orangeburg, Clarendon, Dillon, Florence, Georgetown, Horry, Marion, Williamsburg, Aiken, Calhoun, Chesterfield, Darlington, Fairfield, Kershaw, Lancaster, Lee, Lexington, Marlboro, Richland, Sumter Counties, S.C., to points in Iowa; (2) from points in Anderson, Greenville, Ocomee, Pickens, Abbeville Counties, S.C., to points in Poweshiek, Jasper, Lucas, Story, Webster, Madison, Polk, Tama, Warren, Wayne, Monroe, Marshall, Marion, Mahaska, Greene, Grundy, Hamilton, Hardin, Appanoose, Boone, Clarke, Dallas, Decatur, Dickinson, Humboldt, Ida, O'Brien, Plymouth, Kossuth, Lyon, Osceola, Monona, Pocohontas, Sioux, Crawford, Palo Alto, Sac, Emmet, Woodbury, Buena Vist, Calhoun, Carroll, Cherokee, Clay, Mills, Harrison, Ringgold, Shelby, Guthrie, Montgomery, Pottawatta, Taylor, Union, Page, Adair, Cass, Fremont, Adams, Audubon, Winnebago, Wright, Winneshiek, Mitchell, Howard, Cerro Gord, Hancock, Franklin, Floyd, Worth, Fayete, Delaware, Clayton, Chichasaw, Allamakee, Black Hawk, Bremer, Buchanan, Butler Counties, Iowa; (3) from points in Edgefield, Greenwood, Lamens, Cherokee, Chester, McCormick, Newberry, Saluda, Spartanburg, Union, York Counties, S.C., to points in Mahaska, Marion, Marshall, Monroe, Polk, Wayne, Webster, Madison, Poweshiek, Story, Tama, Warren, Appanoose, Lucas, Boone, Clarke, Dallas, Decatur, Greene, Grundy, Hamilton, Hardin, Jasper, Lyon, Woodbury, O'Brien, Plymouth, Monona, Palo Alto, Sioux, Sac, Pocahontas, Osceola, Kossuth, Buena Vist, Calhoun, Carrol, Cherokee, Clay, Crawford, Dickinson, Emmet, Humboldt, Ida, Ringgold, Shelby, Union, Taylor, Adair, Pottawatta, Adams, Audubon, Cass, Fremont, Guthrie, Harrison, Mills, Montgomery, Page, Mitchell, Howard, Winneshiek, Hancock, Franklin, Worth, Winnebago, Wright, Floyd, Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cerro Gord, Chickasaw, Clayton, Delaware, Fayette Counties, Iowa. The purpose of this filing is to eliminate the gateway of St. Charles, Ill.

No. MC 107102 (Sub-No. E144), filed May 16, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New commercial, institutional and household steel sinks*, (1) from points in Aurora, Bon Homme, Chas Mix, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauod, Lake, Lincoln, McCook, Minnehaha, Miner, Moody, Sanborn, Turner, Union, Yankton Counties, S. Dak., to points in Woodford, Washington, Wayne, Pulaski, Rockcastle, Russell, Taylor, Adair, Anderson, Boyle, Casey, Clinton, Cumberland, Fayette, Gerrard, Green, Jessamine, Lincoln, Madison, Marion, Mercer, Metcalfe, Monroe, Harlan, Jackson, Knox, Leslie, Bell, Breathitt, Clay, Estill, Floyd, Knott, Laurel, Lee, Letcher, McCreary, Owsley, Perry, Pike, Whitley, Scott, Wolfe, Magoffin, Martin, Mason, Menifee, Montgomery, Morgan, Micholas, Owen, Pendelton, Powell, Robertson, Rowan, Harrison, Johnson, Lawrence, Lewis, Bath, Boone, Bourbon, Boyd, Bracken, Campbell, Carroll, Carter, Clark, Elliott, Fleming, Franklin, Gallatin, Grant, Greenup, Kenton, Simpson, Spencer, Todd, Trimble, Warren, Nelson, Ohio, Oldham, Sheleby, Allen, Barren, Breckridge, Bullitt, Butler, Christian, Edmonson, Grayson, Hardin, Henry, Hart, Jefferson, La Rue, Logan, Meade, Muhlenberg Counties, Ky.; (2) from points in Beadle, Brookings, Brown, Clark, Codington, Day, Deuel, Grant, Hamlin, Kingsbury, Marshall, Roberts, Spink, Brule, Buffalo, Hand, Hughes, Hyde, Jones, Lyman, Mellette, Stanley, Sully, Todd, Tripp, Campbell, Corson, Dewey, Edmunda, Faulk, Harding, McPherson, Perkins, Potter, Walworth, Bennett, Butte, Custer, Fall River, Haakon, Jackson, Lawrence, Meade, Pennington, Shannon, Washabaugh, Ziebach Counties, S. Dak., to points in Kentucky. The purpose of this filing is to eliminate the gateway of St. Charles, Ill.

No. MC 108119 (Sub-No. E9), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (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 byproducts, *machinery, equipment, materials, and supplies* used in or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, except the stringing or picking up of pipe in connection with main or trunk pipelines, and *machinery* and machinery parts not included above restricted in each part to commodities which because of size or weight, require special handling or the use of special equipment) when the transportation of such items is incidental to the transportation by carrier of commodities which, by reason of size or weight, require special handling or the use of special equipment, *related parts, materials, and supplies* (not requiring special handling or the use of special equipment) when the transportation of such items is incidental to the transportation by carrier of commodities which, by reason of size or weight, require special handling or the use of special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, which are used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, or used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines including the stringing and picking up of pipe in connection with main or trunk pipelines, and related machinery, tools, parts, and supplies moving in connection therewith, restricted in (2) to commodities which are transported on trailers, and restricted in (1) and (2) against the transportation of farm machinery moving to or from Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, and Wyoming.

(a) Between points in Montana in and west of Flathead and Missoula Counties, on the one hand, and, on the other points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 281 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 183, thence along US. Highway 183 to the Kansas-Oklahoma State line, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of U.S. Highway 281, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota beginning at the United States-Canada International Boundary line extending along North Dakota Highway 1 to junction Interstate Highway 94, thence along Interstate Highway 94 to junction U.S. Highway 281, thence along U.S. Highway 281 to the North Dakota-South Dakota State line, Ohio, that part of Oklahoma beginning at the Kansas-Oklahoma State line, and extending along U.S. Highway 183 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction Oklahoma Highway 34, thence along Oklahoma Highway 34 to junction U.S. Highway 283, thence along U.S. Highway 283 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of U.S. Highway 281, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 183 to junction U.S. Highway 277, thence along U.S. Highway 277 to junction U.S. Highway 83, thence along US. Highway 83 to the United States-Mexico International Boundary line near Laredo, Tex., Vermont, Virginia, West Virginia, and Wisconsin;

(b) Between points in Montana within Lewis and Clark, Powell, Granite, Ravalli, Anaconda, Jefferson, Beaverhead, Silver Box, and Madison, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois,

Indiana, Iowa, that part of Kansas on east of U.S. Highway 281, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of U.S. Highway 281, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on an east of a line beginning at the United States-Canada International Boundary line extending along North Dakota Highway 1 to junction North Dakota Highway 13, thence along North Dakota Highway 13 to junction North Dakota Highway 32, thence along North Dakota Highway 32 to the North Dakota-South Dakota State line, Ohio, that part of Oklahoma on and east of a line beginning at the Oklahoma-Kansas State line, and extending along U.S. Highway 281, to junction U.S. Highway 183, thence along U.S. Highway 183 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line, and extending along South Dakota Highway 25 to junction South Dakota Highway 10, thence along South Dakota Highway 10 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 281, thence along U.S. Highway 281 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 183 to junction U.S. Highway 277, thence along U.S. Highway 277 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Mexico International Boundary line near Laredo, Tex., Vermont, Virginia, West Virginia, and Wisconsin;

(c) Between points in Montana within Glacier, Tooele, Liberty, Hill, Pondera, Teton, Chouteau, and Cascade Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of U.S. Highway 281, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of U.S. Highway 281, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 32, that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 281 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 283, thence along U.S. Highway 283 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line and extending along South Dakota Highway 25 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 281, thence along U.S. Highway 281 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line beginning at the Oklahoma-Texas State line, and extending along U.S. Highway 183 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 81, thence along U.S. Highway 81 to the United States-Mexico International Boundary line near Laredo, Tex., Vermont, Virginia, West Virginia, and Wisconsin.

(d) Between points in Montana within Meagher, Wheatland, Golden Valley, Musselshell, Broadwater, Gallatin, Park, Sweet Grass, Stillwater, Yellowstone, and Carbon Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of a line beginning at the Nebraska-Kansas State line and extending along U.S. Highway 81 to junction Kansas Highway 61, thence along Kansas Highway 61 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Kansas-Oklahoma State line, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of U.S. Highway 81, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 32, Ohio, that part of Oklahoma on and east of a line beginning at the Oklahoma-Kansas State line, and extending along Oklahoma Highway 8 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line, and extending along South Dakota Highway 25 to junction U.S. Highway 81, thence along U.S. Highway 81 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 281 to junction Interstate Highway 35, thence along Interstate Highway 35 to the United States-Mexico International Boundary line near Laredo, Tex., Vermont, Virginia, West Virginia, and Wisconsin.

(e) Between points in Montana within Blaine, Phillips, Valley, Daniels, Sheridan, Judith Basin, Fergus, Petroleum, Garfield, McCone, Roosevelt, Dawson, Prairie, Wibaux, and Richland Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 81 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 156, thence along U.S. Highway 156 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Kansas-Oklahoma State line, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of U.S. Highway 81, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of a line beginning at the United States-Canada International Boundary line and extending along North Dakota Highway 18 to junction North Dakota Highway 13, thence along North Dakota Highway 13 to junction North Dakota Highway 32, thence along North Dakota Highway 32 to the North Dakota-South Dakota State line, Ohio, that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 281 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 283, thence along U.S. Highway 283 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota, on and east of U.S. Highway 81, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 183 to junction U.S. Highway 277, thence along U.S. Highway 277 to the United States-Mexico International Boundary line near Del-Rio, Tex., Vermont, Virginia, West Virginia, and Wisconsin; and

(4) Between points in Montana within Rosebud, Custer, Fallon, Treasure, Bighorn, Powder River, and Carter Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of U.S. Highway 81, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of U.S. Highway 81, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 18, Ohio, that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 81 to junction H. E. Bailey Turnpike, thence along H. E. Bailey Turnpike to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of U.S. Highway 81, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 281 to junction U.S. Highway 377, thence along U.S. Highway 377 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Mexico International Boundary line near Laredo, Tex., Vermont, Virginia, West Virginia, and Wisconsin. The purpose of this filing is to eliminate the gateway of that part of Minnesota on and west of U.S. Highway 71.

No. MC 108119 (Sub-No. E10), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative:

Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities* as contractors' equipment, heavy and bulky articles, machinery and machinery parts, articles requiring specialized handling or rigging, and *machinery, materials*, supplies, and equipment, used or useful in road construction, mining, logging, and sawmill operations, which because of size or weight require special handling or the use of special equipment, *related parts, materials, and supplies* (not requiring special handling or the use of special equipment), when the transportation of such items is incidental to the transportation by carrier of commodities which, by reason of size or weight, require special handling or the use of special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, which are embraced within such commodities as contractors' equipment, heavy and bulky articles, machinery and machinery parts, articles requiring specialized handling or rigging, and machinery, materials, supplies, and equipment, used or useful in road construction, mining, logging, and sawmill operations, restricted to the transportation of commodities which are transported on trailers and restricted in (1) and (2) against the transportation:

(a) Between points in that part of Oregon in and east of Hood River, Wasco, Jefferson, and Deschutes Counties, and on and north of U.S. Highway 20, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of a line beginning at the Nebraska-Kansas State line, and extending along U.S. Highway 77 to junction Kansas Highway 96, thence along Kansas Highway 96 to junction Kansas Highway 99, thence along Kansas Highway 99 to the Kansas-Oklahoma State line, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of a line beginning at the Nebraska-South Dakota State line and extending along U.S. Highway 81 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction Nebraska Highway 15, thence along Nebraska Highway 15 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, Ohio, that part of Oklahoma on and east of a line extending along the Oklahoma-Kansas State line along U.S. Highway 75 to junction Interstate Highway 40, thence along Interstate Highway 40 to the Indian Nation Turnpike, thence along the Indian Nation Turnpike to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of South Dakota Highway 45, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along Texas Highway 19 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Gulf of Mexico at Port Author, Tex., Vermont, Virginia, West Virginia, and Wisconsin; and

(b) Between points in that part of Oregon in and east of Deshutes and Klamath Counties and points south of U.S. Highway 20, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of a line beginning at the Kansas-Nebraska State line, and extending along U.S. Highway 77 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 159, thence along U.S. Highway 159 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Kansas-Oklahoma State line, Kentucky, that part of Louisiana on, north, and east of a line beginning at the Texas-Louisiana State line and extending along U.S. Highway 84 to junction U.S. Highway 171, thence along U.S. Highway 171 to Lake Charles, La., thence along Louisiana Highway 27 to the Gulf of Mexico, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of a line beginning at the Nebraska-South Dakota State line and extending along U.S. Highway 81 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction Nebraska Highway 15, thence along Nebraska Highway 15 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, Ohio, that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 169 to Tulsa, Okla., thence along U.S. Highway 75 to the Indian Nation Turnpike, thence along the Indian Nation Turnpike to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of South Dakota Highway 45, Tennessee, that part of Texas on, east, and north of a line beginning at the Texas-Oklahoma State line and extending along Texas Highway 19 to junction Texas Highway 154, thence along Highway 154 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction U.S. Highway 84, thence along U.S. Highway 84 to the Texas-Louisiana State line, Vermont, Virginia, West Virginia, and Wisconsin. The purpose of this filing is to eliminate the gateways of Ada County, Idaho, and Minnesota.

No. MC 108119 (Sub-No. E11), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery*, which because of size of weight, requires special handling or the use of special equipment, *related parts, materials*, and *supplies* (not requiring special handling or the use of special equipment) when the transportation of such items is incidental to the transportation by carrier of commodities which, by reason of size or weight, require special handling or the use of special equipment, and (2) *Self-propelled articles*, which are machinery, 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, and restricted in (1) and (2) against the transportation of farm machinery: (a) between points in that part of Oregon in and east of Hood River, Wasco, Jefferson, and Deschutes Counties, and on and north of U.S. Highway 20, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of a line extending from the Kansas-Nebraska State line along U.S. Highway 77 to junction Kansas Highway 96, thence along Kansas Highway 96 to junction Kansas Highway 99, thence along Kansas Highway 99 to the Kansas-Oklahoma State line, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line and extending along U.S. Highway 81 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction Nebraska Highway 15, thence along Nebraska Highway 15 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, Ohio, that part of Oklahoma on and east of a line extending from the Oklahoma-Kansas State line along U.S. Highway 75 to junction Interstate Highway 40, thence along Interstate Highway 40 to the Indian Nation Turnpike, thence along the Indian Nation Turnpike to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of South Dakota Highway 45, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along Texas Highway 19 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Gulf of Mexico at Port Aurthor, Tex., Vermont, Virginia, West Virginia, and Wisconsin.

(b) Between points in that part of Oregon in and east of Deschutes and Klamath Counties, and points south of U.S. Highway 20, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of a line beginning at the

Kansas-Nebraska State line and extending along U.S. Highway 77 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 159, thence along U.S. Highway 159 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Kansas-Oklahoma State line, Kentucky, that part of Louisiana on, north, and east of a line beginning at the Texas-Louisiana State line, and extending along U.S. Highway 84 to junction U.S. Highway 171, thence along U.S. Highway 171 to Lake Charles, La., thence along Louisiana Highway 27 to the Gulf of Mexico, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of a line beginning at the Nebraska-South Dakota State line, and extending along U.S. Highway 81 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction Nebraska Highway 15, thence along Nebraska Highway 15 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, Ohio, that part of Oklahoma on and east of a line beginning at the Oklahoma-Kansas State line and extending along U.S. Highway 169 to Tulsa, Okla., thence along U.S. Highway 75 to the Indian Nation Turnpike, thence along the Indian Nation Turnpike to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of South Dakota Highway 45, Tennessee, that part of Texas, on, east, and north of a line beginning at the Texas-Oklahoma State line, and extending along Texas Highway 19 to junction Texas Highway 154, thence along Texas Highway 154 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction U.S. Highway 84, thence along U.S. Highway 84 to the Texas-Louisiana State line, Vermont, Virginia, West Virginia, and Wisconsin;

(c) Between points in Oregon in, north, and west of Lincoln, Polk, Marion, Clackamas, and Multomah Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of Kansas Highway 14, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of Nebraska Highway 14, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, Ohio, that part of Oklahoma on and east of a line extending along the Oklahoma-Kansas State line along U.S. Highway 81 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line extending from the North Dakota-South Dakota State line along South Dakota Highway 45 to junction U.S. Highway 212, thence along U.S. Highway 212 to Redfield, S. Dak., thence along U.S. Highway 281 to the North Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line extending from the Oklahoma-Texas State line along Interstate Highway 35 to Fort Worth, Tex., thence along U.S. Highway 287 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 159, thence along Texas Highway 159 to junction Texas Highway 36, thence along Texas Highway 36 to its end at the Gulf of Mexico, Vermont, Virginia, West Virginia, and Wisconsin;

(d) Between points in Oregon within Benton County and that part of Linn and Lane Counties on and west of Interstate Highway 5, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of Kansas Highway 14, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of a line extending from the South Dakota-Nebraska State line along U.S. Highway 281 to O'Neill, Nebr., thence along U.S. Highway 275 to junction Nebraska Highway 14, thence along Nebraska Highway 14 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of U.S. Highway 281, Ohio, that part of Oklahoma on and east of a line extending from the Oklahoma-Kansas State line along U.S. Highway 81 to junction Oklahoma Highway 3, thence along Oklahoma Highway 3 to Oklahoma City, Okla., thence along Interstate Highway 35 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line, and extending along U.S. Highway 281 to junction South Dakota Highway 10, thence along South Dakota Highway 10 to junction South Dakota Highway 45, thence along South Dakota Highway 45 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line beginning at the Oklahoma-Texas State line and extending along Interstate Highway 35 to Hillsboro, Tex., thence along Texas Highway 171 to Mexia, Tex., 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 Caldwell, Tex., thence along Texas Highway 36 to the Gulf of Mexico, Vermont, Virginia, West Virginia, and Wisconsin;

(e) Between points in Oregon within Douglas, Coos, Curry, Josephine, Jackson Counties and points within Lane and Linn Counties that are east of Interstate Highway 5, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, that part of Kansas on and east of a line extending from the Nebraska-Kansas State line along Kansas Highway 14 to Sterling, Kans., thence along Kansas Highway 17 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction Kansas Highway 14, thence along Kansas Highway 14 to the Kansas-Oklahoma State line, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, that part of Nebraska on and east of a line extending along the Nebraska-South Dakota State line along U.S. Highway 183 to Taylor, Nebr., thence along Nebraska Highway 11 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of a line extending from the International Boundary along North Dakota Highway 3, Ohio, that part of Oklahoma on and east of a line extending from the Oklahoma-Kansas State line along U.S. Highway 81 to junction Oklahoma Highway 19, thence along Oklahoma Highway 19 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line extending from the North Dakota-South Dakota State line along South Dakota Highway 45 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction South Dakota Highway 47, thence along South Dakota Highway 47 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 183, thence along U.S. Highway 183 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line, and extending along Interstate Highway 35 to Dallas, Tex., thence along Interstate Highway 45 to the Gulf of Mexico at Galveston, Tex., Vermont, Virginia, West Virginia, and Wisconsin. The purpose of this filing is to determine the gateway of Ada County, Idaho.

No. MC 108119 (Sub-No. E12), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled machinery*, each weighing 15,000 pounds or more, restricted to commodities transported on trailers, and such *machinery* 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, used in or in connection with, the construction, operation, repair,

servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, except the stringing or picking up of pipe in connection with main or trunk pipelines, and machinery, not included above, all of which are embraced within such commodities as contractors' equipment, heavy and bulky articles, machinery and machinery parts, articles requiring specialized handling or rigging, and machinery, materials, supplies, and equipment used or useful in road construction, mining, logging, and sawmill operations, and which because of size or weight require special handling or the use of special equipment; between points in Oregon, on the one hand, and, on the other, points in Illinois, Indiana, Michigan (points in the Lower Peninsula), Missouri, and Ohio. The purpose of this filing is to eliminate the gateways of Idaho, that part of Montana on and west of a line extending from the International Boundary line of the United States and Canada along U.S. Highway 89 to Livingston, Mont., thence along U.S. Highway 10 to Laurel, Mont., thence along U.S. Highway 310 to the Montana-Wyoming State line.

No. MC 108119 (Sub-No. E13), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of size or weight, requires 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 *self-propelled vehicles*, each weighing 15,000 pounds or more (except vehicles as defined in Section 203(b)(13) of the Interstate Commerce Act, and vehicles moving in driveaway service), which because of size or weight require special handling or the use of special equipment, and *related machinery, tools, parts, and supplies* moving in connection therewith, which because of size or weight require special handling or the use of special equipment, related parts, materials, and supplies (not requiring special handling or the use of special equipment) when the transportation of such items is incidental to the transportation by carrier of commodities which, by reason of size or weight, require special handling or the use of special equipment, restricted in (1) and (2) against the transportation of boats, and further restricted against the transportation of farm machinery, to or from Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, and Wyoming, and restricted in (2) to commodities which are transported on trailers:

(a) Between points in Oregon in and east of Hood River, Wasco, Jefferson, and Deschutes Counties, on and north of U.S. Highway 20, on the one hand, and, on the other, points in Alabama, that part of Arkansas on, north, and east of a line extending from the Oklahoma-Arkansas State line along Arkansas Highway 10 to junction Arkansas Highway 7, thence along Arkansas Highway 7 to junction U.S. Highway 167, thence along U.S. Highway 167 to the Arkansas-Louisiana State line, Connecticut, Delaware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of U.S. Highway 75, Kentucky, that part of Louisiana, on and east of U.S. Highway 167, Maine, Maryland, Massachusetts, that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line and extending along U.S. Highway 77 to Fremont, Nebr., thence along U.S. Highway 275 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 281 to Jamestown, N. Dak., thence along U.S. Highway 10 to junction North Dakota Highway 30, thence along North Dakota Highway 30 to junction North Dakota Highway 3, thence along North Dakota Highway 3 to the North Dakota-South Dakota State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of South Dakota Highway 45, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin;

(b) Between points in that part of Oregon in and east of Deschutes and Klamath Counties, and south of U.S. Highway 20, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Deleware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of Kansas Highway 99, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (Upper Peninsula only), Minnesota, Mississippi, that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line and extending along U.S. Highway 81 to junction U.S. Highway 275, thence along U.S. Highway 275 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of U.S. Highway 281, that part of Oklahoma on and east of a line beginning at the Oklahoma-Kansas State line extending along U.S. Highway 75 to junction Interstate Highway 40, thence along Interstate Highway 40 to the Indian Nation Turnpike, thence along the Indian Nation Turnpike to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line beginning at the South Dakota-North Dakota State line, and extending along U.S. Highway 281 to junction South Dakota Highway 50, thence along South Dakota Highway 50 to Yankton, S. Dak., thence along U.S. Highway 81 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line, and extending along Texas Highway 19 to junction Texas Highway 154, thence along Texas Highway 154 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Gulf of Mexico, at Port Arthor, Tex., Vermont, Virginia, West Virginia, and Wisconsin;

(c) Between points in Oregon in, north, and west of Lincoln, Polk, Marion, Clackmas, and Multnomah Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of Kansas Highway 14, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (Upper Peninsula only), Minnesota, Mississippi, that part of Nebraska on and east of Nebraska Highway 14, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of Nebraska Highway 14, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line, and extending along U.S. Highway 81 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line extending from the North Dakota-South Dakota State line along South Dakota Highway 45 to junction U.S. Highway 212, thence along U.S. Highway 212 to Redfield, S. Dak., thence along U.S. Highway 281 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line extending from the Oklahoma-Texas State line along Interstate Highway 35 to Fort Worth, Tex., thence along U.S. Highway 287 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 159, thence along Texas Highway 159 to junction Texas Highway 36, thence along Texas Highway 36 to its end at the Gulf of Mexico, Vermont, Virginia, West Virginia, and Wisconsin;

(d) Between points in Oregon within Benton County and that part of Linn and Lane Counties on and west of Interstate Highway 5, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, that part of Kansas on and east of a line beginning at the Kansas-Nebraska State line, and extending along U.S. Highway 81 to Salina, Kans., thence along Interstate Highway 35 to the Kansas-Oklahoma State line, Kentucky, Louisiana, Maine,

Maryland, Minnesota, Mississippi, Massachusetts, Michigan (Upper Peninsula only), that part of Nebraska on and east of a line beginning at the Nebraska-South Dakota State line and extending along U.S. Highway 281 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, that part of Oklahoma on and east of Interstate Highway 35, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota, on and east of South Dakota Highway 45, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line, and extending along Interstate Highway 35 to junction Interstate Highway 35 and the north edge of the Fort Worth commercial zone, thence along U.S. Highway 80 to junction Interstate Highway 45, thence along Interstate Highway 45 to the Gulf of Mexico near Galveston, Tex., Vermont, Virginia, West Virginia, and Wisconsin; and

(e) Between points in Oregon within Douglas, Coos, Curry, Josephine, and Jackson Counties and points within Lane and Linn Counties that are east of Interstate Highway 5, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of a line extending from the Nebraska-Kansas State line along U.S. Highway 81 to Saline, Kans., thence along Interstate Highway 35 to the Kansas-Oklahoma State line, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (Upper Peninsula only), Minnesota, Mississippi, that part of Nebraska on and east of a line beginnnig at the Nebraska-Kansas State line, and extending along U.S. Highway 281 to junction U.S. Highway 275, thence along U.S. Highway 275 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, that part of Oklahoma on and east of U.S. Highway 77, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of South Dakota Highway 45, Tennessee, that part of Texas on and east of U.S. Highway 69, Vermont, Virginia, West Virginia, is to eliminate the gateways of Montana and Minnesota.

No. MC 108119 (Sub-No. E14), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities* as contractors' equipment, heavy and bulky articles, machinery and machinery parts, articles requiring specialized handling or rigging, the transportation of which because of size or weight requires the use of special equipment, and *machinery, materials, supplies,* and *equipment* used or useful in road construction, mining, logging, and sawmill operations or commodities, the transportation of which because of size or weight requires the use of special equipment, and of 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 (2) *Self-propelled vehicles*, each weighing 15,000 pounds or more (except motor vehicles as defined in Section 203(a)(13) of the Interstate Commerce Act, and vehicles moving in driveaway service), when the transportation of such items is incidental to the transportation by carrier of commodities which by reason of size or weight require special handling or the use of special equipment, restricted in (2) against the transportation of boats and restricted to commodities which are transported on trailers, and further restricted in (1) and (2) against the transportation of farm machinery to or from Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts,, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, and Wyoming;

(a) Between points in Washington in, north, and west of Grays Harbor, Thurston, Pierce, King, Snohomish, Skagit and Whatcom Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of U.S. Highway 283, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (Upper Peninsula only), Minnesota, Mississippi, that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line, and extending along U.S. Highway 183 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 283, thence along U.S. Highway 283 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line, and extending along U.S. Highway 283 to Altus, Okla., thence along Oklahoma Highway 44 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line, and extending along South Dakota Highway 45 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction South Dakota Highway 47, thence along South Dakota Highway 47 to junction U.S. Highway 183, thence along U.S. Highway 183 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line, and extending along Texas Highway 283 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 281, thence along U.S. Highway 287 to the United States-Mexico International Boundary line near McAllen, Tex., Vermont, Virginia, West Virginia, and Wisconsin;

(b) Between points in Washington within Clark, Skamania, Cowlitz, Wahkiakum, Pacific, and Lewis Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of Kansas Highway 14, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (Upper Peninsula only), Minnesota, Mississippi, that part of Nebraska on and east of a line beginning at the South Dakota-Nebraska State line, and extending along Nebraska Highway 137 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 261, thence along U.S. Highway 281 to the Nebraska-Kansas State line, and extending along Nebraska Highway 137 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-Kansas State line, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of North Dakota Highway 3, that part of Oklahoma on and east of a line beginning at the Oklahoma-Kansas State line, and extending along U.S. Highway 81 to junction Oklahoma Highway 7, thence along Oklahoma Highway 7 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of a line beginning at the North Dakota-South Dakota State line, and extending along South Dakota Highway 45 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction South Dakota Highway 47, thence along South Dakota Highway 47 to the South Dakota-Nebraska State line, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along Interstate Highway 35 to Waco, Tex., thence along U.S. Highway 77 to Victoria, Tex., thence along Texas Highway 185 to the Gulf of Mexico near Port O'Conner, Tex., Vermont, Virginia, West Virginia, and Wisconsin; and

(c) between points in Washington in and east of Klickitat, Yakima, Kittitas, Chelan, and Okanogan Counties, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Iowa, that part of Kansas on and east of U.S. Highway 281, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan (Upper Peninsula only), Minnesota, Mississippi, that part of Nebraska on and east of U.S. Highway 281, New Hampshire, New Jersey, New York, North Carolina, that part of North Dakota on and east of a line beginning

at the United States-Canada International Boundary line, and extending along U.S. Highway 281 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction North Dakota Highway 30, thence along North Dakota Highway 30 to junction North Dakota Highway 13, thence along North Dakota Highway 13 to junction North Dakota Highway 3, thence along North Dakota Highway 3 to the North Dakota-South Dakota State line, that part of Oklahoma on and east of a line beginning at the Kansas-Oklahoma State line, and extending along U.S. Highway 281 to junction U.S. Highway 183, thence along U.S. Highway 183 to the Oklahoma-Texas State line, Pennsylvania, Rhode Island, South Carolina, that part of South Dakota on and east of South Dakota Highway 45, Tennessee, that part of Texas on and east of a line beginning at the Texas-Oklahoma State line, and extending along U.S. Highway 281 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 77, thence along U.S. Highway 77 to its end near Brownsville, Tex., Vermont, Virginia, West Virginia, and Wisconsin. The purpose of this filing is to eliminate the gateways of that part of Montana on and west of a line extending from the United States-Canada International Boundary line along U.S. Highway 89 to Livingston, Mont., thence along U.S. Highway 10 to Laurel, Mont., thence along U.S. Highway 310 to the Montana-Wyoming State line and Minnesota.

No. MC 108119 (Sub-No. E15), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (I)(A) *Such material handling equipment, winches, compaction, and roadmaking equipment, rollers, mobile cranes and highway freight trailers*, and (B) *Such parts, attachments and accessories* of the commodities described in (a) above, which are embraced within 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, equipment, materials, and supplies used in or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines including the stringing and picking up thereof, except the stringing and picking up of pipe in connection with main or trunk pipelines, and machinery and machinery parts not included above; (1) between the plant sites of Hyster Co., located at or near Kewanee, Ill., Peoria, Ill., Danville, Ill., and Crawfordsville, Ind., on the one hand, and, on the other, points in Montana, and (2)(a) between the plant sites of Hyster Co., located at or near Danville, Ill., and Crawfordsville, Ind., on the one hand, and, on the other, points in Idaho and Washington, and

(b) Between the plant sites of Hyster Co., located at or near Kewanee, and Peoria, Ill., on the one hand, and, on the other, points in that part of Idaho west of Clark, Jefferson, Bingham, Bannock, and Oneida Counties, and Washington; and (II)(A) *Such material handling equipment, winches, compaction and roadmaking equipment, rollers, mobile cranes and highway freight trailers*, and (B) *Such parts, attachments, and accessories* of the commodities described in (a) above, which are embraced within machinery, 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 used in or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines including the stringing and picking up thereof (except the stringing or picking up of pipe in connection with main or trunk pipelines, and machinery not included above; between the plant sites of the Hyster Co., located at or near Kewanee, Ill., Peoria, Ill., Danville, Ill., and Crawfordsville, Ind., on the one hand, and, on the other, points in Oregon and that part of California north of Alpine, Tuolyumne, Merced, San Benito, and Monterey Counties. The purpose of this filing is to eliminate the gateways of: in (I)(A) points in Minnesota on and west of U.S. Highway 71; and in (I)(2) points in Minnesota on and west of U.S. Highway 71, and Montana; and in (II) above, points in Minnesota on and west of U.S. Highway 71, Montana, and Idaho.

No. MC 108119 (Sub-No. E16), filed May 5, 1975. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such 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, *machinery, equipment, materials, and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipeline, including the stringing and picking up thereof, except the stringing or picking up of pipe in connection with main or trunk pipelines, and machinery and machinery parts not included above, which are embraced within such commodities as contractors' equipment, heavy and bulky articles, machinery and machinery parts, articles requiring specialized handling or rigging, and machinery, materials, supplies, and equipment used or useful in road construction, mining, logging, and sawmill operations and which because of size or weight requires the use of special equipment, and *related machinery, parts, and related contractors' materials and supplies* when their transportation is incidental to the transportation of the above mentioned commodities which by reason of size or weight requires special equipment, and (2) *Such self-propelled vehicles*, each weighing 15,000 pounds or more (except motor vehicles as defined in Section 203(a)(13) of the Interstate Commerce Act, and vehicles moving in driveaway service) and related machinery, tools, parts, and supplies moving in connection therewith, which are embraced within 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, machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipeline, including the stringing and pickup thereof (except the stringing or picking up of pipe in connection with main or trunk pipelines), and machinery and machinery parts not included above, restricted in (2) against the transportation of boats and restricted to commodities which are transported on trailers;

(a) Between points in Washington in, north, and east of Grays Harbor, Thurston, Pierce, King, Snohomish, Skagit, and Whatcom Counties, on the one hand, and, on the other, points in Illinois, Indiana, Missouri, Michigan, (points in the Lower Peninsula only), and Ohio; (b) between points in Washington within Pacific, Lewis, Wahkiakum, Cowlitz, Skahmania, and Clark Counties, on the one hand, and, on the other, points in Illinois, Indiana, Michigan (points in the Lower Peninsula only), Missouri, and Ohio; and (c) between points in Washington in and east of Klickitat, Yakima, Kittitas, Chelan, and Okanogan Counties, on the one hand, and, on the other, points in Illinois, Indiana, Michigan (points in the Lower Peninsula only), Missouri, and Ohio. The purpose of this filing is to eliminate the gateways of that part of Montana on and west of a line extending from the United States-Canada International Boundary line along U.S. Highway 89 to Livingston, Mont., thence along U.S. Highway 10 to Laurel, Mont., thence along U.S. Highway 310 to the Montana-Wyoming State line, and that part of Minnesota on and west of U.S. Highway 71.

No. MC 108119 (Sub-No. E17), filed May 19, 1974. Applicant: E. L. MURPHY TRUCKING CO., P.O. Box 3010, St. Paul, Minn. 55165. Applicant's representative: Roger L. Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, which, because of size or weight, require special handling or the use of special equipment, (2) *related parts, materials*, and *supplies* (not requiring special handling or the use of special equipment) when the transportation of such items is incidental to the transportation by carrier of commodities which, by reason

of size or weight, require special handling or the use of 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, and restricted in (1), (2), and (3) against the transportation of farm machinery from or to the States of Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia and Wyoming:

(a) Between points in that part of Missouri on and north of U.S. Highway 36, and, on and west of Missouri Highway 5, on the one hand, and, on the other hand, points in that part of California on, north and west of a line beginning at the California-Nevada State line and extending along U.S. Highway 6 to Bishop, California, thence southerly along U.S. Highway 395 to Rialto, California, thence westerly on Interstate Highway 10 to La Verne, California, thence southerly along California Highway 57 to Fullerton, California, thence southerly along California Highway 72 to the Pacific Ocean, including the Commercial Zone of Santa Ana, that part of Connecticut on and north of a line extending from the Atlantic Ocean northerly along Connecticut Highway 85 to its junction with Connecticut Highway 66, thence westerly along Connecticut Highway 66 to Waterbury, Connecticut, thence westerly along Interstate Highway 84 to the Connecticut-New York State line only, Maine, Massachusetts, that part of Nevada, on and west of a line beginning at the Nevada-Oregon State line and extending southerly along U.S. Highway 95 to Winnemucca, Nevada, thence easterly on U.S. Highway 40 to Battle Mountain, Nevada, thence southerly on Nevada Highway 8A to its junction with U.S. Highway 6, thence westerly along U.S. Highway 6 to the Nevada-California State line, New Hampshire, that part of New York on, north and east of a line beginning at the New York-Connecticut State line and extending along Interstate Highway 84 to its junction with New York Highway 17, thence northwesterly along New York Highway 17 to Deposit, New York, thence northerly along New York Highway 8 to Utica, New York, thence northerly along New York Highway 12 to Watertown, New York, thence westerly along New York Highway 3 to Lake Ontario, North Dakota, Rhode Island, South Dakota (except points in the Counties of Shannon, Bennett, Todd, Tripp, Gregory, Charles, Mix, Douglas, Hutchinson, Bon Homme, Yankton, Turner, Clay, Lincoln, and Union), Vermont and that part of Wyoming on and north of a line beginning at the Wyoming-South Dakota State line and extending westerly along U.S. Highway 16 to Worland, Wyoming, thence southerly along U.S. Highway 20 to Shoshoni, Wyoming, thence along U.S. Highway 26 to Riverton, Wyoming, thence southwesterly along Wyoming Highway 789 to Lander, Wyoming, thence northwesterly along U.S. Highway 287 to its junction with U.S. Highway 89, thence westerly along U.S. Highway 289 to the Wyoming-Idaho State line;

(b) Between points in that part of Missouri on and north of U.S. Highway 36, and, east of Missouri Highway 5, on the one hand, and, on the other hand, points in that part of California on, north and west of a line beginning at the California-Nevada State line and extending westerly along U.S. Highway 6 to Bishop, California, thence southerly along U.S. Highway 395 to Riverside, California, thence westerly along California Highway 91 to its junction with California Highway 55, thence southerly along California Highway 55 to the Pacific Ocean, that part of Nevada on and north of a line beginning at the Nevada-Utah State line, and extending southwesterly along U.S. Alternate Highway 50 to Ely, Nevada, thence westerly along U.S. Highway 6 to the Nevada-California State line, North Dakota, South Dakota (except points in Bon Homme, Yankton, Clay and Union Counties), that part of Utah on, west and north of a line beginning at the Utah-Idaho State line and extending southerly along U.S. Highway 89 to Salt Lake City, Utah, thence westerly along U.S. Highway 40 to the Utah-Nevada State line, and Wyoming (except points in Uinta, Sweetwater, Carbon, Albany, Platte, Laramie, Niobrara, and Goshen Counties);

(c) Between points in that portion of Missouri south of a line beginning at the Missouri-Kansas State line, and extending along U.S. Highway 36 easterly to its junction with Missouri Highway 5, on and west of Missouri Highway 5 extending southerly to its junction with U.S. Highway 40, thence, on and south of U.S. Highway 40 extending easterly to Columbia, Missouri, thence, on and west of U.S. Highway 663 to Rolla, Missouri, thence on and north of U.S. Highway 66 extending westerly to Lebanon, Missouri, thence, on and north of Missouri Highway 32 to Buffalo, Missouri, thence, on and north of Missouri Highway 13 to Collins, Missouri, thence, on and north of U.S. Highway 54 to the Missouri-Kansas State line, (not including points in the Commercial Zone of Kansas City, Missouri), on the one hand, and, on the other hand, points in California in and north of the Counties of Alpine, Tuolumne, Mariposa, Merced, Santa Clara, and points in that part of Monterey County, on and west of a line beginning at the San Benito-Monterey County line, and extending along U.S. Highway 101 southerly to Salinas, California, thence westerly along California Highway 68 to the Pacific Ocean, that part of Nevada, on, north and west of a line beginning at the Nevada-Idaho State line and extending southerly along U.S. Highway 93 to Wells, Nevada, thence westerly along U.S. Highway 40 to Winnemucca, Nevada, thence southerly along U.S. Highway 95 to Fallon, Nevada, thence westerly along U.S. Highway 50 to Carson City, Nevada, thence westerly along U.S. Highway 50 to the Nevada-California State line, North Dakota, South Dakota, (except points in the Counties of Charles Mix, Bon Homme, Yankton, Clay, and Union), and that part of Wyoming on, north and west of a line beginning at the Wyoming-Nebraska State line and extending westerly along U.S. Highway 20 to Casper, Wyoming thence southwesterly along Wyoming Highway 220 to Muddy Gap, Wyoming, thence northwesterly along U.S. Highway 287 to its junction with U.S. Highway 89, thence southerly along U.S. Highway 89 to the Wyoming-Idaho State line;

(d) Between points in that portion of Missouri south of a line beginning at the Missouri-Illinois State line and extending along a line to U.S. Highway 36 to its junction with Missouri Highway 5, thence, east of Missouri Highway 5 extending southerly to its junction with U.S. Highway 40, thence, north of U.S. Highway 40 to Columbia, Missouri, thence, east of U.S. Highway 63 extending southerly to Rolla, Missouri, thence, on and north of U.S. Highway 66 extending easterly to its junction with Missouri Highway 8, thence on and north of Missouri Highway 8 extending easterly to Potosi, Missouri, thence, on and east of Missouri Highway 21 extending southeasterly to Ironton, Missouri, thence, on and north of Missouri Highway 72 to Jackson, Missouri, thence on an east of U.S. Highway 61 extending southeasterly to the Missouri-Illinois State line at Cape Girardeau, Missouri, (except points within the St. Louis Commercial Zone), on the one hand, and, on the other, points in that part of California on, west and north of a line beginning at the California-Nevada State line and extending westerly along U.S. Highway 6 to Bishop, California, thence southerly along U.S. Highway 395 to Perris, California, thence westerly along California Highway 74 to the Pacific Ocean, that part of Nevada on and north of a line beginning at the Nevada-Utah State line and extending along U.S. Alternate Highway 50 to Ely, Nevada, thence westerly along U.S. Highway 6 to the Nevada-California State line, North Dakota, South Dakota, (except points in the Counties of Bon Homme, Yankton, Clay and Union), that part of Utah on, and north of a line beginning at the Utah-Wyoming State line and extending along U.S. Highway 189 to its junction with U.S. Highway 50, thence westerly along U.S. Highway 50 to Silver City, Utah, thence northerly along Utah Highway 36 to its junction with U.S. Highway 40, thence westerly along U.S. Highway 40 to the Utah-Nevada State line, and that part of Wyoming on and north of a line beginning at the Wyoming-Nebraska State line, and extending westerly along U.S. Highway 20 to Casper, Wyoming, thence southwesterly along Wyoming Highway 220 to Muddy Gap, Wyoming, thence westerly along U.S. Highway 287 to its junction with Wyoming Highway 28 to Farson, Wyoming, thence via unnumbered road west-

erly from Farson, Wyoming to Emigrant Springs, Wyoming, thence southerly along U.S. Highway 189 to the Wyoming-Utah State line;

(e) Between points in that part of Missouri south of a line beginning at the Missouri-Kansas State line and extending along U.S. Highway 54 easterly to Collins, Missouri, thence along Missouri Highway 13 southeasterly to junction Missouri Highway 32, thence along Missouri Highway 32 to Lebanon, Missouri, thence northeasterly along U.S. Highway 66 to Rolla, Missouri, thence, on and west of U.S. Highway 63 extending southerly to the Missouri-Arkansas State line, on the one hand, and, on the other, points in California in and north of the Counties of Alpine, Calaveras, San Joaquin, Santa Clara and Santa Cruz, that part of Nevada on and north of a line beginning at the Nevada-Utah State line and extending westerly along U.S. Highway 40 to Winnemucca, Nevada, then southerly along U.S. Highway 95 to Fallon, Nevada, thence westerly along U.S. Highway 50 to the Nevada-California State line, North Dakota, South Dakota (except points in Bon Homme, Yankton, Clay and Union Counties, that part of Utah on, west and north of a line beginning at the Utah-Idaho State line and extending southerly along U.S. Highway 89 to Salt Lake City, Utah, thence westerly along U.S. Highway 40 to the Utah-Nevada State line, and Wyoming (except points in Uinta, Sweetwater, Carbon, Albany, Platte, Laramie, Niobrara, and Goshen Counties);

(f) Between points in that part of Missouri east of a line beginning at the Missouri-Arkansas State line, and extending northerly along U.S. Highway 63 to Rolla, Missouri thence south of a line extending easterly from Rolla, Missouri along U.S. Highway 66 to its junction with Missouri Highway 8, thence easterly along Missouri Highway 8 to Potosi, Missouri, thence southeasterly along Missouri Highway 21 to Fredericktown, Missouri, thence easterly along Missouri Highway 72 to Jackson, Missouri, thence southeasterly along U.S. Highway 61 to the Missouri-Illinois State line at Cape Girardeau, Missouri, on the one hand and, on the other, points in that part of California on and north of a line beginning at the California-Nevada State line and extending westerly along California Highway 88 to Jackson, California, thence southerly along California Highway 49 to Mariposa, California, thence westerly along California Highway 140 to Merced, California, thence southerly along California Highway 59 to its junction with California Highway 152, thence westerly along California Highway 152 to Gilroy, California, thence southerly along U.S. Highway 101 to Salinas, California, thence westerly along California Highway 68 to the Pacific Ocean, that part of Nevada on, north and west of a line beginning at the Nevada-Utah State line and extending westerly along U.S. Highway 40 to Winnemucca, Nevada, thence southerly along U.S. Highway 95 to Fallon, Nevada, thence westerly along U.S. Highway 50 to the Nevada-California State line, North Dakota, South Dakota, (except points in Clay and Union Counties), that part of Utah on, west and north of a line beginning at the Utah-Idaho State line, and extending southerly along U.S. Highway 89 to Salt Lake City, Utah, thence westerly along U.S. Highway 40 to the Utah-Nevada State line, and that part of Wyoming on and north of a line beginning at the Utahming-Nebraska State line and extending westerly along U.S. Highway 20 to Casper, Wyoming, thence southwesterly along Wyoming Highway 220 to Muddy Gap, Wyoming, thence northwesterly along U.S. Highway 287 to its junction with U.S. Highway 89, thence southerly along U.S. Highway 89 to the Wyoming-Idaho State line;

(g) Between points in St. Louis, Mo., and its Commercial Zone, on the one hand, and, on the other hand, points in that part of California, on and north of a line beginning at the Pacific Ocean, near San Juan Capistrano, California, and extending along California Highway 74 to its junction with U.S. Highway 395, thence northerly along U.S. Highway 395 to its junction with Interstate Highway 15, thence northeasterly along Interstate Highway 15 to the California-Nevada State line, Michigan (upper Peninsula), that part of Nevada on and north of Interstate Highway 15, North Dakota, South Dakota (except the Counties of Clay, Union and Lincoln), that part of Utah on and west of a line beginning at the Utah-Nevada State line and extending northeasterly along Interstate Highway 15 to its junction with Utah Highway 20, thence easterly along Utah Highway 20 to U.S. Highway 89, thence northerly along U.S. Highway 89 to Provo, Utah, thence northeasterly along U.S. Highway 189 to the Utah-Wyoming State line, that part of Wisconsin on and north of a line beginning at the Mississippi River near Lansing, Iowa and extending easterly along Wisconsin Highway 82 to its junction with Wisconsin Highway 13, thence northerly along Wisconsin Highway 13 to Wisconsin Rapids, Wisconsin, thence easterly along Wisconsin Highway 54 to its junction with U.S. Highway 51, thence northerly along U.S. Highway 51 to its junction with U.S. Highway 8, thence easterly along U.S. Highway 8 to the Wisconsin-Michigan State line, and that part of Wyoming on and west of a line beginning at the Wyoming-Colorado State line, and extending northerly on Wyoming Highway 789 to its junction with Interstate Highway 80 at Creston, Wyoming, thence easterly along Interstate Highway 80 to Rawlins, Wyoming, thence northerly along U.S. Highway 287 to Muddy Gap, Wyoming, thence northeasterly along Wyoming Highway 220 to Casper, Wyoming, thence easterly along U.S. Highway 20 to the Wyoming-Nebraska State line;

(h) Between points in Kansas City, Mo., and points in its Commercial Zone, on the one hand, and, on the other hand, points in that part of California on, west and north of a line beginning at the California-Nevada State line, and extending westerly along U.S. Highway 6 to Bishop, California, thence southerly along U.S. Highway 395 to its junction with California Highway 178, thence westerly along California Highway 178 to its junction with California Highway 155, thence westerly along California Highway 155 to California Highway 65, thence southerly along California Highway 65 to Bakersfield, California, thence westerly along California Highway 58 to its junction with California Highway 33, thence southerly along California Highway 33 to Meiners Oaks, California, thence southeasterly along California Highway 150 to Santa Paula, California, thence easterly along California Highway 126 to its junction with Interstate Highway 5, thence southerly to the city limits of Los Angeles, California, including points within the Los Angeles Commercial Zone, that part of Connecticut on, north and east of a line beginning at the Connecticut-New York State line, and extending along Interstate Highway 84 to Waterbury, Connecticut, thence easterly along Connecticut Highway 66 to its junction with Connecticut Highway 16, thence easterly along Connecticut Highway 16 to its junction with Connecticut Highway 85, thence southerly along Connecticut Highway 85 to New London, Connecticut, Maine, Massachusetts, Michigan, (Upper Peninsula), that part of Nevada on, north and west of a line beginning at the Nevada-Utah State line, and extending southerly along U.S. Alternate Highway 50 to Ely, Nevada, thence westerly along U.S. Highway 6 to the Nevada-California State line, New Hampshire, that part of New York on, north and east of a line beginning at the New York-Connecticut State line, and extending westerly along Interstate Highway 84 to Newburgh, New York, thence westerly along New York Highway 52 to its junction with New York Highway 17 at Liberty, New York, thence northwesterly along New York Highway 17 to Deposit, New York, thence northerly along New York Highway 8 to Utica, New York, thence northerly along New York Highway 12 to Watertown, New York, thence westerly along New York Highway 3 to Lake Ontario, North Dakota, Rhode Island, that part of South Dakota on and north of Interstate Highway 90, that part of Utah on and west of a line beginning at the Utah-Wyoming State line, and extending southerly along U.S. Highway 189 to Provo, Utah, thence southerly along U.S. Highway 91 to Santaquin, Utah, thence westerly along U.S. Highway 50 to Silver City, Utah, thence northerly along Utah Highway 36 to Interstate Highway 80, thence westerly along Interstate Highway 80 to the Utah-Nevada State line, Vermont, that part of Wisconsin on and north of a line beginning at the Wisconsin-Iowa State line and extending easterly along Wisconsin Highway 171 to its junction with U.S. Highway 14, thence easterly along U.S. Highway 14 to Madison, Wisconsin, thence easterly along Interstate Highway 94 to Lake Michigan, including points in

the Milwaukee, Wisconsin Commercial Zone, and that part of Wyoming on and north of a line beginning at the Wyoming-Nebraska State line, and extending westerly along U.S. Highway 20 to Casper, Wyoming, thence westerly along U.S. Highway 26 to Riverton, Wyoming, thence southerly along Wyoming Highway 789 to Lander, Wyoming, thence southerly along U.S. Highway 287 to its junction with Wyoming Highway 28, thence southwesterly along Wyoming Highway 28 to Farson, Wyoming, thence via unnumbered road west to Emigrant Springs, Wyoming, thence southerly along U.S. Highway 189 to the Wyoming-Utah State line. The purpose of this filing is to eliminate the gateway of Minnesota.

No. MC 111320 (Sub-No. E88), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building and earth moving equipment*, in truckaway service, and *parts of and attachments for* road building and earth moving equipment, (1) (a) between the facilities of Caterpillar Tractor, located at Aurora, Joliet, Mossville, Morton, and Peoria, Ill., and points in Peoria, Tazewell, and Woodford Counties, Ill., on the one hand, and, on the other, points in Virginia (1) (b) between the facilities of Caterpiller Tractor located at Decatur, Ill., on the one hand, and, on the other, points in that part of Virginia on and east of Interstate Highway 77; (2) between the facilities of Caterpiller Tractor located at Aurora, Joliet, Mossville, Decatur, Morton, and Peoria, Ill., and points in Peoria, Tazewell, and Woodford Counties, Ill., on the one hand, and, on the other (a) points in North Carolina (except between Decatur and Peoria, Ill., on the one hand, and, on the other, points in that part of North Carolina west of Interstate Highway 77); (b) points in South Carolina (except between Decatur, Ill., on the one hand, and, on the other, points in South Carolina); (c) points in Georgia (except between Decatur and Peoria, Ill., on the one hand, and, on the other, points in Georgia); (d) points in Florida (except between Decatur and Peoria, Ill., on the one hand, and, on the other, points in Florida, and except between Aurora and Joliet, Ill., on the one hand, and, on the other, points in that part of Florida on and west of US Highway 319); (e) points in that part of Tennessee on and east of US Highway 11 (except between Decatur, Ill., on the one hand, and, on the other, points in Tennessee). The purpose of this filing is to eliminate the gateway of Findlay, Ohio.

No. MC 111401 (Sub-No. E23) (Correction), filed May 12, 1974 published in the FEDERAL REGISTER July 1, 1975. Applicant: GROENDYKE TRANSPORT, INC., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum* and *petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from points in Texas on and east of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 259 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Texas Highway 288, thence along Texas Highway 288 to the Gulf of Mexico, to points in New Mexico on and south of U.S. Highway 66. The purpose of this filing is to eliminate the gateway of Houston, Tex. The purpose of this correction is to extend the territorial destination.

No. MC 111823 (Sub-No. E7), filed June 4, 1974. Applicant: SHERWOOD VAN LINES, INC., 4322 Milling Road, San Antonio, Tex. 78219. 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: *Household goods*, as defined by the Commission, between Vance Air Force Base, Enid, Okla., and Tinker Air Force Base, Oklahoma City, Okla., on the one hand, and, on the other, Naval Submarine Base New London, Groton, Conn.; Pentagon, Arlington Hall Station, Henderson Hall, and Navy Security Station, District of Columbia; Andrews Air Force Base, Camp Springs, Md.; Bolling Air Force Base, District of Columbia; Fort Myer, Arlington, Va.; Fort McNair, District of Columbia; Cameron Station, Alexandria, Va.; Walter Reed Army Medical Center, District of Columbia; National Naval Medical Center, Bethesda, Md.; Naval Station, District of Columbia; Homestead Air Force Base, Homestead, McDill Air Force Base, Tampa, McCoy Air Force Base, Orlando, Naval Air Station Cecil Field, Jacksonville, Naval Air Station, Jacksonville, Naval Station, Mayport, Naval Station, Key West, Naval Training Center, Orlando, and Patrick Air Force Base, Cocoa Beach, Fla.; Atlanta Army Depot, Forest Park, Fort Benning, Columbus, Fort Gordon, Augusta, Fort McPherson, Atlanta, Fort Stewart, Hinesville, Hunter Army Airfield, Savannah, Marine Corps Supply Center, Albany, Dobbins Air Force Base, Marietta, Moody Air Force Base, Valdosta, Naval Air Station, Albany, Naval Air Station, Glynco, and Robins Air Force Base, Warner Robins, Ga.; Chanute Air Force Base, Rantoul, Fort Sheridan, Highland Park, Joliet Army Ammunition Depot, Joliet, Savanna Army Depot, Savanna, Naval Air Station, Glenview, Naval Training Center, Great Lakes, and Scott Air Force Base, Belleville, Ill.;

Grissom Air Force Base, Peru, Fort Benjamin Harrison, Indianapolis, and Naval Ammunition Depot, Crane, Ind.; Fort Knox, Fort Knox, Ky.; Aberdeen Proving Ground, Aberdeen, Edgewood Arsenal, Edgewood Arsenal, Fort Detrick, Frederick, Fort Holabird, Baltimore, Fort George Meade, Laurel, Fort Ritchie, Cascade, Naval Air Station, Patuxent River, Naval Academy, Annapolis, and Naval Training Center, Bainbridge, Md.; Fort Devens, Ayer, Naval Air Station, South Weymouth, L. G. Hanscom Field, Bedford, Otis Air Force Base, Falmouth (Cape Cod), and Westover Air Force Base, Springfield, Mass.; Kincheloe Air Force Base, Sault Ste Marie, K. I. Sawyer Air Force Base, Gwinn, Selfridge Air National Guard Base, Mount Clemens, and Wurtsmith Air Force Base, Oscoda, Mich.; Pease Air Force Base, Portsmouth, N.H.; Fort Dix, Wrightstown, Fort Monmouth, Oceanport, McGuire Air Force Base, Wrightstown, and Naval Air Station, Lakehurst, N.J.; Camp Drum, Watertown, Fort Hamilton, Brooklyn, Fort Wadsworth, Staten Island, U.S. Coast Guard Base, Governor's Island (New York City), Griffiss Air Force Base, Rome, Hancock Field, Syracuse, Plattsburg Air Force Base, Plattsburg, Naval Hospital, Saint Albans, Seneca Army Depot, Romulus, Stewart Field, Newburg, and U.S. Military Academy, West Point, N.Y.; Lockbourne Air Force Base, Columbus, and Wright-Patterson Air Force Base, Dayton, Ohio;

Army War College, Carlisle Barracks, Letterkenny Army Depot, Chambersburg, Naval Base, Philadelphia, New Cumberland Army Depot, New Cumberland, Tobyhanna Army Depot, Tobyhanna, Defense Activities, Mechanicsburg, and Valley Forge General Hospital, Phoenixville, Pa.; Charleston Air Force Base, Charleston, Fort Jackson, Columbia, Marine Corps Air Station, Beaufort, Marine Corps Recruit Depot, Parris Island, Myrtle Beach Air Force Base, Myrtle Beach, Naval Base, Charleston, Polaris Missile Facility, Charleston, and Shaw Air Force Base, Sumter, S.C.; Arnold Air Force Station, Tullahoma, Tenn.; Fort Belvoir, Alexandria, Fort Eustis, Newport News, Fort Lee, Petersburg, Fort Monroe, Hampton, Fort Story, Virginia Beach, Langley Air Force Base, Hampton, Marine Corps School, Quantico, Naval Air Station, Oceana (Virginia Beach), Naval Amphibious Base, Little Creek (Norfolk), Naval Shipyard Norfolk, Portsmouth, Naval Station, Norfolk, Naval Weapons Laboratory, Dahlgren, Naval Weapons Station, Yorktown, Defense General Supply Center, Richmond, and Vint Hill Farms Station, Warrenton, Va. The purpose of this filing is to eliminate the gateway of St. Louis, Mo., or Louisville, Ky., or that part of Illinois and Indiana on and north of U.S. Highway 36.

No. MC 111823 (Sub-No. E9), filed June 4, 1974. Applicant: SHERWOOD VAN LINES, INC., 4322 Milling Road, San Antonio, Tex. 78219. 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: *Household goods*, as defined by the Commission, between Fort Leonard Wood, Waynesville, Mo., on the one hand, and, on the other, Craig Air Force Base, Selma, Fort McClellan, Anniston, Fort Rucker, Ozard, Gunter Air Force Base, Montgomery, Maxwell Air Force Base, Montgomery, and Redstone Arsenal, Huntsville, Ala.; Naval Submarine Base New London, Groton,

Conn.; Pentagon, Arlington Hall Station, Henderson Hall, and Navy Security Station, District of Columbia; Andrews Air Force Base, Camp Springs, Md.; Bolling Air Force Base, District of Columbia; Fort Myer, Arlington, Va.; Fort McNair, District of Columbia; Cameron Station, Alexandria, Va.; Walter Reed Army Medical Center, District of Columbia; National Naval Medical Center, Bethesda, Md.; Naval Station, District of Columbia; Eglin Air Force Base, Valparaiso, Homestead Air Force Base, Homestead, McDill Air Force Base, Tampa, McCoy Air Force Base, Orlando, Naval Air Station Cencil Field, Jacksonville, Naval Air Station, Jacksonville, Naval Air Station, Pensacola, Naval Station, Mayport, Naval Air Station Whiting Field, Milton, Naval Station, Key West, Naval Training Center, Orlando, Patrick Air Force Base, Cocoa Beach, and Tyndall Air Force Base, Panama City, Fla.;

Atlanta Army Depot, Forest Park, Fort Benning, Columbus, Fort Gordon, Augusta, Fort McPherson, Atlanta, Fort Stewart, Hinesville, Hunter Army Airfield, Savannah, Marine Corps Supply Center, Albany, Dobbins Air Force Base, Marietta, Moody Air Force Base, Valdosta, Naval Air Station, Albany, Naval Air Station, Glynco, and Robins Air Force Base, Warner Robins, Ga.; Chanute Air Force Base, Rantoul, Fort Sheridan, Highland Park, Joliet Army Ammunition Depot, Joliet, Savanna Army Depot, Savanna, Naval Air Station, Glenview, Naval Training Center, Great Lakes, and Scott Air Force Base, Belleville, Ill.; Grissom Air Force Base, Peru, Fort Benjamin Harrison, Indianapolis, and Naval Ammunition Depot, Crane, Ind.; Fort Campbell, Hopkinsville, and Fort Knox, Fort Knox, Ky.; Naval Air Station, New Orleans, La.; Aberdeen Proving Ground, Aberdeen, Edgewood Arsenal, Edgewood Arsenal, Fort Detrick, Frederick, Fort Holabird, Baltimore, Fort George Meade, Laurel, Fort Ritchie, Cascade, Naval Air Station, Patuxent River, Naval Academy, Annapolis, and Naval Training Center, Bainbridge, Md.; Fort Devens, Ayer, Naval Air Station, South Weymouth, L. G. Hanscom Field, Bedford, Otis Air Force Base, Falmouth (Cape Cod), and Westover Air Force Base, Springfield, Mass.; Kincheloe Air Force Base, Sault Ste Marine, K. I. Sawyer Air Force Base, Gwinn, Selfridge Air National Guard Base, Mount Clemens, and Wurtsmith Air Force Base, Oscoda, Mich.; Duluth International Airport, Duluth, Minn.; Columbus Air Force Base, Columbus, Keesler Air Force Base, Biloxi, Naval Air Station, Meridian, and Naval Construction Battalion, Gulfport, Miss.; Pease Air Force Base, Portsmouth, N.H.

Fort Dix, Wrightstown, Fort Monmouth, Oceanport, McGuire Air Force Base, Wrightstown, and Naval Air Station, Lakehurst, N.J.; Camp Drum, Watertown, Fort Hamilton, Brooklyn, Fort Wadsworth, Staten Island, U.S. Coast Guard Base, Governor's Island (New York City), Griffis Air Force Base, Rome, Hancock Field, Syracuse, Plattsburg Air Force Base, Plattsburg, Naval Hospital, Saint Albans, Seneca Army Depot, Romulus, Stewart Field, Newburgh, and U.S. Military Academy, West Point, N.Y.; Lockbourne Air Force Base, Columbus, and Wright-Patterson Air Force Base, Dayton, Ohio; Army War College, Carlisle Barracks, Letterkenny Army Depot, Chambersburg, Naval Base, Philadelphia, New Cumberland Army Depot, New Cumberland, Tobyhanna Army Depot, Tobyhanna, Defense Activities, Mechanicsburg, and Valley Forge General Hospital, Phoenixville, Pa.; Charleston Air Force Base, Charleston, Fort Jackson, Columbia, Marine Corps Air Station, Beaufort, Marine Corps Recruit Depot, Parris Island, Myrtle Beach Air Force Base, Myrtle Beach, Naval Base, Charleston, and Shaw Air Force Base, Sumter, S.C.; Arnold Air Force Station, Tullahoma, and Naval Air Station Memphis, Millington, Tenn.; Fort Belvoir, Alexandria, Fort Eustis, Newport News, Fort Lee, Petersburg, Fort Monroe, Hampton, Fort Story, Virginia Beach, Langley Air Force Base, Hampton, Marine Corps School, Quantico, Naval Air Station, Oceana (Virginia Beach), Naval Amphibious Base, Little Creek (Norfolk), Naval Shipyard Norfolk, Portsmouth, Naval Station, Norfolk, Naval Weapons Laboratory, Dahlgren, Naval Weapons Station, Yorktown, Defense General Supply Center, Richmond, and Vint Hill Farms Station, Warrenton, Va.; and Camp McCoy, Sparta, Wis. The purpose of this filing is to eliminate the gateway of St. Louis, Mo., or Louisville, Ky., or that part of Illinois and Indiana on and north of U.S. Highway 36.

No. MC 111823 (Sub-No. E24), filed June 4, 1974. Applicant: SHERWOOD VAN LINES, INC., 4322 Milling Road, San Antonio, Tex. 78219. 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: *Household goods*, as defined by the Commission, between Centura, Calif., on the one hand, and, on the other, Craig Air Force Base, Selma, Ft. McClellan, Anniston, Ft. Rucker, Ozard, Gunter Air Force Base, Montgomery, Maxwell Air Force Base, Montgomery, Redstone Arsenal, Huntsville, Ala.; Blytheville Air Force Base, Blytheville, Ark.; Naval SubBase, Groton, Conn.; Andrews Air Force Base, Bolling Air Force Base, Ft. Myer, Ft. McNair, Walter Reed Army Medical Center, National Naval Medical Center, Naval Station, District of Columbia; Eglin Air Force Base, Calpariso, Homestead Air Force Base, Homestead, McDill Air Force Base, Tampa, McCoy Air Force Base, Orlando, Cecil Field Air Force Base, Jacksonville, Naval Air Station, Jacksonville, Naval Air Station, Pensacola, Naval Air Station, Mayport, Naval Air Station, Milton, Naval Air Station, Key West, Naval Training Center, Orlando, Patrick Air Force Base, Cocoa Beach, Tyndall Air Force Base, Panama City, Fla.; Atlanta Army Depot, Atlanta, Ft. Benning, Columbus, Ft. Gordon, Augusta, Ft. McPherson, Atlanta, Ft. Stewart, Hinesville, Hunter Army Airfield, Savannah, Marine Corp Supply Center, Albany, Moody Air Force Base, Valdosta, Navy Air Station, Albany, Naval Air Station, Glynco, Robins Air Force Base, Warner Robins, Ga.; Chanute Air Force Base, Rantoul, Ft. Sheridan, Highland Park, Joliet Army Depot, Joliet, Savanna Army Depot, Savanna, Naval Air Station, Glenview, Naval Training Center, Great Lakes, Scott Air Force Base, Billeville, Ill.; Grissom Air Force Base, Peru, Ft. Benjamin Harrison, Indianapolis, Naval Ammunition Depot, Crane, Ind.; Ft. Campbell, Hopkinsville, Ft. Knox, Ft. Knox, Ky.; Aberdeen Proving Ground, Aberdeen, Edgewood Arsenal, Edgewood, Ft. Detrick, Frederick, Ft. Holabird, Baltimore, Ft. George Meade, Laurel, Ft. Richie, Cascade, Naval Academy, Annapolis, Naval Air Station, Patuxent River, Naval Training Center, Bainbridge, Md.;

Ft. Devens, Ayer, Hanscom Field, Bedford, Otis Air Force Base, Falmouth, Westover Air Force Base, Springfield, Mass.; Kincheloe Air Force Base, Kinross, K. I. Sawyer Air Force Base, Gwinn, Selfridge Air Force Base, Mt. Clemens, Wurtsmith Air Force Base, Oscoda, Mich.; Duluth International Airport, Duluth, Minn.; Columbus Air Force Base, Columbus, Naval Air Station, Meridian, Miss.; Ft. Leonard Wood, Waynesville, Whiteman Air Force Base, Knob Noster, Mo.; Pease Air Force Base, Portsmouth, N.H.; Ft. Dix, Wrightstown, Ft. Monmouth, Oceanport, McGuire Air Force Base, Wrightstown, Naval Air Station, Lakehurst, N.J.; Camp Drum, Watertown, Ft. Hamilton, Brooklyn, U.S. Coast Guard, Governor's Island, Griffiss Air Force Base, Rome, Hancock Field, Syracuse, Plattsburgh Air Force Base, Plattsburg, St. Albans Naval Hospital, St. Albans, Seneca Army Depot, Romulus, Stewart Air Force Base, Newburgh, West Point Academy, West Point, N.Y.; Lockburne Air Force Base, Columbus, Wright-Patterson Air Force Base, Dayton, Ohio; Army War College, Carlisle Barracks, Carlisle, Pa. Cameron Station, Alexandria, Va.; Dobbins Air Force Base, Marietta, Ga.; Letterkenny Army Depot, Chambersburg, Naval Supply Depot, Philadelphia, New Cumberland Army Depot, New Cumberland, Tobyhanna Army Depot, Tobyhanna, Defense Supply, Mechanicsburg, Valley Forge General Hospital, Phoenixville, Pa.; Charleston Air Force Base, Charleston, Ft. Jackson, Columbia, Marine Corp Air Station, Beaufort, Parris Island Marine Corp Recruit Depot, Parris Island, Myrtle Beach Air Force Base, Myrtle Beach, Naval Base, Charleston, Polaris Missile Center, Charleston, Shaw Air Force Base, Sumter, S.C.; Arnold Air Force Base, Tullahoma, Naval Air Station, Memphis, Tenn.; Ft. Belvoir, Alexandria, Ft. Eustis, Newport News, Ft. Lee, Petersburg, Ft. Monroe, Hampton, Ft. Story, Virginia Beach, Langley Air Force Base, Hampton, Marine Corp Schools, Quantico, Naval Air Station, Virginia Beach, Naval Amphibians Base, Norfolk, Naval Shipyard, Norfolk, Naval Air Station, Norfolk, Naval Weapons Laboratory,

Dahlgren, Naval Weapons Station, Yorktown, Defense General Supply Center, Richmond, Vint Hill Farms Station, Warrenton, Va.; and Camp McCoy, Sparta, Wis. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC 111823 (Sub-No. E25), filed June 4, 1974. Applicant: SHERWOOD VAN LINES, INC., 4322 Milling Road, San Antonio, Tex. 78219. 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: *Household goods*, as defined by the Commission, between Edwards Air Force Base, Mojave, Calif., on the one hand, and, on the other, Craig Air Force Base, Selma, Ft. McClellan, Anniston, Ft. Rucker, Ozark, Gunter Air Force Base, Montgomery, Maxwell Air Force Base, Montgomery, Redstone Arsenal, Huntsville, Ala.; Blytheville Air Force Base, Blytheville, Ark.; Naval Sub Base, Groton, Conn.; Andrews Air Force Base, Bolling Air Force Base, Ft. Myer, Ft. McNair, Walter Reed Army Medical Center, National Naval Medical Center, Naval Station, District of Columbia; Eglin Air Force Base, Valpariso, Homestead Air Force Base, Homestead, McDill Air Force Base, Tampa, McCoy Air Force Base, Orlando, Cecil Field Air Force Base, Jacksonville, Naval Air Station, Jacksonville, Naval Air Station, Pensacola, Naval Air Station, Mayport, Naval Air Station, Milton, Naval Air Station, Key West, Naval Training Center, Orlando, Patrick Air Force Base, Cocoa Beach, Tyndall Air Force Base, Panama City, Fla.; Atlanta Army Depot, Atlanta, Ft. Benning, Columbus, Ft. Gordon, Augusta, Ft. McPherson, Atlanta, Ft. Stewart, Hinesville, Hunter Army Airfield, Savannah, Marine Corp Supply Center, Albany, Moody Air Force Base, Valdosta, Naval Air Station, Albany, Naval Air Station, Glynco, Robins Air Force Base, Warner Robins, Ga.; Chanute Air Force Base, Rantoul, Ft. Sheridan, Highland Park, Joliet Army Ammunition Depot, Joliet, Savanna Army Depot, Savanna, Naval Air Station, Glenview, Great Lakes Naval Training Center, Great Lakes, Scott Air Force Base, Belleville, Ill.;

Grissom Air Force Base, Peru, Ft. Benjamin Harrison, Indianapolis, Naval Ammunition Depot, Crane, Ind.; Ft. Campbell, Hopkinsville, Ft. Knox, Ft. Knox, Ky.; Aberdeen Proving Ground, Aberdeen, Edgewood Arsenal, Edgewood, Ft. Detrick, Frederick, Ft. Holabird, Baltimore, Ft. George Meade, Laurel, Ft. Ritchie, Cascase, Naval Academy, Annapolis, Naval Air Station, Patuxent River, Naval Training Center, Bainbridge, Md.; Ft. Devens, Ayer, Hanscom Field, Bedford, Otis Air Force Base, Falmouth, Westover Air Force Base, Springville, Mass.; Kincheloe Air Force Base, Sault Ste. Marie, Mich. K. I. Sawyer Air Force Base, Gwinn, Selfridge Air Force Base, Mt. Clemens, Wurtsmith Air Force Base, Oscoda, Mich.; Columbus Air Force Base, Columbus, Naval Air Station, Meridian, Miss.; Ft. Leonard Wood, Waynesville, Mo.; Pease Air Force Base, Portsmouth, N.H.; Ft. Dix, Wrightstown, Ft. Monmouth, Oceanport, McGuire Air Force Base, Wrightstown, Naval Air Station, Lakehurst, N.J.; Camp Drum, Watertown, Ft. Hamilton, Brooklyn, US Coast Guard, Governor's Island, Griffiss Air Force Base, Rome, Hancock Field, Syracuse, Plattsburg Air Force Base, Plattsburg, Naval Hospital, St. Albans, Seneca Army Depot, Romulus, Stewart Air Force Base, Newburgh, West Point Academy, West Point, N.Y.; Lockbourne Air Force Base, Columbus, Wright-Patterson Air Force Base, Dayton, Ohio; Army War College Carlisle Barracks, Carlisle, Pa.; Cameron Station, Alexandria, Va.; Dobbins Air Force Base, Marietta, Ga.;

Letterkenny Army Depot, Chambersburg, Naval Supply Depot, Philadelphia, New Cumberland Army Depot, New Cumberland, Tobyhanna Army Depot, Tobyhanna, Defense Activities, Mechanicsburg, Valley Forge General Hospital, Phoenixville, Pa.; Charleston Air Force Base, Charleston, Ft. Jackson, Columbia, Marine Corp Air Station, Beaufort, Marine Corp Recruit Depot, Parris Island, Myrtle Beach Air Force Base, Myrtle Beach, Charleston Naval Base, Charleston, Polaris Missile Center, Charleston, Shaw Air Force Base, Sumter, S.C.; Arnold Air Force Base, Tullahoma, Naval Air Station, Memphis, Tenn.; Ft. Belvoir, Alexandria, Ft. Eustis, Newport News, Ft. Lee, Petersburg, Ft. Monroe, Hampton, Ft. Story, Virginia Beach, Langley Air Force Base, Hampton, Marine Corp School, Quantico, Naval Air Station, Virginia Beach, Naval Amphibians Base, Norfolk, Naval Shipyard, Norfolk, Naval Air Station, Norfolk, Naval Weapons Laboratory Dahlgren, Naval Weapons Station, Yorktown, Va., Defense Supply Center, Richmond, and Vint Hill Farms Station, Warrenton, Va. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC 111823 (Sub-No. E26), filed June 4, 1974. Applicant: SHERWOOD VAN LINES, INC., 4322 Milling Road, San Antonio, Tex. 78219. 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: *Household goods*, as defined by the Commission, between Long Beach (Santa Ana), Calif., on the one hand, and, on the other, Craig Air Force Base, Selma, Fort McClellan, Anniston, Fort Rucker, Ozard, Gunter Air Force Base, Montgomery, Maxwell Air Force Base, Montgomery, Redstone Arsenal, Huntsville, Ala.; Blytheville Air Force Base, Blytheville, Ark.; Naval Sub Base, Groton, Conn.; Andrews Air Force Base, Bolling Air Force Base, Cameron Station, Fort Myer, Ft. McNair, Walter Reed Army Hospital, National Naval Medical Center, Naval Station, District of Columbia; Eglin Air Force Base, Valpariso, Homestead Air Force Base, Homestead, McDill Air Force Base, Tampa, McCoy, Air Force Base, Orlando, Naval Air Station Cecil Field, Jacksonville, Naval Air Station, Jacksonville, Naval Air Station, Pensacola, Naval Station, Mayport, Naval Air Station Whiting Field, Milton, Naval Supply Center, Key West, Naval Training Center, Orlando, Patrick Air Force Base, Cocoa Beach, Tyndall Air Force Base, Panama City, Fla.; Atlanta Army Depot, Forrest Park, Ft. Benning, Columbus, Ft. Gordon, Augusta, Ft. McPherson, Atlanta, Ft. Steuart, Hinsdale, Hunter Air Force Base, Savannah, Marine Corp Supply Center, Albany, Dobbins Air Force Base, Marietta, Moody Air Force Base, Valdosta, Naval Air Station, Albany, Naval Air Station, Glynco, Warner Robins Air Force Base, Warner Robins, Ga.; Chanute Air Force Base, Rantoul, Ft. Sheridan, Highland Park, Joliet Army Depot, Joliet, Savanna Army Depot, Savanna, Naval Air Station, Glenview, Naval Training Center, Great Lakes, Scott Air Force Base, Belleville, Ill.; Grissom Air Force Base, Peru, Ft. Benjamin Harrison, Indianapolis, Naval Ammunition Depot, Crane, Ind.;

Ft. Campbell, Hopkinsville, Ft. Knox, Ft. Knox, Ky.; Aberdeen, Proving Ground, Aberdeen, Edgewood Arsenal, Edgewood, Ft. Detrick, Frederick, Ft. Holabird, Baltimore, Ft. George Meade, Laurel, Ft. Ritchie, Cascade, Naval Air Station, Patuxent River, Naval Air, Annapolis, Naval Training Center, Bainbridge, Md.; Ft. Devens, Ayer, L. G. Hanscom Field, Bedford, Otis Air Force Base, Falmouth, Westover Air Force Base, Springfield, Mass.; Kincheloe Air Force Base, Sault Ste. Marie, K. I. Sawyer Air Force Base, Gwinn, Selfridge Air Force Base, Mt. Clemens, Wurtsmith Air Force Base, Oscoda, Mich.; Duluth International Airport, Minn.; Columbus Air Force Base, Naval Air Station, Meridian, Miss.; Ft. Leonard Wood, Waynesville, Mo.; Pease Air Force Base, Portsmouth, N.H.; Ft. Dix, Wrightstown, Ft. Monmouth, Oceanport, McGuire Air Force Base, Wrightstown, Naval Air Station, Lakehurst, N.J.; Camp Drum, Watertown, Ft. Hamilton, Brooklyn, Naval Supply Center, Governor's Island, Griffiss Air Force Base, Rome, Hancock Field, Syracuse, Plattsburg Air Force Base, Plattsburg, Naval Hospital, St. Albans, Seneca Army Depot, Romulus, Steart Field, Newburgh, U.S. Military Academy, West Point, N.Y.; Lockbourne Air Force Base, Columbus, and Wright-Patterson Air Force Base, Dayton, Ohio; Carlisle Barracks Army War College, Carlisle, Letterkenny Army Depot, Chambersburg, Naval Base, Philadelphia, New Cumberland Army Depot, New Cumberland, Tobeyhanna Army Depot, Tobeyhanna, Defense Activities, Mechanicsburg, Valley Forge General Hospital, Phoenixville, Pa.; Charleston Air Force Base, Charleston, Ft. Jackson, Columbia, Marine Corp Air Station, Beaufort, Marine Corp Recruit Depot, Parris Island, Myrtle Beach Air Force Base, Myrtle Beach, Naval Base, Charleston, Polaris Missile Facility, Charleston, Shaw Air Force Base, Sumter, S.C.; Arnold Air Force Base, Tullahoma, Naval Air Station, Memphis, Tenn.; Ft. Belvoir, Alexandria, Ft. Eustis, Newport News, Ft. Lee, Petersburg, Ft. Monroe, Hampton, Ft. Story, Virginia Beach, Langley Air Force Base, Hamp-

ton, Marine Corp, Quantico, Naval Air Station, Oceana, Naval Amphibians Base, Norfolk, Naval Shipyard, Portsmouth, Naval Station, Norfolk, Naval Weapons Laboratory, Dahlgren, Naval Weapons Station, Yorktown, Defense Supply Center, Richmond, and Vint Hill Farms Station, Warrenton, Va.; and Camp McCoy, Sparta, Wis. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC 111823 (Sub-No. E106), filed June 4, 1974. Applicant: SHERWOOD VAN LINES, INC., 4322 Milling Road, San Antonio, Tex. 78219. 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: *Household goods*, as defined by the Commission, between England Air Force Base, Alexandria, La., and Fort Polk, Leesville, La., on the one hand, and, on the other, Naval Submarine Base New London, Groton, Conn.; Pentagon, Arlington Hall Station, Henderson Hall, and Navy Security Station, D.C.; Andrews Air Force Base, Camp Springs, Md.; Bolling Air Force Base, D.C.; Fort Myer, Arlington, Va.; Fort McNair, D.C.; Cameron Station, Alexandria, Va.; Walter Reed Army Medical Center, D.C.; National Naval Medical Center, Bethesda, Md., Naval Station, D.C.; Chanute Air Force Base, Rantoul, Ill.; Fort Sheridan Highland Park, Ill.; Joliet Army Ammunition Depot, Joliet, Ill.; Savanna Army Depot, Savanna, Ill.; Naval Air Station, Glenview, Ill.; Naval Training Center, Great Lakes, Ill.; Scott Air Force Base, Belleville, Ill.; Grissom Air Force Base, Peru, Ind.; Fort Benjamin Harrison, Indianapolis, Ind.; Naval Ammunition Depot, Crane, Ind.; Fort Knox, Fort Knox, Ky.; Aberdeen Proving Ground, Aberdeen, Md.; Edgewood Arsenal, Edgewood Arsenal, Md.; Fort Detrick, Frederick, Md.; Fort Holabird, Baltimore, Md.; Fort George Meade, Laurel, Md.; Fort Ritchie, Cascade, Md.; Naval Air Station Patuxent, Patuxent River, Md.; Naval Academy, Annapolis, Md.; Naval Training Center, Bainbridge, Md.; Fort Devens, Ayer, Mass.; Naval Air Station, South Weymouth, Mass.; L. G. Hanscom Field, Bedford, Mass.; Otis Air Force Base, Falmouth (Cape Cod), Mass.; Westover Air Force Base, Springfield, Mass.; Kincheloe Air Force Base, Sault Ste. Marie, Mich.; K. I. Sawyer Air Force Base, Gwinn, Mich.; Selfridge Air National Guard Base, Mount Clemens, Mich.; Wurtsmith Air Force Base, Oscoda, Mich.; Duluth International Airport, Duluth, Minn.; Offutt Air Force Base, Omaha, Nebr.; Pease Air Force Base, Portsmouth, N.H.; Fort Dix, Wrightstown, N.J.;

Naval Air Station, Lakehurst, N.J.; Camp Drum, Watertown, N.Y.; Fort Hamilton, Brooklyn, N.Y.; Fort Wadsworth, Staten Island, N.Y.; U.S. Coast Guard Base, Governor's Island (New York City), N.Y.; Griffis Air Force Base, Rome, N.Y.; Hancock Field, Syracuse, N.Y.; Plattsburg Air Force Base, Plattsburg, N.Y.; Naval Hospital, Saint Albans, N.Y.; Seneca Army Depot, Romulus, N.Y.; Stewart Field, Newburgh, N.Y.; U.S. Military Academy, West Point, N.Y.; Grand Forks Air Force Base, Emerado, N. Dak.; Minot Air Force Base, Minot, N. Dak.; Lockbourne Air Force Base, Columbus, Ohio; Wright-Patterson Air Force Base, Dayton, Ohio; Army War College, Carlisle Barracks, Pa.; Letterkenny Army Depot, Chambersburg, Pa.; Naval Base, Philadelphia, Pa.; New Cumberland Army Depot, New Cumberland, Pa.; Tobyhanna Army Depot, Tobyhanna, Pa.; Defense Activities, Mechanicsburg, Pa.; Valley Forge General Hospital, Phoenixville, Pa.; Ellsworth Air Force Base, Rapid City, S. Dak.; Fort Belvoir, Alexandria, Va.; Fort Eustis, Newport News, Va.; Fort Lee, Petersburg, Va.; Fort Monroe, Hampton, Va.; Fort Story, Virginia Beach, Va.; Langley Air Force Base, Hampton, Va.; Marine Corps School, Quantico, Va.; Naval Air Station Oceana, Oceana (Virginia Beach), Va.; Naval Amphibious Base, Little Creek (Norfolk), Va.; Naval Shipyard Norfolk, Portsmouth, Va.; Naval Station, Norfolk, Va.; Naval Weapons Laboratory, Dahlgren, Va.; Naval Weapons Station, Yorktown, Va.; Defense General Supply Center, Richmond, Va.; Vint Hill Farms Station, Warrenton, Va.; and Camp McCoy, Sparta, Wis. The purpose of this filing is to eliminate the gateways of St. Louis, Mo., or Louisville, Ky., or that part of Ohio, Indiana, and Illinois on and north of a line beginning at the Pennsylvania-Ohio State line and extending along U.S. Highway 422 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Missouri State line.

No. MC 111823 (Sub-No. E107), filed June 4, 1974. Applicant: SHERWOOD VAN LINES, INC., 4322 Milling Road, San Antonio, Tex. 78219. 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: *Household goods*, as defined by the Commission, between Barksdale Air Force Base, Shreveport, La., on the one hand, and, on the other, Naval Submarine Base New London, Groton, Conn.; Pentagon, Arlington Hall Station, Henderson Hall, and Navy Security Station, District of Columbia; Andrews Air Force Base, Camp Springs, Md.; Bolling Air Force Base, District of Columbia; Fort Myer, Arlington, Va.; Fort McNair, District of Columbia; Cameron Station, Alexandria, Va.; Walter Reed Army Medical Center, District of Columbia; National Naval Medical Center, Bethesda, Md.; Naval Station, District of Columbia; Chanute Air Force Base, Rantoul, Fort Sheridan, Highland Park, Joliet Army Ammunition Depot, Joliet, Savanna Army Depot, Savanna, Naval Air Station, Glenview, Naval Training Center, Great Lakes, and Scott Air Force Base, Belleville, Ill.; Grissom Air Force Base, Peru, Fort Benjamin Harrison, Indianapolis, and Naval Ammunition Depot, Crane, Ind.; Fort Knox, Fort Knox, Ky.; Aberdeen Proving Ground, Aberdeen, Edgewood, Arsenal, Edgewood Arsenal, Fort Detrick, Frederick, Fort Holabird, Baltimore, Fort George Meade, Laurel, Fort Ritchie, Cascade, Naval Air Station, Patuxent, Patuxent River, Naval Academy, Annapolis, and Naval Training Center, Bainbridge, Md.; Fort Devens, Ayer, Naval Air Station, South Weymouth, L. G. Hanscom Field, Bedford, Otis Air Force Base, Falmouth (Cape Cod), and Westover Air Force Base, Springfield, Mass.; Kincheloe Air Force Base, Sault Ste Marie, K. I. Sawyer Air Force Base, Gwinn, Selfridge Air National Guard Base, Mount Clemens, and Wurtsmouth Air Force Base, Oscoda, Mich.; Duluth International Airport, Duluth, Minn.; Pease Air Force Base, Portsmouth, N.H.;

Fort Dix, Wrightstown, Fort Monmouth, Oceanport, McGuire Air Force Base, Wrightstown, and Naval Air Station, Lakehurst, N.J.; Camp Drum, Watertown, Fort Hamilton, Brooklyn, Fort Wadsworth, Staten Island, U.S. Coast Guard Base, Governor's Island (New York City), Griffiss Air Force Base Rome, Hancock Field, Syracuse, Plattsburg Air Force Base, Plattsburg, Naval Hospital, Saint Albans, Seneca Army Depot, Romulus, Stewart Field, Newburgh, and U.S. Military Academy, West Point, N.Y.; Grand Forks Air Force Base, Emerado, and Minot Air Force Base, Minot, N. Dak.; Lockbourne Air Force Base, Columbus, and Wright-Patterson Air Force Base, Dayton, Ohio; Army War College, Carlisle Barracks, Letterkenny Army Depot, Chambersburg, Naval Base, Philadelphia, New Cumberland Army Depot, New Cumberland, Tobyhanna Army Depot, Tobyhanna, Defense Activities, Mechanicsburg, and Valley Forge General Hospital, Phoenixville, Pa.; Ellsworth Air Force Base, Rapid City, S. Dak.; Fort Belvoir, Alexandria, Fort Eustis, Newport News, Fort Lee, Petersburg, Fort Monroe, Hampton, Fort Story, Virginia Beach, Langley Air Force Base, Hampton, Marine Corps School, Quantico, Naval Air Station, Oceana (Virginia Beach), Naval Amphibious Base, Little Creek (Norfolk), Naval Shipyard Norfolk, Portsmouth, Naval Station, Norfolk, Naval Weapons Laboratory, Dahlgren, Naval Weapons Station, Yorktown, Defense General Supply Center, Richmond, and Vint Hill Farms Station, Warrenton, Va.; and Camp McCoy, Sparta, Wis.

The purpose of this filing is to eliminate the gateway of St. Louis, Mo., or Louisville, Ky., or that part of Ohio, Indiana, and Illinois on and north of a line beginning at the Pennsylvania-Ohio State line extending along U.S. Highway 422 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 40, thence along U.S. Highway 40 to Springfield, Ohio, thence along Ohio Highway 440 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Missouri State line.

No. MC 113843 (Sub-No. E665), filed May 14, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer St., Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils

(same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods;* (1) between Detroit, Mich., on the one hand, and, on the other, those points in Pennsylvania on, north, and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction U.S. Highway 6, thence along U.S. Highway 6 to Wellsboro, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction Pennsylvania Highway 44, thence along Pennsylvania Highway 44 to junction Pennsylvania Highway 664, thence along Pennsylvania Highway 664 to Lock Haven, thence along U.S. Highway 220 to Williamsport, thence along U.S. Highway 15 to junction Interstate Highway 83, thence along Interstate Highway 83 to the Pennsylvania-Maryland State line; (2) between Benton Harbor, St. Joseph, Coloma, Paw Paw, and Hartford, Mich., on the one hand, and, on the other, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction U.S. Highway 6, thence along U.S. Highway 6 to Wellsboro, thence along New York Highway 287 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Pennsylvania Highway 34, thence along Pennsylvania Highway 34 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 72 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Pennsylvania Highway 10, thence along Pennsylvania Highway 10 to the Pennsylvania-Maryland State line;

(3) Between Grand Rapids, Mich., on the one hand, and, on the other, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction U.S. Highway 6, thence along U.S. Highway 6 to Wellsboro, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction Pennsylvania Highway 44, thence along Pennsylvania Highway 44 to junction Pennsylvania Highway 664, thence along Pennsylvania Highway 664 to Lock Haven, thence along U.S. Highway 220 to Williamsport, thence along U.S. Highway 15 to junction Interstate Highway 83, thence along Interstate Highway 83 to the Pennsylvania-Maryland State line; (4) between Frankfort and Traverse City, Mich., on the one hand, and, on the other, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line and extending along U.S. Business Route 15 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 22, thence along U.S. Highway 22 to Lewistown, thence along U.S. Highway 522 to junction Pennsylvania Highway 235, thence along Pennsylvania Highway 235 to junction Pennsylvania Highway 45, thence along Pennsylvania Highway 45 to junction Pennsylvania Highway 445, thence along Pennsylvania Highway 445 to junction Pennsylvania Highway 64, thence along Pennsylvania Highway 64 to junction Pennsylvania Highway 120, thence along Pennsylvania Highway 120 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line; (5) between those points in Michigan on, north, and west of a line beginning at Lake Michigan and extending along U.S. Highway 31 to junction Michigan Highway 55, thence along Michigan Highway 55 to Cadillac, thence along U.S. Highway 131 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Straits of Mackinac, on the one hand, and, on the other, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction Interstate Highway 83, thence along Interstate Highway 83 to the Pennsylvania-Maryland State line;

(6) Between those points in Michigan on and north of Interstate Highway 96, on the one hand, and, on the other, those points in Pennsylvania on, north, and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction U.S. Highway 6, thence along U.S. Highway 6 to Wellsboro, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414, to junction Pennsylvania Highway 44, thence along Pennsylvania Highway 44 to junction Pensylvania Highway 664 thence along Pennsylvania Highway 664 to Lock Haven, thence along U.S. Highway 220 to Williamsport, thence along U.S. Highway 15 to junction Interstate Highway 83, thence along Interstate Highway 83 to the Pennsylvania-Maryland State line; (7) between Holland, Mich., on the one hand, and, on the other, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction U.S. Highway 6, thence along U.S. Highway 6 to Wellsboro, thence along U.S. Highway 287 to Morris, thence along Pennsylvania Highway 414 to Liberty, thence along U.S. Highway 15 to a point one mile west of Millersburg, Pa., thence along U.S. Highway 209 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 72 to junction Pennsylvania Highway 283, thence along Pennsylvania Highway 283 to Lancaster, thence along Pennsylvania Highway 272 to the Pennsylvania-Maryland State line;

(8) Between points in Michigan, on the one hand, and, on the other, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 6 to Wellsboro, thence along Pennsylvania Highway 287 to Morris, thence along Pennsylvania Highway 414 to Towanda, Pa., thence along U.S. Highway 220 to junction Pennsylvania Highway 487, thence along Pennsylvania Highway 487 to Calawissa, thence along Pennsylvania Highway 42 to Ashland, thence along Pennsylvania Highway 924 to Frackville, thence along Pennsylvania Highway 61 to Reading, thence along U.S. Highway 422 to the New Jersey-Pennsylvania State line; and (9) between those points in Michigan on and north of a line beginning at Lake Michigan and extending along Michigan Highway 43 to Kalamazoo, thence along Interstate Highway 94 to the Detroit River, on the one hand, and, on the other, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 15 to junction U.S. Highway 6, thence along U.S. Highway 6 to Wellsboro, thence along U.S. Highway 287 to Morris, thence along Pennsylvania Highway 414 to Liberty, thence along U.S. Highway 15 to a point one mile west of Millersburg, thence along U.S. Highway 209 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction Pennsylvania Highway 72, thence along Pennsylvania Highway 72 to junction Pennsylvania Highway 283, thence along Pennsylvania Highway 283 to Lancaster, thence along Pennsylvania Highway 272 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113908 (Sub-E176), filed December 5, 1974. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180 Glenstone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from St. Paul, Minn., to points in Texas, Arkansas, Louisiana, Mississippi, and those in Oklahoma on and east of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of Nixa, Mo.

No. MC 113908 (Sub-E178), filed December 5, 1974. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180 Glenstone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Auhority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from St. Paul, Minn., to points in Arkansas and those in Oklahoma on and east of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of Marionville, Mo.

No. MC 113908 (Sub-E234), filed December 5, 1974. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180, Glenstone Station, Springfield, Mo.

65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Kansas City, Marionville, Nixa, and Springfield, Mo., to points in Texas south of a line beginning at the New Mexico-Texas State line and extending along an unnumbered highway to Bovina, Tex., to junction Texas Highway 86 to the Red River to the Texas-Arkansas State line. The purpose of this filing is to eliminate the gateway of Rogers, Ark.

No. MC 113908 (Sub-E240), filed December 5, 1974. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180, Glenstone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Oklahoma City, Okla., to points in Illinois, Iowa, Nebraska, and those in Colorado north of U.S. Highway 30 or west of a line beginning at the Colorado-Nebraska State line and extending along Colorado Highway 71 to junction U.S. Highway 350 to junction Interstate Highway 25 to the Colorado-New Mexico State line. The purpose of this filing is to eliminate the gateway of Wichita, Kans.

No. MC 113908 (Sub-No. E316), filed December 5, 1974. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180, Glenstone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar and vinegar stock*, in bulk, in tank vehicles, from points in the Lower Peninsula of Michigan to Delta, Colo., Dallas, Houston, and Paris, Tex. The purpose of this filing is to eliminate the gateway of Oklahoma City, Okla.

No. MC 113908 (Sub-No. E320), filed December 5, 1974. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180, Glenstone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar and vinegar stock*, in bulk, in tank vehicles, from Hutchinson and Wichita, Kans., to points in Maryland, New York, Pennsylvania, and those in Ohio on and east of U.S. Highway 23 or on and north of U.S. Highway 33. The purpose of this filing is to eliminate the gateway of Belding, Mich.

No. MC 113908 (Sub-No. E359), filed December 5, 1974. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180, Glenstone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Chicago, Ill., to points in Oklahoma and those in Arkansas on and west of a line beginning at the Arkansas-Missouri State line, and extending along U.S. Highway 63 to junction U.S. Highway 167 to the Arkansas-Louisiana State line. The purpose of this filing is to eliminate the gateway of Marionville, Mo.

No. MC 114457 (Sub-No. E156), filed May 15, 1974. Applicant: DART TRANSIT CO., 780 N. 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: *Canned goods*, from points in Wisconsin in and north of Trempealeau, Jackson, Wood, Portage, Waupaca, Outagamie, Brown, and Kewaunee Counties, to points in Kansas in and west of Nemaha, Jeackson, Shawnee, Wabaunsee, Lyon, Greenwood, Elk, and Chautauqua Counties. The purpose of this filing is to eliminate the gateway of Chanhassen, Minn.

No. MC 114457 (Sub-No. E157), filed May 15, 1974. Applicant: DART TRANSIT CO., 780 N. 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: *Metal containers* and *container ends, accessories* and *materials* and *supplies* used by a canning factory, from points in Wisconsin (except points in Grant, Iowa, Lafayette, Green, Rock and Walworth Counties), to points in Colorado (except points in Sedgewick, Phillips, Yuma, Logan, and Washington Counties). The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC-115554 (Sub-No. E9), filed June 4, 1974. Applicant: SCOTTS TRANSPORTATION SERVICE, INC., P.O. Box 1634, Des Moines, Iowa 50306. Applicant's representative: James R. Madler, 1255 N. Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerators, refrigeration, cooling, heating and electrical equipment, appliances, and parts, materials, and supplies*, used in the manufacture, repair, and distribution of such commodities, (1) between points in Ohio on and north of a line beginning at the Ohio-Indiana State line extending along U.S. Highway 24 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Ohio Highway 18, thence along Ohio Highway 18 to junction Ohio Highway 21, thence along Ohio Highway 21 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction Ohio Highway 8, thence along Ohio Highway 8 to junction Interstate Highway 271, thence along Interstate Highway 271 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction Ohio-Pennsylvania State line, on the one hand, and, on the other, points in Arkansas on and west of a line beginning at the Missouri-Arkansas State line extending along U.S. Highway 62 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 271, thence along U.S. Highway 271 to the Arkansas-Oklahoma State line;

(2) Between points in Ohio on, north, and east of a line beginning at the Ohio-Indiana State line extending along U.S. Highway 24 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Ohio Highway 13, thence along Ohio Highway 13 to junction Ohio Highway 430, thence along Ohio Highway 430 to junction Interstate Highway 71, thence along Interstate Highway 71 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Pennsylvania State line, on the one hand, and, on the other, points in Arkansas west and north of a line beginning at the Arkansas-Missouri State line extending along Arkansas Highway 59 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 271, thence along U.S. Highway 271 to the Arkansas-Oklahoma State line; (3) between points in Ohio on and north of a line beginning at the Ohio-West Virginia State line (Steubenville), extending along U.S. Highway 22 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Ohio Highway 13, thence along Ohio Highway 13 to junction Ohio Highway 95, thence along Ohio Highway 95 to junction Ohio Highway 739, thence along Ohio Highway 739 to junction Ohio Highway 47, thence along Ohio Highway 47 to junction Ohio Highway 235, thence along Ohio Highway 235 to junction Ohio Highway 117, thence along Ohio Highway 117 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Indiana State line, on the one hand, and, on the other, points in Missouri on, west, and north of a line beginning at the Missouri-Iowa State line extending along U.S. Highway 65 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Missouri-Kansas State line; and

(4) Between points in Ohio on and north of a line beginning at the Ohio-Pennsylvania State line extending along U.S. Highway 30 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Indiana State line, on the one hand, and, on the other, points in Missouri on and west of a line beginning at the Missouri-Iowa State line, extending along U.S. Highway 65 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Missouri-Kansas State line. The purpose of this filing is to eliminate the gateway of Amana, Iowa.

No. MC 115554 (Sub-No. E15), filed June 4, 1974. Applicant: SCOTT'S TRANSPORTATION SERVICE, INC.,

P.O. Box 1634, Des Moines, Iowa 50306. Applicant's representative: James R. Madler, 1255 N. Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerators, refrigeration, cooling, heating and electrical equipment, appliances and parts materials and supplies*, used in the manufacture, repair, and distribution of such commodities, (1) between points in Illinois on and north of a line beginning at the Iowa-Illinois State line extending along Illinois Highway 2 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Illinois Highway 176, thence along Illinois Highway 176 to Lake Michigan, on the one hand, and, on the other, points in Louisiana on and south of Interstate Highway 20; (2) between points in Illinois on and north of a line beginning at the Iowa-Illinois State line extending along Illinois Highway 2 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Illinois Highway 56, thence along Illinois Highway 56 to junction Illinois Highway 5, thence along Illinois Highway 5 (East-West Tollway) to junction Interstate Highway 90 to Chicago, on the one hand, and, on the other, points in Louisiana west of a line beginning at the Louisiana-Arkansas State line extending along Louisiana Highway 159 to junction Louisiana Highway 7, thence along Louisiana Highway 7 to junction Louisiana Highway 1, thence along Louisiana Highway 1 to junction Louisiana Highway 6, thence along Louisiana Highway 6 to junction Louisiana Highway 117, thence along Louisiana Highway 117 to junction U.S. Highway 171, thence along U.S. Highway 171 to junction Louisiana Highway 14, thence along Louisiana Highway 14 to junction Louisiana Highway 27, thence along Louisiana Highway 27 to the Gulf of Mexico;

(3) Between points in Illinois on and north of Illinois Highway 2, on the one hand, and, on the other, points in Louisiana; (4) between points in Illinois on and north of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 24 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Iowa-Illinois State line, on the one hand, and, on the other, points in Texas on and west of a line beginning at the Texas-Oklahoma State line extending along U.S. Highway 271 to junction Texas Highway 154, thence along Texas Highway 154 to junction Texas Highway 37, thence along Texas Highway 37 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Texas Highway 146, thence along Texas Highway 146 to the Gulf of Mexico; (5) between points in Illinois on and north of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 34 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Illinois-Iowa State line, on the one hand, and, on the other, points in Texas; (6) between points in Illinois on and north of a line beginning at the Illinois-Iowa State line extending along Interstate Highway 74 to junction Illinois Highway 116, thence along Illinois Highway 116 to junction Illinois Highway 89, thence along Illinois Highway 89 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, on the one hand, and, on the other, points in Oklahoma on and west of a line beginning at the Oklahoma-Kansas State line extending along U.S. Highway 75 to junction Indian Nation Turnpike, thence along Indian Nation Turnpike to junction U.S. Highway 271, thence along U.S. Highway 271 to the Oklahoma-Texas State line;

(7) Between points in Illinois on and north of Interstate Highway 80, on the one hand, and, on the other, points in Oklahoma; (8) between points in Illinois on, east, and north of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 20 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction Illinois Highway 31, thence along Illinois Highway 31 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Illinois Highway 59, thence along Illinois Highway 59 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 113, thence along Illinois Highway 113 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, on the one hand, and, on the other, points in Kansas, on, north, and east of a line beginning at the Nebraska-Kansas State line extending along U.S. Highway 75 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Kansas Highway 68, thence along Kansas Highway 68 to the Missouri-Kansas State line; (9) between points in Illinois on and north of a line beginning at the Illinois-Iowa State line extending along Illinois Highway 17 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 34, thence along U.S. Highway 34 to Illinois Highway 17, thence along Illinois Highway 17 to U.S. Highway 66, thence along U.S. Highway 66 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Indiana State line, on the one hand, and, on the other, points in Kansas on, west, and south of a line beginning at the Nebraska-Kansas State line extending along U.S. Highway 75 to junction Kansas Highway 47, thence along Kansas Highway 47 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Kansas Highway 57, thence along Kansas Highway 57 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction U.S. Highway 160, thence along U.S. Highway 160 to the Missouri-Kansas State line;

(10) Between points in Illinois on and north of U.S. Highway 30, on the one hand, and, on the other, points in Missouri on, west, and north of a line beginning at the Iowa-Missouri State line extending along U.S. Highway 63 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Kansas-Missouri State line; (11) between points in Illinois on, west, and north of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 30 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction Illinois Highway 64, thence along Illinois Highway 64 to junction Illinois Highway 72, thence along Illinois Highway 72 to Illinois Highway 2, thence along Illinois Highway 2 to the Illinois-Wisconsin State line, on the one hand, and, on the other, points in Missouri on and west of U.S. Highway 63; (12) between points in Illinois on and north of a line beginning at Lake Michigan extending along Illinois Highway 38 to junction Illinois Highway 2, thence along Illinois Highway 2 to the Iowa-Illinois State line, on the one hand, and, on the other, (a) points in Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line extending along U.S. Highway 271 to junction U.S. Highway 72, thence along U.S. Highway 72 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Missouri-Arkansas State line, and

(b) Points in Arkansas on and west of U.S. Highway 71; (13) between points in Illinois on and north of a line beginning at the Illinois-Indiana State line extending along Faithorn Road (Will County) to junction Illinois Highway 1, thence along Illinois Highway 1 to junction Exchange St. (Will County), thence on Western Avenue (Cook County) to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Illinois-Iowa State line, on the one hand, and, on the other, points in Arkansas on and west of a line beginning at the Missouri-Arkansas State line extending along Arkansas Highway 59 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 271, thence along U.S. Highway 271 to the Arkansas-Oklahoma State line; (14) (a) between points in Illinois on and north of Illinois Highway 2, on the one hand, and, on the other, points in Arkansas on and west of a line beginning at the Missouri-Arkansas State line extending along U.S. Highway 167 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Arkansas-Mississippi State line, and (b) between East Dubuque, Ill., on the one hand, and, on the other, points in Arkansas; and (15) between points in Illinois on and north of a line beginning at Lake Michigan extending along Illinois Highway 120 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Illinois Highway 176, thence along Illinois Highway 176 to junction Illinois Highway 23, thence along Illinois Highway 23 to junction Illinois Highway 38, thence along Illinois Highway 38 to the Illinois-Iowa State line, on the one hand, and, on the other, points in Arkansas on, west, and south of a line

beginning at the Arkansas-Oklahoma State line extending along Interstate Highway 40 to junction U.S. Highway 167, thence along U.S. Highway 167 to the Arkansas-Louisiana State line. The purpose of this filing is to eliminate the gateway of Amana, Iowa.

No. MC 115840 (Sub-No. E95), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies* (except in bulk) used in the operation, production, processing, or transportation of iron and steel articles, cranes, and hoppers, elevators, conveyors, dust collectors, and meter boxes, which are valves, hydrants, fittings, components, parts, and accessories, (1) from points in Alabama on and west of Interstate Highway 65 to points in North Carolina and South Carolina and points in that part of Georgia on and north of U.S. Highway 78 and Interstate Highway 20; (2) from points in Alabama on and north of U.S. Highway 78 and Interstate Highway 20 to points in Florida and points in that part of Georgia on and south of U.S. Highway 80; (3) from points in Alabama on and south of U.S. Highway 78 to points in Kentucky; (4) from points in that part of Alabama on and east of a line beginning at Interstate Highway 65 to junction Interstate Highway 85, thence along Interstate Highway 85 to the Alabama-Georgia State line, to points in Oklahoma and Arkansas; (5) from those points in Alabama on and south of Interstate Highway 20 to points in Tennessee on and east of Interstate Highway 65 (including Davidson County, Tenn.); (6) from those points in Alabama beginning at the Alabama-Georgia State line on and north of Interstate Highway 20 to its intersection with U.S. Highway 231, thence along U.S. Highway 231 to junction Interstate Highway 59, thence along Interstate Highway 59 to the Alabama-Georgia State line, to points in Alabama;

(7) From points in that part of Alabama beginning at the Alabama-Georgia State line on and east of Interstate Highway 59 to its intersection with Interstate Highway 65, thence along Interstate Highway 65 to junction Alabama Highway 22, thence along Alabama Highway 22 to the Alabama-Georgia State line to points in Mississippi; (8) from points in that part of Alabama on and south of U.S. Highway 80 to points in Tennessee on and east of Interstate Highway 65 (including Davidson County, Tenn.) *; (9) from points in that part of Alabama beginning at the Alabama-Georgia State line on and south of Interstate Highway 20 to junction Interstate Highway 65 (including Jefferson, Walker, and Shelby Counties), thence along Interstate Highway 65 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Alabama-Florida State line, to points in Tennessee on and west of U.S. Highway 65 (including Davidson County); (10) from points in Florida on and west of U.S. Highway 231 to points in Georgia on and north of U.S. Highway 78 and Interstate Highway 20, and that part of Tennessee on and east of Interstate Highway 65 (including Davidson County), North Carolina and South Carolina; (11) from points in Florida to points in Kentucky, Oklahoma, Arkansas, and that part of Alabama on and north of a line beginning at the Alabama-Georgia State line extending along Interstate Highway 20 to junction Interstate Highway 65 (but including Jefferson County), thence along Interstate Highway 65 to the Alabama-Tennessee State line; (12) from those points in Florida on and east of U.S. Highway 231 to points in Tennessee on and west of Interstate Highway 65 (including Davidson County), and points in that part of Mississippi on and north of U.S. Highway 82;

(13) From points in Florida on and south of Florida Highway 60 (including Tampa, Clearwater, and St. Petersburg) to points in Louisiana on and north of U.S. Highway 190; (14) from points in Arkansas to points in Florida east of U.S. Highway 231, Georgia, North Carolina, South Carolina, and points in that part of Alabama beginning at the Alabama-Georgia State line on and south of U.S. Highway 278 to the junction with Interstate Highway 65, thence along Interstate Highway 65 to junction Alabama Highway 22, thence along Alabama Highway 22 to the Alabama-Georgia State line; (15) from points in Tennessee to points in Alabama on and south of Interstate Highway 20; (16) from points in that part of Tennessee on and east of Interstate Highway 65 (including Davidson County), to points in Mississippi on and south of Interstate Highway 20, and Louisiana; (17) from points in that part of Tennessee on and west of Interstate Highway 65 (including Davidson County), to points in Florida on and east of U.S. Highway 231 and points in that part of Georgia on and south of Interstate Highway 20 and U.S. Highway 78, and points in that part of Alabama beginning at the Alabama-Georgia State line on and south of U.S. Highway 278 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Alabama-Florida State line;

(18) From points in North Carolina and South Carolina, to points in Louisiana, Oklahoma, Mississippi, and points in that part of Arkansas on and south of Interstate Highway 40, and points in that part of Alabama on and south of U.S. Highway 278; (19) from points in that part of Georgia on and south of U.S. Highway 78 and Interstate Highway 20 to points in Arkansas, Kentucky, Oklahoma, and points in Tennessee on and west of Interstate Highway 65 (including Davidson County), and points in that part of Mississippi on and north of U.S. Highway 82; (20) from points in that part of Georgia on and north of Interstate Highway 20 and U.S. Highway 78, to points in Mississippi, Louisiana, Oklahoma, Arkansas, and points in that part of Alabama on and west of Interstate Highway 65; (21) from points in that part of Louisiana on and east of the Mississippi River to points in North Carolina, South Carolina, Kentucky on and east of U.S. Highway 231, Tennessee on and east of Interstate Highway 65 (including Davidson County), and points in that part of Georgia on and north of Interstate Highway 20 and U.S. Highway 78, and points in that part of Alabama on and north of Alabama State Highway 22 beginning at the Alabama-Georgia State line to junction Interstate Highway 65, thence along Interstate Highway 65 to the Alabama-Tennessee State line; (22) from points in Mississippi to points in North Carolina and South Carolina;

(23) From points in Mississippi on and south of Interstate Highway 20 to points in Kentucky on and east of Interstate Highway 65 (including Davidson County), and that part of Georgia on and north of Interstate Highway 20 and U.S. Highway 78; and (24) from points in Mississippi on and north of U.S. Highway 82 to points in Georgia, and points in that part of Florida on and east of Interstate Highway 75. The purpose of this filing is to eliminate the gateway of Anniston, Ala.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-21202 Filed 8-12-75;8:45 am]

[Notice No. 63]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

AUGUST 8, 1975.

The following publications include motor carrier, water carrier, broker, freight forwarder and rail proceedings indexed as follows: (1) grants of authority requiring republication prior to certification; (2) notices of filing of petitions for modification of existing authorities; (3) new operating right's applications directly related to and processed on a consolidated record with finance applications filed under Sections 5(2) and 212(b); (4) notices of filing of Sections 5(2) and 210a(b) finance applications; and (5) notices of filing of Section 212(b) transfer applications.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application in compliance with the requirements of 49 C.F.R. § 1100.250.

Protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice (unless otherwise specified). Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest should comply with section 247(d) or section 240(c) as appropriate of the Commission's General Rules of Practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed state-

ment of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and a detailed description of 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 (except for petitions and Finance Dockets under Rule 40 requiring the original and six (6) copies of the protest) shall be filed with the Commission, and a copy shall be served concurrently upon applicant's or petitioner's representative, or applicant or petitioner 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) or section 240(c)(4) of the special rules, and shall include the certification required therein.

No. MC 111812 (Sub-No. 509) (Republication), filed August 26, 1974, and published in the FEDERAL REGISTER issue of September 26, 1974, republished as amended in the FEDERAL REGISTER issue of March 20, 1975, and republished this issue. Applicant: MIDWEST COAST TRANSPORT, INC., 900 West Delaware, P.O. Box 1233, Sioux Falls, S. Dak. 57104. Applicant's representative: Ralph H. Jinks (same address as applicant). An Initial Decision of the Commission, Administrative Law Judge George P. Morin, served June 24, 1975, became the Order of the Commission on July 24, 1975, was served August 1, 1975, and finds that the present and future public convenience and necessity require operation by applicant as a *common carrier*, by motor vehicle, over irregular routes, of *Frozen foods* (except commodities in bulk), from the facilities of Terminal Ice and Cold Storage Co., at Clearfield, Utah, to points in Delaware, Illinois, Indiana, Iowa, Kansas, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to traffic having a prior movement by rail or originating at the facilities of Terminal Ice & Cold Storage Co., at Clearfield, Utah, and destined to points in the named destination States; that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder.

The purpose of this republication is to indicate that Delaware and the District of Columbia have been added to the above destination territory. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in the proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 112822 (Sub-No. 343) (Republication), filed August 8, 1974, and published in the FEDERAL REGISTER issue of September 12, 1974, and republished this issue. Applicant: BRAY LINES INCORPORATED, 1401 North Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same address as applicant). An Initial Decision of the Commission, Administrative Law Judge George P. Morin, served June 24, 1975, became the Order of the Commission on July 24, 1975, was served August 1, 1975, and finds that the present and future public convenience and necessity require operation by applicant as a *common carrier*, by motor vehicle, over irregular routes, of *Frozen foods* (except commodities in bulk, in tank vehicles), (1) from points in Idaho to Clearfield, Utah, and (2) from Clearfield, Utah, to points in Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, restricted in (1) to traffic originating at points in Idaho and to be stored in transit at Clearfield, Utah, and in (2) to traffic either originating at or moving from storage at the warehouse facilities of Terminal Ice & Cold Storage Co., at Clearfield, Utah; that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate that Illinois has been added to the destination territory in (2) above, and to indicate that the restriction pertaining to (2) above has been modified to allow the transportation of traffic moving from storage at the named warehouse facilities.

Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 113388 (Sub-No. 103) (Republication), filed January 16, 1974, and published in the FEDERAL REGISTER issue of February 22, 1974, and republished this issue. Applicant: LESTER C. NEWTON TRUCKING CO., P.O. Box 618, Seaford, Del. 19973. Applicant's representative: Charles Ephraim, 1250 Connecticut Ave., N.W., Washington, D.C. 20036. An Order of the Commission, Review Board Number 3, dated June 6, 1975, and served June 17, 1975, finds, that the public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *frozen poultry, frozen poultry products, and frozen vegetables*, from Presque Isle, Caribou, and Portland, Maine, to points in Delaware, Florida, Georgia, Maryland, New Jersey, New York, North Carolina, Pennsylvania, and South Carolina, and the District of Columbia; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate that points in New Jersey have been added as destination points.

Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in the proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 117119 (Sub-No. 516) (Republication), filed November 11, 1974, and published in the FEDERAL REGISTER issue of December 12, 1974, and republished this issue. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). An Initial Decision of the Commission, Administrative Law Judge George P. Morin, served June 24, 1975, became the Order of the Commission on July 24, 1975, was served August 1, 1975, and finds that the present and future public convenience and necessity require operation by applicant, as a *common carrier* by motor vehicle, over irregular routes, of *Frozen foods* (except in bulk), from the storage facilities of Terminal Ice & Cold Storage Co., at Clearfield, Utah, to points in the United States (except Alaska, California, Hawaii, Idaho, Nevada, Oregon, and Washington), restricted to traffic either originating at or moving from storage at the named facility in Clearfield, Utah; that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder.

The purpose of this republication is to indicate that the restriction in the above authority has been modified to allow the transportation of traffic moving from storage at the named facility.

Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 126939 (Sub-No. 1) Republication), filed October 9, 1973, and published in the FEDERAL REGISTER issue of November 29, 1973, and republished this issue. Applicant: W. GRAY BRAXTON, doing business as W. GRAY BRAXTON TRUCKING CO., P.O. Box 186, Cottondale, Fla. 32431. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, Fla. 32207. A Decision and Order of the Commission, Review Board Number 1, dated July 28, 1975, and served July 31, 1975, finds that the present and future public convenience and necessity require operation in interstate commerce by applicant, as a *common carrier*, by motor vehicle, over irregular routes, of *pallets, shooks, and wood chips*, from Cairo, Ga., to points in Florida; that applicant is fit, willing, and able properly to perform such service, and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate that the commodity description has been broadened to include *wood chips*. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 127185 (Sub-No. 6) (Republication), filed January 27, 1975, and published in the FEDERAL REGISTER issue of February 27, 1975, and republished this issue. Applicant: GATEWAY TRANSFER CO., INC., 1319 Santa Rita Ave., P.O. Box 526, Laredo, Tex. 78040. Applicant's representative: Jerry Prestridge, P.O. Box 1148, Austin, Tex. 78767. An Order of the Commission, Operating Rights Board, dated June 24, 1975 and served July 28, 1975, finds, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *automobile leaf springs*, from ports of entry on the International Boundary line between the United States and Mexico located at or near Eagle Pass, Tex., to Laredo, Tex., restricted to the transportation of traffic originating at points in Mexico; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate that the territorial description has been modified to include Laredo, Tex. as the destination point in lieu of the port of entry on the International Boundary line between the United States and the Republic of Mexico located at or near Eagle Pass, Tex., as originally published. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 133095 (Sub-No. 53) (Republication), filed February 1, 1974, and published in the FEDERAL REGISTER issue of March 14, 1974, and republished this issue. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Charles E. Creager, P.O. Box 1417, Hagerstown, Md. 21740. A Report and Order of the Commission, Review Board Number 3, dated July 16, 1975, and served July 30, 1975, finds, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Swift Fresh Meats Co., at or near Brownwood, Tex., to points in Maine, New Hampshire, Connecticut, Delaware, Maryland, Virginia, West Virginia, Pennsylvania, Massachusetts, Rhode Island, Vermont, New York, and New Jersey, and the District of Columbia, restricted to the transportation of shipments originating at the above-named facilities and destined to the above-named destination points; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate the addition of Pennsylvania as a destination point. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 134387 (Sub-No. 23) (Republication), filed November 18, 1974, and published in the FEDERAL REGISTER issue of December 27, 1974, and republished this issue. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Avenue, South Gate, Calif. 90280. Applicant's representative: David P. Christinnson, 606 South Olive Street, Suite 825, Los Angeles, Calif. 90014. An Order of the Commission, Operating Rights Board, dated July 15, 1975, and served July 31, 1975, finds, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *metal cans and can ends* (from the facilities of Crown Cork & Seal Company, Inc., located in Los Angeles County, Calif., to points in Coconino County, Ariz.; that applicant is fit, willing, and able properly perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate that the correct origin point is located in Los Angeles County, Calif., instead of Orange County, Calif., as originally published. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 136211 (Sub-No. 29) (Republication), filed January 20, 1975, and published in the FEDERAL REGISTER issue of February 20, 1975, and republished this issue. Applicant: MERCHANTS HOME DELIVERY SERVICE, INC., 210 St. Mary's Drive, Suite G, P.O. Box 5067, Oxnard, Calif. 93030. Applicant's representative: Joseph E. Rebman, 1230 Boatmen's Bank Bldg., 314 North Broadway, St. Louis, Mo. 63102. An Order of the Commission, Operating Rights Board, dated July 8, 1975, and served July 21, 1975, finds, that the present and future public convenience and necessity require operation by applicant, in interstate or

foreign commerce, as a *contract carrier*, by motor vehicle, over irregular routes, of (1) *new furniture, new home furnishings, appliances and recreational equipment;* from the facilities of the Levitz Furniture Corporation located at or near Calumet City, Rolling Meadows, and Hillside, Ill., to points in Wisconsin on, south, and east of a line beginning at Lake Michigan at Racine, Wis., and extending westerly along Wisconsin Highway 11 to junction Wisconsin Highway 67, thence south along Wisconsin Highway 67 to junction U.S. Highway 14 to the Wisconsin-Illinois State line; and to points in Indiana on, west, and north of a line beginning at junction Indiana Highway 49 and Lake Michigan, south along Indiana Highway 49 to junction Indiana Highway 14, and thence along Indiana Highway 14 to the Illinois-Indiana State line; and (2) *returned shipments of the commodities* described in (1) above, from points in the destination territories indicated in (1) above, to the facilities of Levitz Furniture Corporation, located at the origin described in (1) above under a continuing contract or contracts with Levitz Furniture Corporation; will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder.

The purpose of this republication is to indicate that the above defined destination territory located in Indiana has been changed to read "on, west, and north" of the indicated line in lieu of "on and east" of the described line, as originally published. Because it is possible that parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 17546 (Notice of filing of petition to modify territorial description), filed July 31, 1975. Petitioner: R. G. DELIVERY SERVICE, INC., 410 13th St., Hoboken, N.J. 07030. Petitioner's representative: Paul J. Keeler, P.O. Box 253, South Plainfield, N.J. 07080. Petitioner holds a motor *contract carrier* permit in No. MC 17546 issued July 25, 1975, authorizing transportation, as pertinent, over irregular routes, of *Such merchandise* as is dealt in by retail shoe stores, and *equipment, materials and supplies* used in the conduct of such business, Between New York and Mount Vernon, N.Y., on the one hand, and, on the other, Philadelphia, Pa., and points in New Jersey within 60 miles of City Hall, New York, N.Y.

By the instant petition, petitioner seeks to modify the territorial description in the above authority so as to read, Between points in the New York, N.Y. Commercial Zone, as defined by the Commission, and White Plains, N.Y., on the one hand, and, on the other, Philadelphia, Pa. and points in New Jersey within 60 miles of City Hall, New York, N.Y. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 24136 (Sub-Nos. 8, 9, 11, 12, 13 and 15G) (Notice of filing of petition to modify commodity descriptions), filed June 23, 1975. Petitioner: HARRISON-SHIELDS TRANSPORTATION LINES, INC. (Hillard Kreimer, Receiver in Bankruptcy), P.O. Box 445, Meadow Lands, Pa. 15347. Petitioner's representative: Harold G. Hernly, Jr., 118 North St. Asaph Street, Alexandria, Va. 22314. Petitioner holds motor *common carrier* certificates in No. MC 24136 (Sub-Nos. 8, 9, 11, 12, 13 and 15G), issued August 30, 1960, July 25, 1963, May 7, 1971, May 9, 1972, March 22, 1973, and February 26, 1975, respectively, authorizing transportation, over irregular routes, in Sub-No. 8, of *Such merchandise* as is dealt in by mail order houses, the business of which is the sale of general commodities, From Pittsburgh, Pa., to points in that part of Pennsylvania on and west of U.S. Highway 15; in Sub-No. 9, of *Such merchandise* as dealt in by mail order houses, the business of which is the sale of general commodities, Between Pittsburgh, Pa., and Rochester, N.Y. restricted to that between warehouses and terminal facilities of Sears, Roebuck and Co., at Pittsburgh, Pa., and warehouses and stores of Sears, Roebuck and Co., at Rochester, N.Y.; in Sub-No. 11, of *Such merchandise* as is dealt in by mail order houses and department stores, the business of which is the sale of general commodities, Between points in Chartiers Township, Pa., on the one hand, and, on the other, points in that part of West Virginia on and north of West Virginia Highway 3; in Sub-No. 12, of *Such merchandise* as is dealt in by mail order houses and department stores the business of which is the sale of general commodities, Between points in Chartiers Township, Pa., on the one hand, and, on the other, points in that part of Ohio, east and south of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 40 to Vandalia,

Thence along U.S. Highway 25 to Findlay, thence along Ohio Highway 12 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 6, thence along U.S. Highway 6 to Sandusky, Ohio; in Sub-No. 13, of *Such merchandise* as is dealt in by mail-order houses and department stores, the business of which is the sale of general commodities, Between points in Chartiers Township, Pa., on the one hand, and, on the other, Auburn, Binghamton, Cortland, Elmira, Geneva, Hornell, Lockport, Olean, Rochester and Syracuse, N.Y., and points in that part of New York on and west of a line beginning at Olcott and extending along New York Highway 78 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 62, thence along U.S. Highway 62 to Hamburg, and thence along U.S. Highway 219 to the New York-Pennsylvania State line and in Sub-No. 15G, of *Such merchandise* as is dealt in by mail order houses and department stores, the business of which is the sale of general commodities, Between points in that part of West Virginia on and north of West Virginia Highway 3; points in that part of Ohio east and south of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 40 to Vandalia, Ohio, thence along U.S. Highway 25 to Findlay, Ohio, thence along Ohio Highway 12 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 6, thence along U.S. Highway 6 to Sandusky, Ohio, points in Auburn, Binghamton, Cortland, Elmira, Geneva, Hornell, Lockport, Olean, Rochester, and Syracuse, N.Y., and points in that part of New York on and west of a line beginning at Olcott, N.Y., and extending along New York Highway 78 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 62, thence along U.S. Highway 62 to Hamburg, N.Y., and

Thence along U.S. Highway 219 to the New York-Pennsylvania State line; points in that part of Maryland on and west of U.S. Highway 11, and points in that part of Pennsylvania south and west of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 422 to junction Pennsylvania Highway 259, thence along Pennsylvania Highway 259 to Brush Valley, Pa., thence along Pennsylvania Highway 56 to Seward, Pa., thence along Pennsylvania Highway 711 to Normalville, Pa., and thence along Pennsylvania Highway 381 to the Pennsylvania-West Virginia State line, including points on the indicated portions of the highways specified. By the instant petition, petitioner seeks to modify the commodity descriptions in the above described authorities so as to read: *General commodities* (except Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission). Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 116763 (Sub-No. 158) (Notice of filing of petition to remove restriction), filed July 30, 1975. Petitioner: CARL SUBLER TRUCKING, INC., P.O. Box 81, North West Street, Versailles, Ohio 45380. Petitioner's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, D.C. 20004. Petitioner holds a motor *common carrier* certificate in No. MC 116763

(Sub-No. 158), issued April 10, 1975, authorizing transportation, over irregular routes, of (1) *Air cleaners, coolers, dehumidifiers, heaters,* and *furnaces,* and (2) *accessories* used in the installation of the items named in (1) above, from Elyria, Ohio, to points in that part of Alabama on and north of U.S. Highway 80, and points in that part of Georgia north of U.S. Highway 80, Jackson and Meridian, Miss., and New Orleans, La., restricted: (a) against the transportation of commodities which because of size or weight require the use of special equipment; and (b) to the transportation of traffic originating at the plant site and storage facilities of The Tappan Company, at Elyria, Ohio. By the instant petition, petitioner seeks to delete the restriction in (b) above from the above described authority. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under Sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 C.F.R. 1.240).

MOTOR CARRIERS OF PROPERTY

APPLICATION FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATION UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE.

No. MC 19311 (Sub-No. 31), filed July 15, 1975. Applicant: CENTRAL TRANSPORT, INC., 34200 Mount Road, Sterling Heights, Mich. Applicant's representative: Leonard R. Kofkin, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Automobile seats and parts thereof,* from points in Michigan within 50 miles of Grand Rapids, Mich., to points in Alabama and Washington. The purpose of this filing is to eliminate a gateway at Grand Rapids, Mich.

(2) *Veneer and plywood,* from Lowville, N.Y., to Litchfield, Mich. The purpose of this filing is to eliminate a gateway at Grand Rapids, Mich.

(3) *Automobile springs,* from Royersford, Pa., to Detroit and Highland, Mich. and points in Michigan within 50 miles of Grand Rapids, Mich. The purpose of this filing is to eliminate a gateway at Grand Rapids, Mich.

(4) *Veneer,* from Chestertown, N.Y., to Litchfield, Mich. The purpose of this filing is to eliminate a gateway at Grand Rapids, Mich.

(5) *Automobile seats,* from Detroit, Mich. and points in Michigan within 50 miles of Grand Rapids, Mich., to St. Louis, Mo. and points in Illinois, Indiana, Maryland, Massachusetts, Minnesota, New Jersey, New York, Ohio, Pennsylvania, West Virginia, Wisconsin and the District of Columbia. The purpose of this filing is to eliminate a gateway at Grand Rapids, Mich.

(6) *Automobile parts,* from the plantsite of Chase Manufacturing Inc. at or near Douglas, Mich., to Toledo, Cleveland, Akron, Mansfield, Columbus and Springfield, Ohio and Coal City, Ill. The purpose of this filing is to eliminate a gateway at Jackson, Mich.

(7) *Farm tractors, and farm equipment* intended for use with tractors and when moving with tractors, between points in Michigan on the one hand, and, on the other, Toledo, Cleveland, Akron, Mansfield, Columbus, and Springfield, Ohio and Coal City, Ill. The purpose of this filing is to eliminate a gateway at Detroit, Mich.

(8) *Automobile parts,* between Grand Rapids, Mich. and points in Michigan within 50 miles of Grand Rapids, Mich., to Toledo, Cleveland, Akron, Mansfield, Columbus and Springfield, Ohio and Coal City, Ill.

The purpose of this filing is to eliminate a gateway at Highland Park, Mich.

NOTE.—Common control may be involved This is a gateway elimination request and is directly related to a Section 5(2) proceeding published in the FEDERAL REGISTER of July 30, 1975. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 42487 (Sub-No. 835), filed April 23, 1975. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Eugene T. Liipfert, Suite 1100, 1660 L Street, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier,* by motor vehicle, over regular and irregular routes, transporting: Regular routes: (A) *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 Charlotte and Raleigh, N.C.: From Charlotte over North Carolina Highway 27 to Carthage, N.C., thence over U.S. Highway 15 to junction U.S. Highway 1, thence over U.S. Highway 1 to Raleigh, and return over the same route; and also on return: From Raleigh over U.S. Highway 15 to Pinehurst, N.C., (and also from Southern Pines over North Carolina Highway 2 to Pinehurst), thence over North Carolina Highway 2 to Candor, N.C., thence over U.S. Highway 220 to Biscoe, N.C., thence over North Carolina Highway 27 to Charlotte, serving the intermediate points of Albemarle, Troy, Biscoe, Carthage, Sanford, Merry Oaks, Vass, Lakeview, Southern Pines, Aberdeen, Pinehurst, West End, Eagle Springs, Samarcand, Candor, Allen and Locust, N.C., and the off-route points of Wadeville, Bonsal, New Hill, Moncure, Apex, Carry, Cameron, Manly, Oakboro, Midland, Norwood, Badin, Mount Gilead, Broadway, Jackson Springs, Pinebluff, Hemp, Jonesboro and Sanatorium, N.C.; (2) Between Sanford and Durham, N.C.: From Sanford over U.S. Highway 15 to Durham, and return over the same route, serving the intermediate points of Pittsboro and Chapel Hill, N.C., and the off-route points of Bynum and Carrboro, N.C.; (3) Between Mocksville and Harmony, N.C.: From Mocksville over U.S. Highway 64 to junction Davie County Road 1306, thence over Davie County Road 1306 to the Iredell County Boundary line, thence over Iredell County Road 2126 to junction North Carolina Highway 901, thence over North Carolina Highway 901 to Harmony, and return over the same route, serving all intermediate points.

(4) Between Harmony and North Wilkesboro, N.C.: From Harmony over North Carolina Highway 901 to junction North Carolina Highway 115, thence over North Carolina Highway 115 to North Wilkesboro, and return over the same route, serving all intermediate points; (5) Between North Wilkesboro, N.C. and junction North Carolina Highway 268 and U.S. Highway 321: From North Wilkesboro over North Carolina Highway 268 to junction U.S. Highway 321, and return over the same route, serving all intermediate points; (6) Between junction U.S. Highway 601 and North Carolina Highway 801, near Cooleemee, N.C. and junction North Carolina Highway 801 and U.S. Highway 158 near Advance, N.C.: From junction U.S. Highway 601 and North Carolina Highway 801 over North Carolina Highway 801 to junction U.S. Highway 158, and return over the same route, serving all intermediate points; (7) Between junction U.S. Highway 64 and Davie County Road 1605 and junction Davie County Road 1616 and North Carolina Highway 801: From junction U.S. Highway 64 and Davie County Road 1605 over Davie County Road 1605 to junction Davie County Road 1616, thence over Davie County Road 1616 to junction North Carolina Highway 801, and return over the same route, serving all intermediate points; (8) Between junction North Carolina Highway 901 and Iredell County Road 1862 and junction Iredell County Roads 1862 and 1896: From junction North Carolina Highway 901 and Iredell County Road 1862 over Iredell County Road 1862 to junction Iredell County Road 1896, and return over the same route, serving all intermediate points; (9) Between junction North Carolina Highway 268 and Wilkes County Road 1957 and junction Wilkes County Road 1002 and U.S. Highway 21: From junction North Carolina Highway 268 and Wilkes County Road 1957 over Wilkes County Road 1957 to junction Wilkes County Road 1002, thence over Wilkes County Road 1002 to junction U.S. Highway 21, and return over the same route, serving all intermediate points;

(B) *General commodities* (except those requiring special equipment) (1) Between Charlotte and Carthage, N.C.: From Charlotte over North Carolina

Highway 27 to Carthage, and return over the same route, serving all intermediate points and the off route points of Midland, Badin, Oakboro and Mount Gilead, N.C.; (2) Between Carthage and Raleigh, N.C.: From Carthage over North Carolina Highway 27 to junction U.S. Highway 501, thence over U.S. Highway 501 to junction U.S. Highway 1, thence over U.S. Highway 1 to Raleigh, and return over the same route, serving all intermediate points; (3) Between Raleigh and Cherry Point, N.C.: From Raleigh over U.S. Highway 70 to Smithfield, N.C., thence over U.S. Highway 70–A to junction U.S. Highway 70 just west of Princeton, N.C., thence over U.S. Highway 70 to Kinston, N.C., thence over North Carolina Highway 55 to New Bern, N.C., thence over U.S. Highway 70 to Havelock, N.C., thence over unnumbered highway to Cherry Point, N.C., and return over the same route, serving all intermediate points, and the off route points of Selma and Seven Springs, N.C.; (4) Between Asheboro and Williamston, N.C.: From Asheboro over U.S. Highway 64 to Williamston, and return over the same route, serving all intermediate points; (5) Between New London and Burlington, N.C.: From New London over North Carolina Highway 8 to junction North Carolina Highway 49, thence over North Carolina Highway 49 to Asheboro, N.C., thence over North Carolina Highway 49 via Central Falls and Gray's Chapel, N.C. to Liberty, N.C., thence over North Carolina Highway 49 to Burlington, and return over the same route, serving all intermediate points, and the off route points of Newsom and Denton, N.C.; (6) Between Sanford and Goldsboro, N.C.: From Sanford over U.S. Highway 421 to Dunn, N.C., thence over North Carolina Highway 55 to Mount Olive, N.C., thence over U.S. Highway 117 to Goldsboro, and return over the same route, serving all intermediate points;

(7) Between Candor and New Bern, N.C.: From Candor over North Carolina Highway 211 to Raeford, N.C., thence over U.S. Highway 401 to Fayetteville, N.C., thence over North Carolina Highway 24 to Jacksonville, N.C., thence over U.S. Highway 17 to New Bern, and return over the same route, serving all intermediate points, and the off route Pines over North Carolina Highway 2; to U.S. Highway 220 over North Carolina Highway 73; (b) Pinehurst to Southern Pines over North Carolina Highway 2; (c) Salemburg on unnumbered highway from Autryville to junction North Carolina Highway 24, four miles west of Clinton, N.C.; and (d) Camp Lejeune, N.C., to be served as adjacent to and within the commercial zone of Jacksonville; (8) Between Mount Gilead and the junction of North Carolina Highway 731 and U.S. Highway 220: From Mount Gilead over North Carolina Highway 731 to junction U.S. Highway 220, and return over the same route, serving all intermediate points; (9) Between Salisbury and Norwood, N.C.: From Salisbury over U.S. Highway 52 to Norwood, and return over the same route, serving all intermediate points; (10) Between Midland and Norwood, N.C.: From Midland, over unnumbered highway via Stanfield and Oakboro, N.C. to Norwood, and return over the same route, serving all intermediate points; (11) Between High Point, N.C. and junction U.S. Highway 311 and U.S. Highway 220: From High Point over U.S. Highway 311 to junction U.S. Highway 220, and return over the same route, serving all intermediate points; (12) Between Greensboro and Laurinburg, N.C.: From Greensboro over U.S. Highway 220 to Rockingham, N.C., thence over U.S. Highway 74 to Laurinburg, and return over the same route, serving all intermediate points;

(13) Between Greensboro and Carthage, N.C.: From Greensboro over U.S. Highway 421 to junction North Carolina Highway 22, thence over North Carolina Highway 22 to junction North Carolina Highway 27, thence over North Carolina Highway 27 to Carthage, and return over the same route, serving all intermediate points, and the following off route unnumbered highways: (a) Bennett to North Carolina Highway 705 north of Robbins, N.C. and (b) Robbins, N.C. to North Carolina Highway 22 south of Highfalls, N.C.; (14) Between Seagrove, N.C. and junction North Carolina Highway 705 and North Carolina Highway 27: From Seagrove over North Carolina Highway 705 to junction North Carolina Highway 27, and return over the same route, serving all intermediate points; (15) Between Durham and Laurinburg, N.C.: From Durham over U.S. Highways 15 and 501 to Laurinburg, and return over the same route, serving all intermediate points, and the off route points and highways of: (a) Carrboro west of Chapel Hill, N.C. on North Carolina Highway 54; and (b) From Tramway, N.C. south of Sanford, N.C. to Jonesboro Heights, N.C. over North Carolina Highway 78; (16) Between Aberdeen and Sanford, N.C.: From Aberdeen over U.S. Highway 1 to Sanford, and return over the same route, serving all intermediate points; (17) Between Apex, N.C. and junction North Carolina Highway 55 and U.S. Highway 64: From Apex over North Carolina Highway 55 to junction U.S. Highway 64, and return over the same route, serving all intermediate points; (18) Between Raleigh and Lillington, N.C.: From Raleigh over U.S. Highway 401 to Lillington, and return over the same route, serving all intermediate points; (19) Between Lillington and Smithfield, N.C.: From Lillington over North Carolina Highway 210, to Smithfield, and return over the same route, serving all intermediate points;

(20) Between Garner, N.C. and junction North Carolina Highway 50 and North Carolina Highway 210: From Garner over North Carolina Highway 50 to junction North Carolina Highway 210, and return over the same route, serving all intermediate points; (21) Between Goldsboro and Washington, N.C.: From Goldsboro over U.S. Highway 13 to Snow Hill, N.C., thence over U.S. Highway 258 to Farmville, N.C., thence over U.S. Highways 264–A and 264 to Washington, N.C., and return over the same route, serving all intermediate points; (22) Between Robersonville and Kenansville, N.C.: From Robersonville over North Carolina Highway 903 to junction North Carolina Highway 11 near House, N.C., thence over North Carolina Highway 11 to Kenansville, and return over the same route, serving all intermediate points; (23) Between Sanford and Fayetteville, N.C.: From Sanford over North Carolina Highway 87 to Fayetteville, and return over the same route, serving all intermediate points, including Fort Bragg, N.C.; (24) Between Lillington and Lumberton, N.C.: From Lillington over U.S. Highway 401 to Fayetteville, N.C., thence over U.S. Highway 301 to Lumberton, and return over the same route, serving all intermediate points, and the off route points of Hope Mills, Tokay and Roslin; (25) Between Maxton, N.C. and junction North Carolina Highway 71 and U.S. Highway 301. From Maxton over North Carolina Highway 71 to junction U.S. Highway 301, and return over the same route, serving all intermediate points: (26) Between Laurinburg and Lumberton, N.C.: From Laurinburg over U.S. Highway 74 to Lumberton, and return over the same route, serving all intermediate points, and the off route point of Pembroke, N.C.; (27) Between Raleigh and Durham, N.C.: (A) From Raleigh over U.S. Highway 70 to junction Raleigh-Durham Airport Road, thence over said airport road to the Raleigh-Durham Airport, thence over an unnumbered highway to Nelson, N.C., thence over Durham County Secondary Road No. 1959 to junction U.S. Highway 70, thence over U.S. Highway 70 to Durham, and return over the same route, serving all intemediate points, and serving the off route point of the William B. Unstead State Park; and (B) From Raleigh over U.S. Highway 70 to Durham, and return over the same route, serving all intermediate points, and the off route points of the William B. Unstead State Park and the Raleigh-Durham Airport;

(28) Between junction U.S. Highway 401 and North Carolina Highway 217 and Erwin, N.C.: From junction U.S. Highway 401 and North Carolina Highway 217 over North Carolina Highway 217 to Erwin, and return over the same route, serving all intermediate points; (29) Between Aberdeen, N.C. and junction North Carolina Highway 177 and U.S. Highway 74 near Hamlet, N.C.: From Aberdeen over U.S. Highway 1 to junction North Carolina Highway 177 (formerly North Carolina Highway 77), thence over North Carolina Highway 177 to junction U.S. Highway 74, and return over the same route, serving all intermediate points; (30) Between junction U.S. Highway 29 and North Carolina Highway 49 and junction North Carolina Highway 49 and North Carolina Highway 8, four miles east of Richfield, N.C.: From junction U.S. Highway 29 and North Carolina Highway 49 over North Carolina Highway 49 to junction North Carolina Highway 8, and return over the same route, serving all intermediate points; (31) Between Albemarle, N.C. and junc-

tion North Carolina Highway 73 and North Carolina Highway 40 near Mount Pleasant, N.C.: From Albemarle over North Carolina Highway 73 to junction North Carolina Highway 49, and return over the same route, serving all intermediate points; (32) Between Charlotte and Greensboro, N.C.: From Charlotte over U.S. Highway 29 to High Point, N.C., thence over U.S. Highway 29–A to Greensboro, and return over the same route, serving all intermediate points; (33) Between Salisbury and Winston-Salem, N.C.: From Salisbury over U.S. Highway 601 to Mocksville, N.C., thence over U.S. Highway 158 to Winston-Salem, and return over the same route, serving all intermediate points; (34) Between junction U.S. Highway 601 and North Carolina Highway 801 and Cooleemee, N.C.: From junction U.S. Highway 601 and North Carolina Highway 801 over North Carolina Highway 801 to Cooleemee, and return over the same route, serving all intermediate points;

(35) Between Winston-Salem and Lexington, N.C.: From Winston-Salem over U.S. Highway 52 to Lexington, and return over the same route, serving all intermediate points; (36) Between Salisbury and Faith, N.C.: From Salisbury over unnumbered highway to Faith, and return over the same route, serving all intermediate points; (37) Between Mocksville and Mount Airy, N.C.: From Mocksville over U.S. Highway 601 to Mount Airy, and return over the same route, serving all intermediate points; (38) Between Greensboro and Burlington, N.C.: From Greensboro over U.S. Highway 70 to junction North Carolina Highway 100, thence over North Carolina Highway 100 to Burlington, and return over the same route, serving all intermediate points; (39) Between Burlington and Mebane, N.C.: From Burlington over U.S. Highways 70 and 70–A to Mebane, and return over the same route, serving all intermediate points; (40) Between Burlington and Reidsville, N.C.: From Burlington over North Carolina Highway 87 to Reidsville, and return over the same route, serving all intermediate points; (41) Between junction North Carolina Highway 22 and U.S. Highway 421 and Sanford, N.C.: From junction North Carolina Highway 22 and U.S. Highway 421 over U.S. Highway 421 to Sanford, and return over the same route, serving all intermediate points; (42) Between Red Springs and Raeford, N.C.: From Red Springs over North Carolina Highway 211 to Raeford, and return over the same route, serving all intermediate points; (43) Between Mocksville and Lexington, N.C.: From Mocksville over U.S. Highway 64 to Lexington, and return over the same route, serving all intermediate points; (44) Between Salisbury and Cooleemee, N.C.: From Salisbury southerly over North Carolina Highway 150 to junction unnumbered highway (3½ miles southwest of Mill Bridge, N.C.), thence over said unnumbered highway to Mount Ulla, N.C. (on North Carolina Highway 801), thence over North Carolina Highway 801 to Cooleemee, and return over the same route, serving all intermediate points;

(45) Between Barber and Cleveland, N.C.: From Barber over U.S. Highway 70 to Cleveland, and return over the same route, serving all intermediate points; (46) Between junction U.S. Highway 29 and North Carolina Highway 150 and Winston-Salem, N.C.: From junction U.S. Highway 29 and North Carolina Highway 150 over North Carolina Highway 150 to Winston-Salem, and return over the same route, serving all intermediate points; (47) Between Lexington and Asheboro, N.C.: From Lexington over U.S. Highway 64 to Asheboro, and return over the same route, serving all intermediate points; (48) Between junction U.S. Highway 64 and U.S. Highway 264 at Zebulon, N.C. and Farmville, N.C.: From junction U.S. Highways 64 and 264 over U.S. Highway 264 to junction U.S. Highway 264–A, thence over U.S. Highway 264–A to Farmville, and return over the same route, serving all intermediate points; (49) Between Goldsboro and Rocky Mount, N.C.: From Goldsboro over U.S. Highway 117 to junction U.S. Highway 301 just south of Wilson, N.C., thence over U.S. Highway 301 to Rocky Mount, and return over the same route, serving all intermediate points; (50) Between Thomasville and Winston-Salem, N.C.: From Thomasville over North Carolina Highway 109 to Winston-Salem, and return over the same route, serving all intermediate points; (51) Between Winston-Salem and Mount Airy, N.C.: From Winston-Salem over U.S. Highways 52 and 52–A to Mount Airy, and return over the same route, serving all intermediate points; (52) Between New Bern and Bayboro, N.C.: From New Bern over North Carolina Highway 55 to Bayboro, and return over the same route, serving all intermediate points; (53) Between Charlotte and North Wilkesboro, N.C.: From Charlotte over North Carolina Highway 27 to junction U.S. Highway 321 at Lincolnton, N.C., thence over U.S. Highway 321 to junction North Carolina Highway 16 at Conover, N.C., thence over North Carolina Highway 16 to junction U.S. Highway 421, thence over U.S. Highway 421 to junction North Carolina Highway 18, thence over North Carolina Highway 18 to North Wilkesboro, and return over the same route, serving all intermediate points;

(54) Between Charlotte, N.C. and the North Carolina-Virginia State Boundary line: From Charlotte over North Carolina Highway 115 (formerly U.S. Highway 21) to junction U.S. Highway 21 north of Mooresville, N.C., thence over U.S. Highway 21 to the North Carolina-Virginia State Boundary line, and return over the same route, serving all intermediate points; (55) Between Statesville and Taylorsville, N.C.: From Statesville over North Carolina Highway 90 to Taylorsville, and return over the same route, serving all intermediate points; (56) Between Mooresville, N.C. and junction North Carolina Highway 89 and the North Carolina-Virginia State Boundary line: From Mooresville over North Carolina Highway 801 to Barber, N.C., thence over North Carolina Highway 801 to junction U.S. Highway 601, thence over U.S. Highway 601 to Mount Airy, N.C., thence over North Carolina Highway 89 to the North Carolina-Virginia State Boundary line, and return over the same route, serving all intermediate points; (57) Between junction U.S. Highway 601 and North Carolina Highway 268 five miles south of Dobson, N.C. and North Wilkesboro, N.C.: From junction U.S. Highway 601 and North Carolina Highway 268 over North Carolina Highway 268 to North Wilkesboro, and return over the same route, serving all intermediate points; (58) Between North Wilkesboro and Millers Creek, N.C. (near junction North Carolina Highway 16 and unnumbered county road): From North Wilkesboro over unnumbered county road to junction North Carolina Highway 16, thence over North Carolina Highway 16 to Millers Creek, and return over the same route, serving all intermediate points, and the off route points of Zionsville, Creston, Warrensville and Lansing, N.C.: (59) Between Millers Creek, N.C. and Millers Creek, N.C.: From Millers Creek over unnumbered county road (formerly U.S. Highway 421), to junction U.S. Highway 421, thence over U.S. Highway 421 to junction North Carolina Highway 194, thence over North Carolina Highway 194 (formerly U.S. Highway 221), to junction U.S. Highway 221, thence over U.S. Highway 221 to junction North Carolina Highway 16, thence southerly over North Carolina Highway 16 to Millers Creek, and return over the same route, serving all intermediate points, and the off-route points of Zionsville, Creston, Warrensville and Lansing, N.C.;

(60) Between junction unnumbered county road and U.S. Highway 421 and North Wilkesboro, N.C.: From junction unnumbered county road and U.S. Highway 421 to Wilkesboro, N.C., thence over North Carolina Highway 18 to North Wilkesboro, and return over the same route, serving all intermediate points; (61) Between Lenoir and Boone, N.C.: From Lenoir over U.S. Highway 321 to Boone, and return over the same route, serving all intermediate points; (62) Between North Wilkesboro, N.C. and junction North Carolina Highway 18 and North Carolina Highway 89 one mile south of the North Carolina-Virginia State Boundary line: From North Wilkesboro over North Carolina Highway 18 to junction North Carolina Highway 89, and return over the same route, serving all intermediate points; (63) Between junction North Carolina Highway 27 and North Carolina Highway 109 and junction North Carolina Highway 109 and North Carolina Highway 49, 6 miles south of Denton, N.C.: From junction North Carolina Highway 27 and North Carolina Highway 109 over North Carolina Highway 109 to junction North Carolina Highway 49, and return over the same route, serving all intermediate points; (64) Between Laurinburg, N.C. and the Spring Mills Plant Site near Scotland County Road 1407: From Laurinburg over U.S. Highway 401 to junction Scotland County Road 1421, thence over Scotland County Road 1421 to junction Scotland County

Road 1407, thence over Scotland County Road 1407 to the Spring Mills Plant Site, and return over the same route, serving all intermediate points; (65) Between Warsaw and Kenansville, N.C.: From Warsaw over Duplin County Road 1300 to junction Duplin County Road 1301, thence over Duplin County Road 1301 to Kenansville, and return over the same route serving all intermediate points; (66) Between Chocowinity and Bayboro, N.C.: From Chocowinity over North Carolina Highway 33 to Hobucken, N.C., thence over North Carolina Highway 33 to junction North Carolina Highway 304, thence over North Carolina Highway 304 to Bayboro, and return over the same route, serving all intermediate points; (67) Between junction North Carolina Highway 33 and North Carolina Highway 306 and Grantsboro, N.C.: From junction North Carolina Highway 33 and North Carolina Highway 306 over North Carolina Highway 306 to Grantsboro, and return over the same route, serving all intermediate points; (68) Between Bayboro and Oriental, N.C.: From Bayboro over North Carolina Highway 55 to Oriental, and return over the same route, serving all intermediate points; (69) Between Aurora, N.C. and the Texas Gulf Sulphur plant site, at or near Lees Creek, N.C.: From Aurora over Beaufort County Road 1940 to junction Beaufort County Road 1942, thence over Beaufort County Road 1942 to the Texas Gulf Sulphur plant site, and return over the same route, serving all intermediate points, and serving all off route points within 5 miles of the Texas Gulf Sulphur plant site at or near Lees Creek; (7) Between Fayetteville and Cedar Creek, N.C.: From Fayetteville over North Carolina Highway 24 to junction North Carolina Highway 53, thence over North Carolina Highway 53 to Cedar Creek, and return over the same route, serving all intermediate points, and serving all off route points within 5 miles of Cedar Creek; (71) Between Charlotte, N.C. and Charlotte, N.C.: From Charlotte over North Carolina Highway 49 to junction North Carolina Highway 160, thence over North Carolina Highway 160 to junction U.S. Highway 29 at Charlotte, N.C., and return over the same route, serving all intermediate points;

(72) Between junction U.S. Highway 74 and North Carolina Highway 381 near Hamlet, N.C. and Laurinburg, N.C.: From junction U.S. Highway 74 and North Carolina Highway 381 over North Carolina Highway 381 to Gibson, N.C., thence over North Carolina Highway 79 to Laurinburg, and return over the same route, serving all intermediate points; (73) Between Laurinburg and Lumberton, N.C.: From Laurinburg over U.S. Highway 501 to Rowland, N.C., thence over U.S. Highway 301 to Lumberton, and return over the same route, serving all intermediate points; (74) Between Maxton and Raemon, N.C.: From Maxton over North Carolina Highway 130 to Raemon, and return over the same route, serving all intermediate points; (75) Between Rowland and Whiteville, N.C.: From Rowland over North Carolina Highway 130 to Whiteville, and return over the same route, serving all intermediate points; (76) Between junction North Carolina Highway 130 and North Carolina Highway 904 and Chadbourn, N.C.: From junction North Carolina Highway 130 and North Carolina Highway 904 over North Carolina Highway 904 to Fair Bluff, N.C., thence over U.S. Highway 76 to Chadbourn, and return over the same route, serving all intermediate points, and serving the off route point of Cerro Gordo, N.C.; (77) Between Fair Bluff, N.C. and junction U.S. Highway 701 and North Carolina Highway 130 near Brunswick, N.C.: From Fair Bluff over North Carolina Highway 904 to Tabor City, N.C., thence over U.S. Highway 701 to junction North Carolina Highway 130, and return over the same route, serving all intermediate points; (78) Between Chadbourn and Tabor City, N.C.: From Chadbourn over North Carolina Highway 410 to Tabor City, and return over the same route, serving all intermediate points;

(79) Between Lumberton and Fairmont, N.C.: From Lumberton over North Carolina Highway 41 to Fairmont, and return over the same route, serving all intermediate points; (80) Serving the plant site of B. F. Goodrich Company located approximately 6½ miles west of Lumberton, N.C. as an off route point in connection with carrier's regular route operations; (81) Serving the plantsite of Richmont Fabrics, Inc., 6 miles south of Mount Gilead, N.C. as an off route point in connection with carrier's authorized regular route operations; (C) *General commodities* (except classes A and B explosives and commodities requiring special equipment), (1) Between Whiteville and Southport, N.C.: From Whiteville over North Carolina Highway 130 to junction U.S. Highway 17 at Shallote, N.C., thence over U.S. Highway 17 to junction North Carolina Highway 211 at Supply, N.C., thence over North Carolina Highway 211 to Southport, and return over the same route, serving all intermediate points; (2) Between Wilmington, N.C. and junction U.S. Highway 17 and North Carolina Highway 211 at Supply, N.C.: From Wilmington over U.S. Highway 17 to junction North Carolina Highway 211 at Supply, and return over the same route, serving all intermediate points; (3) Between junction U.S. Highway 17 and North Carolina Highway 87 and junction North Carolina Highway 87 and North Carolina Highway 211 near Southport, N.C.: From junction U.S. Highway 17 and North Carolina Highway 87 over North Carolina Highway 87 to junction North Carolina Highway 211, and return over the same route, serving all intermediate points; (4) Between Wilmington and Fort Fisher, N.C.: From Wilmington over U.S. Highway 421 to Fort Fisher, and return over the same route, serving all intermediate points; alternate routes for operating convenience only, serving no intermediate points, in connection with carrier's regular route operations:

General commodities (except those requiring special equipment), (1) Between Greensboro and Winston-Salem, N.C.: From Greensboro over Interstate Highway 40 to Winston-Salem, and return over the same route; (2) Between Greensboro and Reidsville, N.C.: From Greensboro over U.S. Highway 29 to Reidsville, and return over the same route; (3) Between Mebane and Durham, N.C.: From Mebane over U.S. Highway 70 to Durham, and return over the same route; (4) Between Raleigh and Chapel Hill, N.C.: From Raleigh over North Carolina Highway 54 to Chapel Hill, and return over the same route; (5) Between Apex and Wilson, N.C.: From Apex over North Carolina Highway 55 to junction North Carolina Highway 42, thence over North Carolina Highway 42 to Fuquay-Varina, N.C., thence over North Carolina Highway 42 to Wilson, and return over the same route; (6) Between Wilson and Nashville, N.C.: From Wilson over North Carolina Highway 58 to Nashville, and return over the same route; (7) Between Wilson and Tarboro, N.C.: From Wilson over North Carolina Highway 42 to junction U.S. Highway 258, (2 miles east of Pinetops, N.C.), thence over U.S. Highway 258 to Tarboro, and return over the same route; (8) Between Washington and Williamston, N.C.: From Washington over U.S. Highway 17 to Williamston, N.C., and return over the same route; (9) Between Greenville and Vanceboro, N.C.: From Greenville over North Carolina Highway 43 to Vanceboro, and return over the same route; (10) Between Vanceboro and New Bern, N.C.: From Vanceboro over U.S. Highway 17 to New Bern, and return over the same route; (11) Between Kinston, N.C. and junction U.S. Highway 70 and North Carolina Highway 55, (six miles north of New Bern, N.C.): From Kinston over U.S. Highway 70 to junction North Carolina Highway 55, and return over the same route; (12) Between Beulaville and Pink Hill, N.C.: From Beulaville over unnumbered highway (about a distance of nine miles) to Pink Hill, and return over the same route;

(12) Between Warsaw and Mount Olive, N.C.: From Warsaw over U.S. Highway 117 to Mount Olive, and return over the same route; (14) Between Fayetteville, N.C. and junction North Carolina Highway 50 and North Carolina Highway 210 (nine miles east of Angier, N.C.): From Fayetteville over U.S. Highway 301 to junction North Carolina Highway 50 at Benson, N.C., thence over North Carolina Highway 50 to junction North Carolina Highway 210, and return over the same route; (15) Between Winston-Salem and North Wilkesboro, N.C.: From Winston-Salem over U.S. Highway 421 to North Wilkesboro, and return over the same route; (16) Between Salisbury and Statesville, N.C.: From Salisbury over U.S. Highway 70 to Statesville, and return over the same route; (17) Between Rockingham and Charlotte, N.C.: From Rockingham over U.S. Highway 74 to Charlotte, and return over the same route; (18) Between Statesville and Conover, N.C.: From Statesville over U.S. Highway 70 to Con-

over, and return over the same route; (19) Between junction Scotland County Road 1420 and U.S. Highway 401 and Raeford, N.C.: From junction Scotland County Road 1420 and U.S. Highway 401 over U.S. Highway 401 to Raeford, and return over the same route; (20) Between Charlotte and Greensboro, N.C.: From Charlotte over Interstate Highway 85 to Greensboro, and return over the same route; (21) Between Arrowood Industrial Park, (Mecklenburg County), N.C. and junction Interstate Highway 77 and North Carolina Highway 89 in Surry County, N.C.: From Arrowood Industrial Park over Interstate Highway 77 to junction North Carolina Highway 89, and return over the same route, (22) Between Greensboro and Durham, N.C.: From Greensboro over Interstate Highway 85 to Durham, and return over the same route; (23) Between Durham and Raleigh, N.C.: From Durham over Interstate Highway 40 to Raleigh, and return over the same route; (24) Between Winston-Salem and Conover, N.C.: From Winston-Salem over Interstate Highway 40 to Conover, and return over the same route, (25) Between Rowland and Rocky Mount, N.C.: From Rowland over Interstate Highway 95 to Rocky Mount, and return over the same route;

(26) Between Norwood and Mount Gilead, N.C.: From Norwood over U.S. Highway 52 to junction North Carolina Highway 731, thence over North Carolina Highway 731 to Mount Gilead, and return over the same route; (27) Between Mount Gilead, N.C. and junction North Carolina Highway 73 and U.S. Highway 220: From Mount Gilead over North Carolina Highway 73 to junction U.S. Highway 220, and return over the same route; (28) Between Norwood, N.C. and junction U.S. Highway 52 and U.S. Highway 74: From Norwood over U.S. Highway 52 to junction U.S. Highway 74, and return over the same route; (29) Between junction U.S. Highway 301 and U.S. Highway 13 and junction U.S. Highway 13 and U.S. Highway 117: From junction U.S. Highway 301 and U.S. Highway 13 over U.S. Highway 13 to junction U.S. Highway 117, and return over the same route; (30) Between Greenville and Washington, N.C.: From Greenville over North Carolina Highway 30 to junction North Carolina Highway 33, thence over North Carolina Highway 33 to Washington, and return over the same route; (31) Between Kinston and Wilson, N.C.: From Kinston over North Carolina Highway 48 to Wilson, and return over the same route; (32) Between junction U.S. Highway 421 and North Carolina Highway 42 and Fuquay-Varina, N.C.: From junction U.S. Highway 421 and North Carolina Highway 42 over North Carolina Highway 42 to Fuquay-Varina, and return over the same route; (33) Between Concord and Monroe, N.C.: From Concord over U.S. Highway 601 to Monroe, and return over the same route; (34) Between Greenville and Bethel, N.C.: From Greenville over U.S. Highway 13 to Bethel, and return over the same route; (35) Between Chocowinity and Vanceboro, N.C.: From Chocowinity over U.S. Highway 17 to Vanceboro, and return over the same route, (36) Between Laurel Springs and Index, N.C.: From Laurel Springs over North Carolina Highway 88 to Index, and return over the same route;

(37) Between Lenoir and Taylorsville, N.C.: From Lenoir over North Carolina Highway 90 to Taylorsville, and return over the same route; (38) Between Lenoir and Conover, N.C.: From Lenoir over U.S. Highway 321 to Conover, and return over the same route; (39) Between Baldwin and Deep Gap, N.C.: From Baldwin over U.S. Highway 221 to Deep Gap, and return over the same route; (40) Between Winston-Salem and Reidsville, N.C.: From Winston-Salem over U.S. Highway 158 to Reidsville, and return over the same route; (41) Between Mooresville, and Rockwell, N.C.: From Mooresville over North Carolina Highway 152 to Rockwell, and return over the same route; (42) Between Whiteville, N.C. and junction U.S. Highway 17 and U.S. Highway 74 near New Hanover, N.C.: From Whiteville over U.S. Highway 74 to junction U.S. Highway 17, and return over the same route; (43) Between junction North Carolina Highway 111 and U.S. Highway 70 and Beulaville, N.C.; From junction North Carolina Highway 111 and U.S. Highway 70 over North Carolina Highway 111 to Beulaville, and return over the same route; (44) Between Warsaw and Wilmington, N.C.: From Warsaw over U.S. Highway 117 to Wilmington, and return over the same route; (45) Between Dunn and Clinton, N.C.: From Dunn over U.S. Highway 421 to Clinton, and return over the same route; (46) Between Clinton and Whiteville, N.C.: From Clinton over U.S. Highway 701 to Whiteville, and return over the same route; (47) Between junction North Carolina Highway 27 and North Carolina Highway 705 near Robbins, N.C. and junction North Carolina Highway 211 and North Carolina Highway 705 near Eagle Springs, N.C.: From junction North Carolina Highway 27 and North Carolina Highway 705 over North Carolina Highway 705 to junction North Carolina Highway 211, and return over the same route; (48) Between Eastwood and West End, N.C.: From Eastwood over North Carolina Highway 73 to West End, and return over the same route;

(49) Between junction North Carolina Highway 73 and North Carolina Highway 27 near Albemarle, N.C. and junction U.S. Highway 29 and North Carolina Highway 73: From junction North Carolina Highway 73 and North Carolina Highway 27 over North Carolina Highway 73 to junction U.S. Highway 29, and return over the same route; (50) Between Kinston, N.C. and junction U.S. Highway 117 and North Carolina Highway 55: From Kinston over North Carolina Highway 55 to junction U.S. Highway 117, and return over the same route; (51) Between Kinston, N.C. and junction U.S. Highway 258 and North Carolina Highway 24: From Kinston over U.S. Highway 258 to junction North Carolina Highway 24, and return over the same route; (51) Between Red Springs and Lumberton, N.C.: From Red Springs over North Carolina Highway 211 to Lumberton, and return over the same route; (52) Between Red Springs, N.C. and junction North Carolina Highway 710 and U.S. Highway 501: From Red Springs over North Carolina Highway 72 to junction North Carolina Highway 710, thence over North Carolina Highway 710 to junction U.S. Highway 501, and return over the same route; (53) Between Elkin, N.C. and junction North Carolina Highway 65 and U.S. Highway 52: From Elkin over North Carolina Highway 67 to junction North Carolina Highway 65, thence over North Carolina Highway 65 to junction U.S. Highway 52, and return over the same route; (54) Between junction U.S. Highway 401 and North Carolina Highway 55 and Angier, N.C.: From junction U.S. Highway 401 and North Carolina Highway 55 over North Carolina Highway 55 to Angier, and return over the same route; (55) Between Zebulon and Selma, N.C.: From Zebulon over North Carolina Highway 96 to Selma, and return over the same route;

(56) Between junction Interstate Highway 95 and U.S. Highway 74 and Whiteville, N.C.: From junction Interstate Highway 95 and U.S. Highway 74 over U.S. Highway 74 to Whiteville, and return over the same route; and (57) Between Jacksonville and Wilmington, N.C.: From Jacksonville over U.S. Highway 17 to Wilmington, and return over the same route. Irregular routes: (1) *Flat glass and glass glazing units*, from points in Sampson and Scotland Counties, N.C., to points in North Carolina; and (2) *racks, containers and other devices* used in handling and moving of flat glass and glass glazing units, from points in North Carolina, to points in Sampson and Scotland Counties, N.C.

NOTE.—This is a matter directly related to a Section 5(2) proceeding in MC-F-12497 published in the Federal Register issue of May 30, 1975. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 71536 (Sub-No. 12), filed July 17, 1975. Applicant: ARROW CARRIER CORPORATION, 160 Route 17, Rochelle Park, N.J. 01662. Applicant's representative: A. David Milner, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except Classes A and B explosives, articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment). Between Philadelphia, Pa., and points within 15 miles of Philadelphia, New York, N.Y., Newark, N.J. and points within Nassau and Suffolk counties, N.Y., on the one hand, and on the other, points in Bergen, Essex, Hudson, and Passaic counties, N.J., and points in those portions of Passaic, Morris, Somerset, Middlesex and Monmouth counties, N.J. lying west and south of a line commencing at the New York-New Jersey State Boundary and N.J. Highway 511, running in a

southerly direction along New Jersey Highway 511 to junction with New Jersey Highway 513, thence south along New Jersey Highway 513 to junction U.S. Highway 46 (south of Rockaway, N.J.), thence westerly along U.S. Highway 46 to Dover, N.J., thence in a southerly direction along Ironia-Mendham Road (also known as Mendham Road), thence easterly and southerly along Ironia-Mendham Road to junction with New Jersey Highway 24, thence in a northerly direction along New Jersey Highway 24 to its junction with New Jersey Highway 525 at Mendham, N.J., thence south along New Jersey Highway 525 to junction with U.S. Highway 22.

Thence west along U.S. Highway 22 to junction with Interstate Highway 287, thence in a southeasterly direction along Interstate Highway 287 to its junction with New Jersey Highway 527, thence in a southeasterly direction along New Jersey Highway 527 to New Brunswick, N.J. and its junction with New Jersey Highway 18, thence in a southeasterly direction along N.J. Highway 18 to junction with U.S. Highway 9, thence in a southerly direction on U.S. Highway 9 to junction with New Jersey Highway 520, thence in an easterly direction along New Jersey Highway 520 to junction New Jersey Highway 34, thence in a southerly direction along New Jersey Highway 34 to junction New Jersey Highway 537, thence in a northeasterly direction along New Jersey Highway 537 to its termination in Long Branch, N.J. at the Atlantic Ocean, not including points on the highways named nor points in the commercial zones of such points, (hereinafter referred to as the portions of Passaic, Morris, Somerset, Middlesex and Monmouth counties referred to in Paragraph I'') and points in Albany, Rensselar, Greene, Ulster, Orange, Rockland, Columbia, Dutchess, Putnam, Westchester, Delaware, Nassau and Suffolk counties New York. The purpose of this filing is to eliminate gateways at points in Mercer County within 15 miles of Philadelphia, and points in Bergen, Essex, Hudson, and Passaic Counties, N.J.

(2) *General commodities*, (except brick, coal and coke, coin, currency, valuable papers, gems or other articles of extraordinary value, conduits or pipe (clay or terra cotta), cut glass, dangerous explosives, fireworks, fish fresh or frozen, flowers, fruits, fresh vegetables, furs, compressed gases, gasoline or other inflammable liquids or articles, hides, skins or pelts, livestock and live poultry, motion picture films, sand, gravel or crushed stone for building material purposes, X-ray machines or tubes, commodities in bulk in tank or dump vehicles, commodities which because of size or weight require the use of special equipment, and household goods as defined by the Commission), Between points in New Jersey within 35 miles of Columbus Circle, N.Y. (except points in Bergen, Passaic, Hudson and Essex counties), New York, N.Y., Newark, N.J. and points in Nassau and Suffolk counties, N.Y., on the one hand, and, on the other, points in Orange, Sullivan, Ulster and Delaware counties, N.Y. The purpose of this filing is to eliminate gateways at points in Middlesex, Monmouth, Somerset, Morris, and Union Counties, N.J. within 35 miles of Columbus Circle, N.Y.

(3) *General commodities*, (except brick, coal and coke, coin, currency, valuable papers, gems or other articles of extraordinary value, conduits or pipe (clay or terra cotta), cut glass, dangerous explosives, fireworks, fish fresh or frozen, flowers, fruits, fresh vegetables, furs, compressed gases, gasoline or other inflammable liquids or articles, hides, skins or pelts, livestock and live poultry, motion picture films, sand, gravel or crushed stone for building material purposes, X-ray machines or tubes, commodities in bulk in tank or dump vehicles, commodities which because of size or weight require the use of special equipment, and household goods as defined by the Commission), Between points in Hudson, Essex, Hunterdon, Mercer, Ocean and the portions of Passaic, Somerset, Middlesex, and Monmouth counties referred to in Paragraph 1, points in Nassau and Suffolk counties, N.Y., on the one hand, and, on the other, points in Orange, Sullivan and Delaware counties, N.Y. The purpose of this filing is to eliminate gateways at points in Hudson and Essex counties, N.J.

(4) *General commodities* (except Classes A and B explosives, articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), From Philadelphia, Pa. to Princeton, N.J., points in Morris, Union and Middlesex Counties, N.J., Newark, N.J., New York, N.Y. and points in Nassau and Suffolk counties, N.Y. The purpose of this filing is to eliminate gateways of Princeton, N.J., points in Middlesex County, N.J. and the points in Morris County, N.J. referred to in Paragraph 1.

(5) *General commodities*, (except Classes A and B explosives, articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., and points in Hunterdon, Mercer and Ocean counties, N.J. and the points in Passaic, Morris, Somerset, Middlesex and Monmouth counties, N.J. referred to in Paragraph 1. The purpose of this filing is to eliminate a gateway at New York, N.Y.

(6) *General commodities*, (except Classes A and B explosives, articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between points in Bergen and Passaic counties, N.J., Nassau and Suffolk counties, N.Y., on the one hand, and, on the other, New York, N.Y. points in Westchester, Orange, and Rockland counties, N.Y., Claymont, Del., and points in Hunterdon, Mercer and Ocean counties, N.J. and points in Passaic, Morris, Somerset, Middlesex and Monmouth counties referred to in Paragraph 1. The purpose of this filing is to eliminate gateways at points in Bergen and Passaic Counties, N.J. (7) *Magazines and periodicals*, Between Sharonhill, Pa., on the one hand, and, on the other, points in Passaic and Bergen counties, N.J., and points in Westchester, Orange, Rockland, Nassau, and Suffolk counties, N.Y. The purpose of this filing is to eliminate gateways at points in Bergen and Passaic counties, N.J.

(8) *General commodities*, (except Classes A and B explosives, articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between points in the New York, N.Y. Commercial Zone, points in Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset and Union counties, N.J., and Nassau and Suffolk counties, N.Y., on the one hand, and, on the other, points in Ulster County, N.Y. The purpose of this filing is to eliminate gateways at New York, N.Y., points in Nassau County, N.Y. within the New York Commercial Zone, and points in Hudson, Union, Middlesex, and Monmouth counties, N.J. which lie within the New York, N.Y. Commercial Zone and points in Bergen and Passaic counties, N.J. (9) *General commodities*, (except Classes A and B explosives, articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between New York, N.Y., points in Hunterdon, Mercer and Ocean counties, N.J. and the points in portions of Passaic, Morris, Somerset, Middlesex and Monmouth counties, N.J. referred to in Paragraph 1, on the one hand, and, on the other, points in Orange, Sullivan, Dutchess and Delaware counties N.Y. The purpose of this filing is to eliminate a gateway at New York, N.Y.

(10) *General commodities* (except Classes A and B explosives, articles of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Matamoras, Pa., and Port Jervis, N.Y., on the one hand, and, on the other, Paterson, N.J., points in Hudson and Union Counties, N.J., and points in Nassau and Suffolk Counties, N.Y. The purpose of this filing is to eliminate gateways at Paterson, N.J., and those in Hudson and Union Counties, N.J.

(11) *Machinery*, between New York, N.Y., Newark, N.J., and points in Orange and Rockland Counties, N.Y., and Hudson and Passaic Counties, N.J., on the one hand, and, on the other, points in Hunterdon, Mercer, and Ocean Counties, N.J., and the portions of Morris, Somerset, Middlesex, and Monmouth Counties, N.J., referred to in Paragraph 1. The purpose of this filing is to eliminate gateways at New York, N.Y., and points of Hudson and Passaic Counties, N.J.

(12) *Glassware*, from Port Jervis, N.Y., to Trenton and Newark, N.J., New York, N.Y., and points in Nassau and Suffolk Counties, N.Y. The purpose of this filing

is to eliminate a gateway at Trenton, N.J.

NOTE.—This is a gateway elimination request and is directly related to a Section 5(2) proceeding in MC-F-12584 published in the FEDERAL REGISTER issue of July 30, 1975. Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 87966 (Sub-No. 17) (Partial correction), filed June 18, 1975, published in the FEDERAL REGISTER issue of July 30, 1975, and republished, as corrected, in part, this issue. Applicant: ELEVELD CHICAGO FURNITURE SERVICE, INC., 4020 West 24th Street, Chicago, Ill. 60623. Applicant's representative: Leonard R. Kofkin, 39 South LaSalle Street, Chicago, Ill. 60603.

NOTE.—The purpose of this partial republication is to indicate the correct name of the applicant. The rest of this notice remains as originally published. This is a gateway elimination request and is a matter directly related to a Section 5(2) proceeding in MC-F-12565 published in the FEDERAL REGISTER issue of July 2, 1975. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 99888 (Sub-No. 3), filed July 11, 1975. Applicant: MAYFIELD TRANSFER & STORAGE CO., INC., 3200 West Lake Street, Melrose Park, Ill. 60610. 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: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those which require specialized handling or rigging because of size or weight), between points in Illinois within 50 miles of 1342 Front Street, Aurora, Ill., on the one hand, and, on the other, points in Indiana in the Chicago, Ill., Commercial Zone as defined by the Commission. The purpose of this filing is to eliminate a gateway at Chicago, Ill. (except those points in the Chicago, Ill., Commercial Zone located in Indiana).

NOTE.—This is a gateway elimination request and is directly related to a Section 5(2) proceeding in MC-F-12264 published in the FEDERAL REGISTER issue of July 24, 1974. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., on consolidated record with MC-F-12264.

No. MC 124523 (Sub-No. 4), filed June 26, 1975. Applicant: BUTTERWORTH & SONS, INC., 1320 West Broad Street, Stratford, Conn. 06497. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between JFK Airport, New York, N.Y., LaGuardia Airport, New York, N.Y., and Newark Airport, N.J., on the one hand, and, on the other, points in Connecticut on, east, northeast, and north of a line beginning at the New York-Connecticut State Boundary line and extending along Interstate Highway 84 to Danbury, Conn., thence along Connecticut Highway 58 to Bridgeport, restricted to traffic having an immediately prior or subsequent movement by air. The purpose of this filing is to eliminate gateways at Bridgeport, Hamden, Norwalk, Waterbury, New Haven, East Haven, and West Haven, Conn.

NOTE.—This is a gateway elimination request and is directly related to a Section 212 (b) proceeding in MC-FC-75910. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 1936 (Sub-No. 4) (Amendment) (B&P MOTOR EXPRESS, INC.), published in the July 9, 1975, issue of the FEDERAL REGISTER. Prior notice of amendment should be modified to read as follows: *No. MC-1936 (Sub-No. 40)*.

No. MC-F-12301. (Correction) (L. V. COMPANY, INC.—PURCHASE—LEONA A. KULOVITS, Executrix of Estate of STEPHEN L. KULOVITS), published in the September 18, 1974, issue of the FEDERAL REGISTER. Prior notice should be modified to read as follows: Operating rights sought to be transferred: *Shale derived aggregate*, in bulk, as a *common carrier* over irregular routes, from Tamaqua, Pa., to points in Connecticut, Delaware, the District of Columbia, Maryland, New Jersey, and New York within 200 miles of Tamaqua, from points in Plains Township, Luzerne County, Pa., to points in Connecticut, Delaware, Maryland, New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties, N.J.), New York, Rhode Island, and the District of Columbia. Vendee is authorized to operate as a *contract carrier* in Pennsylvania, Delaware, New Jersey, and New York.

No. MC-F-12566. Authority sought for purchase by BLUE LINE EXPRESS, INC., 260 D. W. Highway, Nashua, NH 03060, of the operating rights and property of GREGORY LONGO, doing business as LONGO'S TRANSPORTATION, 4 Joseph Street, Norwich, CT 06360, and for acquisition by DANA L. CLARK, also of Nashua, NH 03060, of control of such rights through the purchase. Applicant's attorneys: Mary E. Kelley, 11 Riverside Ave., Medford, MA 02155, and Lewis C. Maruzo, 257 Main St., Norwich, CT 06360. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-99624 (Sub-No. 1), covering the transportation of general commodities, as a common carrier, in interstate commerce, within the State of Connecticut. Vendee is authorized to operate as a *common carrier* in Maine, Massachusetts, New Hampshire, Connecticut New Jersey, New York, Rhode Island, and Vermont. Application has been filed for temporary authority under section 210a(b).

NOTE.—MC 1783 (Sub-No. 17), is a matter directly related.

No. MC-F-12596. Authority sought for control and merger by L. A. TUCKER TRUCK LINES, INCORPORATED, P.O. Box 1060, Cape Girardeau, MO 63701, of the operating rights and property of BONIFIELD BROS. TRUCK LINES, INC., P.O. Box 40, W. Frankfort, IL 62896, and for acquisition by KENNETH W. INMAN, also of Cape Girardeau, MO 63701, of control of such rights and property through the transaction. Applicants' attorney and representative: James R. Ponsot, 321 N. Spring Ave., Cape Girardeau, MO 63701, and Thomas F. Kilroy, P.O. Box 624, Springfield, VA 22150. Operating rights sought to be controlled and merged: *General commodities*, with certain specified exceptions and numerous other specified commodities, as a *common carrier*, over regular and irregular routes, from, to, and between specified points in the States of Missouri, Illinois, Indiana, and Kentucky, with certain restrictions, serving various intermediate and off-route points over one alternate route for operating convenience only, as more specifically described in Docket No. MC 96498 and Sub-numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety, thereof. Vendee is authorized to operate as a *common carrier* in Illinois, Missouri, Arkansas, Indiana, Tennessee, and Iowa. Application has been filed for temporary authority under section 210a(b).

FEDERAL REGISTER NOTICE

Correction of a FEDERAL REGISTER Notice, published in the FEDERAL REGISTER issue of July 25, 1975 and republished, as corrected, this issue. No. MC 107993 (Sub-No. 29) (Supplemental). This proceeding is entitled *Willis Trucking Company—Extension* and directly related to No. MC-F-11913, *J. J. Willis Trucking Company—Purchase—Chesley Transportation Co., Inc.* Corrected notice in No. MC 107993 (Sub-No. 29) was previously published on November 21, 1973. This supplemental notice clearly reflects certain authority requested to be granted, according to the report and order of Division 3, acting as an Appellate Division, served June 12, 1975. The commodity authority (and involved territorial authority) are as follows: *Commodities*, the transportation of which requires the use of special equipment by reason of their size or weight, and *related machinery, parts, and contractors' equipment and supplies* when their transportation is incidental to the transportation of commodities which by reason of size or weight require the use of special equipment, and *self-propelled articles* each, weighing 15,000 pounds or more, restricted to commodities which are transported on trailers.

Serving all points as a regular route carrier along the following named highways, and all other points in California as off-route points, said authority including the right to serve Blythe and Winterhaven, Calif., and their respective commercial zones, including the Arizona portions thereof.

(1) U.S. 101 and U.S. 101 by-pass between Oregon-California State line and California-Mexico line; (2) U.S. 99, 99–E and 99–W between Oregon-California State line and the Mexico border; (3) U.S. 299 between Redding and Alturas, California; (4) U.S. 395 between the Oregon-California State line and California-Nevada State line, via Alturas and Johnstonville; (5) State Highway 36 between junction 99–E near Red Bluff, California, and junction U.S. 395 at Johnstonville; (6) State Highway 20 between Marysville, California and junction U.S. 40; (7) U.S. 40 between San Francisco, and California Nevada line; (8) U.S. 50 between Sacramento, California, and California-Nevada State line; (9) U.S. 395 between California-Nevada State line at Topaz Lake and junction U.S. 66; (10) U.S. 65 between Los Angeles and Needles, California; (11) U.S. 60 between Los Angeles, California and California-Arizona State line; (12) U.S. 91 and 466 between Barstow and Nevada-California State line; (13) U.S. 80 between San Diego and California-Arizona State line; (14) State Highway 127 between Baker and Nevada-California State line.

The aforesaid report has already granted authority, in this proceeding, to serve the above-noted territory, insofar as the following commodities are concerned: 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.

Machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof. Machinery, and equipment used in, or in connection with the construction of roads, dams, bridges, power plants, and compressor plants.

NOTE.—This FEDERAL REGISTER Notice was published in the July 25, 1975, issue together with a notice of a Finance Docket. The purpose of this republication is to give adequate notice to the public by indicating that the issues presented in the previous notice belong in two documents rather than one.

FINANCE DOCKET

(Correction) Finance Docket No. 27921, published in the FEDERAL REGISTER issue of July 25, 1975, and republished, as corrected, this issue.

Notice of Filing of an Application Finance Docket No. 27921 by Thomas F. Patton and Ralph S. Tyler, Jr., Trustees of the property of Erie Lackawanna Railway Company, Debtor, under Section 5 (2) of the Interstate Commerce Act, as amended, for an order or orders approving and authorizing the extension of trackage rights over the line of the Baltimore and Ohio Railroad Company between Carrollton, New York, and Mt. Jewett, Pa., at J & B Jct.

Notice is hereby given that on May 21, 1975, the above Application was filed with the Interstate Commerce Commission.

With respect to this notice, the following information is supplied:

1. Name and address of applicants: Thomas F. Patton and Ralph S. Tyler, Jr., Trustees of the Property of Erie Lackawanna Railway Company, Debtor, Midland Building, 101 Prospect Avenue, N.W., Cleveland, Ohio 44115.

Name and address of counsel for applicants: Richard Jackson, Vice President—Law, Erie Lackawanna Railway Company, Midland Building, 101 Prospect Avenue, N.W., Cleveland, Ohio 44115.

to the revelant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra, Part (b) (1)–(5), 340 I.C.C. 431, 461.

The proceedings will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Interstate Commerce Commission no later than thirty (30) days from the date of first publication in the FEDERAL REGISTER.

NOTE.—The purpose of this republication is to correctly identify this document as Finance Docket in lieu of part of a Supplemental notice to a Finance proceeding in MC 107993 (Sub-No. 29) related to MC-F-11913 as previously published.

NOTICE

The Baltimore and Ohio Railroad Company, Two North Charles Street, Baltimore, Maryland 21201, represented by Mr. Rene J. Gunning of the same address, hereby gives notice that on the 11th day of July, 1975, it filed with the Interstate Commerce Commission at Washington, D.C., an application under Section 5(2) of the Interstate Commerce Act for an order approving and authorizing the acquisition of trackage rights over Penn Central Transportation Company, which application was assigned Finance Docket No. 27956. The Penn Central Transportation Company line of railroad over which Baltimore and Ohio requests approval and authorization of trackage rights extends between a point where the lines of PC and B&O intersect at "GN" Tower, approximately 1.7 miles west of Columbus Union Depot (including trackage rights over a new connecting track near "GN" Tower), and a point just east of Fourth Street where the line of PC connects with tracks jointly owned by B&O and The Philadelphia, Baltimore and Washington Railroad Company (PC, owner and lessee), a total distance of approximately 2.19 miles, all in Columbus, Franklin County, Ohio.

Applicant has alleged in its application that the quality of the human environment will not be affected by the proposed Commission action requested in the application. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation-Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431 1972, any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), *supra*, Part (b) (1)–(5), 340 I.C.C. 431, 461.

The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than 30 days from the date of first publication in the FEDERAL REGISTER.

THE BALTIMORE AND OHIO RAILROAD COMPANY

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-21198 Filed 8-12-75;8:45 am]

[Notice No. 90]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 8, 1975.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

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.

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 the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 112520 (Sub-No. 310TA), filed July 31, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tal-

lahassee, Fla. 32302. Applicant's representative: Sol H. Proctor, 1107 Blackstone Bldg., Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphoric acid*, in bulk, in tank vehicles, from points in Wayne County, Ga., to Cantonement, Fla., for 180 days. Supporting shipper: St. Regis Paper Company, P.O. Box 87, Cantonement, Fla. 32533. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 113908 (Sub-No. 347TA), filed August 1, 1975. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale St., P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar, vinegar stock and vinegar stock concentrate*, in bulk, from Alton, Ill.; Evansville, Ind.; Manitowoc, Wis., to Wichita, Kans., for 180 days. Supporting shipper: Standard Brands, Inc., 3638 N. Broadway, Chicago, Ill. 60603. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 113908 (Sub-No. 348TA), filed August 1, 1975. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale St., P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Neutral spirits, distilled spirits, alcohol, beverages and beverage spirits*, in bulk, from Atchison, Kans., to points in Connecticut, Illinois, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Vermont and Wisconsin, for 180 days. Supporting shipper: Midwest Solvents Company, Inc., 1300 Main St., Atchison, Kans. 66002. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 116947 (Sub-No. 43TA), filed August 1, 1975. Applicant: SCOTT TRANSFER CO., INC., 920 Ashby St., SW., Atlanta, Ga. 30310. Applicant's representative: Williams Addams, 5299 Roswell Road, NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, metal container ends, shrouds, pallets, chipboard and dunnage materials*, from the plantsite of National Can Corporation, at Bishopville, S.C., to points in Florida, Georgia, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas, Tennessee, North Carolina, Kentucky, Kansas, and Missouri, under continuing contract with National Can Corporation, for 180 days. Supporting shipper: National Can Corporation, 727 S. Wolfe St., Baltimore, Md. 21231. Send protests to: William L. Scroggs, District Supervisor, 1252 W. Peachtree St., NW., Room 546, Atlanta, Ga. 30309.

No. MC 119669 (Sub-No. 54TA), filed July 31, 1975. Applicant: TEMPCO TRANSPORTATION, INC., Box 254, Plainfield, Ind. 46168. Applicant's representative: Jack H. Blanshan, 29 South LaSalle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Alabama, Arkansas, Delaware, the District of Columbia, Florida, Georgia, Kansas, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia. Restriction: Restricted to the transportation of traffic originating at the above origin and destined to the above named destinations, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Fran Sterling, Transportation Assistant, Interstate Commerce Commission, Federal Bldg., & U.S. Courthouse, 46 East Ohio St., Room 429, Indianapolis, Ind. 46204.

No. MC 120364 (Sub-No. 5TA), filed July 31, 1975. Applicant: A & B FREIGHT LINE, INC., 2800 Falund St., Rockford, Ill. 61109. Applicant's representative: Robert M. Kaske (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods, A and B explosives, commodities in bulk, and those requiring special equipment), between Rockford, Ill., on the one hand, and, on the other, Scales Mound, and Galena, Ill., applicant intends to tack its existing authority with MC 120364 Sub-3, at Rockford, Ill., for 180 days. Supporting shippers: There are approximately 20 statements of support attached to the application which may be examined 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: Charles R. Nesmith, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirdken Bldg., 219 South Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 134922 (Sub-No. 141TA), filed August 1, 1975. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Don Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic products* (except commodities in bulk and those which because of size or weight require the use of special equipment), from Passaic, N.J., to points in California (restricted to traffic originating at the plantsite of Pantasote Co.), for 180 days. Supporting shipper: Pantasote Company of New York, 26 Jefferson St., Passaic, N.J. 07055. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 138758 (Sub-No. 5TA), filed July 31, 1975. Applicant: NORTHERN GAS, INC., Lyndonville, Vt. 05851. Applicant's representative: John P. Monte, 61 Summer St., Barre, Vt. 05641. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Propane gas*, in bulk, from ports of entry on the United States-Canadian Border, at or near Derby Line and Highgate Springs, Vt., and Fort Kent, Jackman, Madawaska and Van Buren, Maine, to points in Maine, for 180 days. Supporting shipper: Gasbec, Inc., 2253 Taschereau, Longueuil, Quebec, Canada. Send protests to: S. Arnold Smith, Acting District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 548, 87 State St., Montpelier, Vt. 05602.

No. MC 139269 (Sub-No. 4TA), filed July 31, 1975. Applicant: C. P. CRASKA, INC., 207 Cosby Manor Road, Utica, N.Y. 13502. Applicant's representative: Murray J. S. Krishtein, 118 Bleeker St., Utica, N.Y. 13501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and foodstuffs requiring transportation in vehicles equipped with mechanical temperature control devices, from Utica, N.Y., and points within a 25 mile radius of Schenectady, N.Y., to all points in Vermont and New Hampshire and those points in Massachusetts on and west of Highway No. 5, applicant intends to interline at Utica and points within 25 miles of Schenectady, N.Y., for 180 days. Supporting shipper: John A. Pryor, Albany Center Distribution Center Mgr., Oscar Mayer & Co., Inc., 39 Walden Glen, Ballston Lake, N.Y. 12019. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 104, O'Donnell Bldg., 301 Erie Blvd., W. Syracuse, N.Y. 13202.

No. MC 140417 (Sub-No. 1TA), filed July 31, 1975. Applicant: JAMES E. THOMAS, doing business as THOMAS MOBILE HOME REPAIR SERVICE, 3072 Victory Drive, Columbus, Ga. 31903. Applicant's representative: C. E. Walker, Suite 307, First National Bank Bldg., Columbus, Ga. 31902. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, between

points in Muscogee, Harris and Chattahoochee Counties, Ga., on the one hand, and, on the other, points in Russell, Lee, Chambers, Tallapoosa, Macon, Barbour, Bullock and Montgomery Counties, Ala., for 180 days. Supporting shippers: Clay Drive Mobile Home Park, 3110 Victory Dr., Columbus, Ga. 31903. Muscogee Associates, Inc., d/b/a Air View Mobile Home Park, 3150 Plateau Drive, Columbus, Ga. 31903. Mack's Mobile Homes, 280 By Pass, Phenix City, Ala. Send protests to: William L. Scroggs, District Supervisor, 1252 W. Peachtree St., NW., Room 546, Atlanta, Ga. 30309.

No. MC 141128 (Sub-No. 1TA), filed July 31, 1975. Applicant: RON-DEL TRANSPORT ENTERPRISES LTD., P.O. Box 206, Fort Saskatchewan, Alberta, Canada. Applicant's representative: J. F. Meglen, P.O. Box 1581, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap iron and non-ferrous scrap metals*, from points in Montana and Wyoming to the Port of Entry on the International Boundary line between the United States and Canada, located at or near Sweetgrass, Mont., for 180 days. Supporting shippers: John J. Thiebes, V. P., Pacific Hide & Fur Depot, P.O. Box 1549, Great Falls, Mont. 59403. W. A. Melnyk, Managing Director, Titan Foundry Ltd., 9520–125 Ave., Edmonton, Alberta, Canada T5G OW4. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 141161 (Sub-No. 1TA) (Correction), filed July 17, 1975, published in the FEDERAL REGISTER issue of August 1, 1975, and republished as corrected this issue. Applicant: A. O. G. SERVICES INC., 177–25 Rockaway Boulevard, Jamaica, N.Y. 11434. Applicant's representative: Matthew Devine, 313 E. Garden City St., Islip Terrace, N.Y. 11752. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aircraft parts, aircraft documents and commissary equipment* to be used on aircraft restricted to 500 pounds in special messenger service, between JFK International Airport, Jamaica, N.Y., and the Airports located within a radius of 400 airmiles of JFK International Airport located in the following states: New York, New Jersey, Pennsylvania, Maryland, Connecticut, Delaware, Massachusetts, Maine, Virginia, Rhode Island, and the District of Columbia and Vermont, for 180 days. Supporting shippers: Capitol International Airways, P.O. Box 220, JFK International Airport, Jamaica, N.Y. 11430. Saturn Airways, Inc., P.O. Box 269, JFK International Airport, Jamaica, N.Y. 11430. Overseas National Airways Inc., 147–27 175th St., Jamaica, N.Y. 11430. Send protests to: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007. The purpose of this republication is to change docket number to MC 141161 (Sub-No. 1TA) in lieu of MC 141166 TA, which was previously published error.

No. MC 141202 TA, filed August 1, 1975. Applicant: WALT KEITH TRUCKING, INC., 480 Richards Road, Kansas City, Mo. 64114. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated metal buildings*, knock down, from the plantsite and facilities of Pasco Steel Company, located at or near Wathena, Kans., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Agra Steel Corporation, 4650 W. 90th Terrace, Prairie Village, Kans. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 141203 TA, filed July 30, 1975. Applicant: COMSTOCK TRUCKING, INC., 140 Empire Avenue, Modesto, Calif. 95354. Applicant's representative: William H. Kessler, 638 Divisadero St., Fresno, Calif. 93721. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refinery residuum, viz: petroleum road oil and petroleum asphalt* in bulk, in tank vehicles, from Girvan and Pittsburg, Calif., to points in Coos, Curry, Douglas, Harney, Jackson, Josephine, Klamath, Lake, and Malheur Counties, Oreg., for 180 days. Supporting shipper: Douglas Oil Company of California, 3160 Airway Ave., P.O. Box 2500, Costa Mesa, Calif. 92626. Send protests to: Claud W. Reeves, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 141205 TA, filed July 30, 1975. Applicant: HUSKY OIL TRANSPORTATION CO., 600 South Cherry St., Denver, Colo. 80222. Applicant's representative: F. Robert Reeder, 79 South State St., Salt Lake City, Utah 84147. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crude oil and crude petroleum products*, (A) from points in Logan, Weld, Adams, Boulder, Denver, Larimer, Jackson, Morgan, Washington, Kit Carson, Cheyenne, Sedgwick, Phillips, Yuma, Arapahoe, Jefferson, Clear Creek, Gilpin, Elbert Routt, Moffat, and Grand Counties, Colo., to points in Laramie, Sweetwater, Albany and Carbon Counties, Wyo., and (B) from points in Banner, Kimball, Cheyenne, Scotts Bluff, Sioux, Morrill, Dundy, Chase, Perkins, Hitchock, Hayes, Lincoln, Frontier, and Red Willos Counties, Nebr., to points in Laramie, Sweetwater, Albany and Carbon Counties, Wyo., and those in Washington, Denver, Adams, and Weld Counties, Colo., under continuing contract with Husky Oil Company, for 180 days. Supporting shipper: Husky Oil Company, 600 South Cherry St., Denver, Colo. 80222. Send protests to: Herbert C. Fuoff, District Supervisor, Interstate Commerce Commission, 1961 Stout St., 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 141206 TA, filed August 1, 1975. Applicant: MICHAEL TRANSFER, INC., 1191 Sharpless St., La Habra, Calif. 90631. Applicant's representative: Michael Di Peppino (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Major household appliances, including refrigerators, freezers, washers & dryers, dishwashers, trash compactors, disposals, free-standing gas & electric ranges, microwave ovens, vent hoods, surface units, or built in ranges, and air conditioners*, from the railroad team tracks, located in Santa Barbara, Ventura, Los Angeles, Riverside, San Bernardino, Orange and San Diego Counties, Calif., to points located in any of the above-named counties, under continuing contract with General Electric Company, for 180 days. Supporting shipper: General Electric Company, 2957 E. 46th St., Los Angeles, Calif. 90058. Send protests to: Mildred I. Price, Transportation Assistant, Room 1321, Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-21201 Filed 8-12-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

CANADIAN JAVELIN, LTD.

Suspension of Trading

AUGUST 6, 1975.

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 Section 12(k) 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 August 7, 1975 through August 16, 1975.

By the Commission.

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

[FR Doc.75-21123 Filed 8-12-75;8:45 am]

VETERANS ADMINISTRATION

STATION COMMITTEE ON EDUCATIONAL ALLOWANCES

Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances that on August 21, 1975, at

10 a.m., the Veterans Administration Regional Office Station Committee on Educational Allowances shall at Federal Building—U.S. Courthouse, Room A–220, 110 9th Avenue, South, Nashville, Tennessee, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in Miami's School of Beauty Culture, Nashville, Tennessee, should be discontinued, as provided in 38 C.F.R. 21.4134, because a requirement of law is not being met or a provision of the law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the Committee at that time and place.

Dated: August 6, 1975.

R. S. BIELAK,
Director, VA Regional Office.

[FR Doc.75–21104 Filed 8–12–75;8:45 am]

DEPARTMENT OF LABOR

Wage and Hour Division

FULL-TIME STUDENTS EMPLOYED IN RETAIL AND SERVICE ESTABLISHMENTS

Certificates Authorizing Employment at Subminimum Wages

Correction

In FR Doc. 75–20019 appearing at page 32392 of the issue for Friday, August 1, 1975, in the 48th line of the second paragraph in the first column on page 32393, "600 Lindhurst Avenue" should read "6000 Lindhurst Avenue".

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 75–50]

NASA RESEARCH AND TECHNOLOGY ADVISORY COUNCIL, PANEL ON AERONAUTICAL OPERATING SYSTEMS, AD HOC PANEL ON TERMINAL CONFIGURED VEHICLES

Meeting

The NASA Research and Technology Advisory Council (RTAC) Panel on Aeronautical Operating Systems, Ad Hoc Panel on Terminal Configured Vehicles will meet on September 10–11, 1975, at NASA Headquarters, Room 625, 600 Independence Avenue, S.W., Washington, DC 20546. Members of the public will be admitted on a first-come, first-served basis, up to the seating capacity of the room which is about 40 persons.

The Ad Hoc Panel on Terminal Configured Vehicles serves in an advisory capacity only. The current Chairman is Mr. John A. Gorham, and there are 10 members. The following list sets forth the approved agenda and schedule for the September 10–11, 1975, meeting of the Ad Hoc Panel on Terminal Configured Vehicles. For further information, please contact Mr. Kenneth Hodge, Area Code 202/755–2375.

SEPTEMBER 10, 1975

Time	*Topic*
8:30 a.m.	Reports of Chairman and Executive Secretary (Purpose: To summarize action taken at the March 1975 meeting of the RTAC Panel on Aeronautical Operating Systems and at the May 1975 meeting of the Research and Technology Advisory Council and to explain recent changes in the organization of the Office of Aeronautics and Space Technology.)
9:30 a.m.	Terminal Configured Vehicles (TCV) Program Schedules and Tasks (Purpose: To brief the Panel on status versus plan and to obtain recommendations on task priorities.)
10:45 a.m.	B–737 Role in the Microwave Landing System (MLS) Development (Purpose: To define potential tasks for the NASA B–737 aircraft in the microwave landing system development, describe NASA's ability to respond, and receive Panel recommendations.)
11:45 a.m.	Control Wheel Steering Mode Operation (Purpose: To describe the steps which have been taken to relieve the problem of roll oscillations when operating the NASA B–737 in the control wheel steering mode from the aft flight deck.)
1 p.m.	Human Factors Aspects of Future Cockpit Design (Purpose: To brief the Panel about planning efforts undertaken to assist FAA in implementing the recommendations of the Secretary of Transportation's Task Force on Safety. Suggestions from Panel members will be solicited.)
2:45 p.m.	SWISSAIR Operations Observations (Purpose: to describe observations made of flight crew procedures, work load, and cockpit displays during scheduled service flights.)
3:15 p.m.	Panel Members' Reports (Purpose: To permit Panel members to report on research and other activities being pursued elsewhere which are of interest to NASA and relate to the responsibilities of the Panel.)

SEPTEMBER 11, 1975

8:15 a.m.	Area Navigation and Area Navigation / Instrument Landing System (ILS) Transition (Purpose: To report the results of flight experiments which have been conducted since the last meeting.)
8:30 a.m.	Air Traffic Control Interfaces (Purpose: To recount the status of ongoing and planned research activities at Langley Research Center to investigate the airborne usage of MLS and traffic information in a simulated busy terminal area.)
9:00 a.m.	TCV Optimal Control Program (Purpose: To report the results of investigation of optimal flight path definition and control as a function of noise constraints, passenger comfort, fuel minimization, and time minimization.)
9:30 a.m.	TCV Software Verification (Purpose: To review and advise on the techniques in use for software verification in the TCV program.)
10:15 a.m.	Applicability of Strapdown Inertial Sensor Units to Advanced Commercial Aircraft (Purpose: To identify operational and cost benefits and potential problems in the use of strapdown inertial sensor units for the integration of flight control, guidance, and navigation functions in commercial aircraft.)
11:15 a.m.	TCV Piloted Simulator and Related Displays Studies (Purpose: To present the status of the Langley Research Center piloted simulator for terminal configured vehicles and a description of display evaluation techniques.)
1 p.m.	Active Control Aircraft Program (Purpose: To describe NASA's technology program for the incorporation of active controls in future civil aircraft and to obtain recommendations from Panel members on the usefulness of active controls on terminal configured vehicles.)
1:30 p.m.	Formulation of Panel Recommendations (Purpose: To document recommendations and observations to be reported to the RTAC Panel on Aeronautical Operating Systems and NASA officials.)
3:30 p.m.	General Discussions (Purpose: To afford an opportunity for Panel members and other attendees to discuss other matters relating to the Panel's responsibilities.)

4:30 p.m..... Adjournment.

DUWARD L. CROW,
Assistant Administrator for DOD and Interagency Affairs, National Aeronautics and Space Administration.

AUGUST 7, 1975.

[FR Doc.75-21086 Filed 8-12-75;8:45 am]

[Notice 75-49]

SPACE SYSTEMS COMMITTEE OF THE SPACE PROGRAM ADVISORY COUNCIL

Changed Dates for Meeting

Reference NASA Notice 75-43 which appeared in the Federal Register, Vol. 40, No. 129, page 28137 on Thursday, July 3, 1975. The dates of the meeting for the Space Systems Committee scheduled for August 21 and 22, 1975, have been changed to November 3 and 4, 1975. The place, agenda, and other pertinent information printed in the referenced NASA Notice remain the same.

DUWARD L. CROW,
Assistant Administrator for DOD and Interagency Affairs.

AUGUST 7, 1975.

[FR Doc.75-21087 Filed 8-12-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RI76-15]

AMOCO PRODUCTION CO.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

AUGUST 6, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI76-15...	Amoco Production Co.....	302	27	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	$425	7-16-75	.....	1-16-76	31.6929	32.2001	RI74-105.
	.....do.....	363	46	.....do.....	709	7-16-75	.....	1-16-76	31.6929	32.2001	RI74-105.

*Unless otherwise stated, the pressure base is 15.025 lb/in²a.

[1] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

The proposed rate increases of Amoco exceed the applicable area ceiling in Opinion No. 658 and are suspended for five months.

[FR Doc.75-21168 Filed 8-12-75;8:45 am]

[Docket Nos. RI75-83, etc.]

BELCO PETROLEUM CORP.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

AUGUST 6, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto (18 CFR, Chapter I), and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.-102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets No.
RI75-83	Belco Petroleum Corp.	1	42	Northwest Pipeline Corp. (Wyoming) (Rocky Mountain).		7-11-75	7-11-75	(2)	53.652	54.189	
						7-11-75		7-12-75	42.74	43.003	RI75-83.
RI75-83	do	2	30	do		7-11-75	7-11-75	(2)	53.652	54.189	
						7-11-75		7-12-75	42.74	43.003	RI75-83.
RI75-83	do	3	28	do		7-11-75	7-11-75	(2)	53.652	54.189	
						7-11-75		7-12-75	42.74	43.003	RI75-83.
RI74-119	do	4	13	Mountain Fuel Supply Co. (Wyoming) (Rocky Mountain).		7-11-75	7-11-75	(2)	53.652	54.189	
						7-11-75		7-12-75	25.8632	29.0	RI74-119.
						7-11-75	7-11-75	(2)	24.8472	24.98	
RI75-83	do	5	16	Northwest Pipeline Corp. (Wyoming) (Rocky Mountain).		7-11-75	7-11-75	(2)	53.652	54.189	
						7-11-75		7-12-75	42.74	43.003	RI75-83.
RI75-83	do	6	26			7-11-75	7-11-75	(2)	53.652	54.189	
						7-11-75		7-12-75	42.74	43.003	RI75-83.
RI74-190	do	7	13	Mountain Fuel Supply Co. (Wyoming) (Rocky Mountain).		7-11-75		7-12-75	33.48	33.67	RI74-190.

*Unless otherwise stated, the pressure base is 15.025 lb/in ²a.
¹ Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable Btu adjustment and tax.
² Accepted, for filing as of the date set forth in the "Effective Date Unless Suspended" column.

The proposed tax increases which exceed the applicable area ceiling in Opinion No. 658 are suspended for one day in the same rate proceeding involving the underlying rates.

[FR Doc.75-21169 Filed 8-12-75;8:45 am]

[Docket No. CI76-58]

CITIES SERVICE OIL CO.

Application

AUGUST 6, 1975.

Take notice that on July 28, 1975, Cities Service Oil Company (Applicant), P.O. Box 300, Tulsa, Oklahoma 74102, filed in Docket No. CI76-58 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of natural gas from the West Cameron Block 177, offshore Louisiana, to Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it has entered into a gas purchase and sales agreement with Tennessee dated May 22, 1975, that provides for the sale of natural gas to Tenneco from 75 percent of Applicant's interest in gas produced in the West Cameron Block 177, in the interval between the subsea surface and the gas of the OC sand.

Applicant proposes to sell approximately 30,000 Mcf of gas per month at 52.53 cents per Mcf, at 15.025 psia including a gathering charge of 0.51 cent per Mcf of gas and subject to an upward and downward Btu adjustment from the base of 1,000 Btu per cubic foot. Applicant states that it would retain the remaining 25 percent interest in the gas for its own use under an option that must be exercised within 3 years. It is stated that the retained reserves would be transported ashore by Tennessee.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 29, 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 Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-21171 Filed 8-12-75;8:45 am]

[Docket No. CP76-34]

COLORADO INTERSTATE GAS CO.

Application

AUGUST 7, 1975.

Take notice that on July 29, 1975, Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP76-34 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the consolidation of sales and deliveries of natural gas under its two service agreements with Kansas-Nebraska Natural Gas Company, Inc. (Kansas-Nebraska), all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it currently sells natural gas to Kansas-Nebraska under Applicant's Rate Schedule P-1 pursuant to two service agreements. Applicant further states that the first of these provides for a firm contract demand volume of 5,000 Mcf of gas daily to be delivered on a year-round basis at a sales meter station located in Finney County, Kansas, and for deliveries at six minor high-line taps, with a total annual contract demand of 1,825,000 Mcf of gas. The second is stated to provide for a contract demand volume of 21,240 Mcf of gas daily to be delivered at Applicant's Weld County Sales Meter Station, and is stated to be effective for the months of March through November, with no delivery obligation during the months of December, January, or February. The total annual delivery demand under the second agreement is said to be 5,840,000 Mcf of gas.

Applicant requests authorization in the instant application to consolidate sales and deliveries under its two service agreements and would transfer the deliveries currently being made at the Finney County delivery point to the Weld County delivery point. Applicant states that such sales and deliveries would be made under a new service agreement effective October 1, 1975.

Applicant states that the proposed service would not change the total annual delivery obligation, but that it would reduce its daily delivery obligation to Kansas-Nebraska during the months of December, January and February from 5,000 Mcf of gas to 1,000 Mcf of gas and increase its daily delivery volumes

through the remainder of the year from 26,240 Mcf to 27,545 Mcf of gas. The 1,000 Mcf daily winter delivery obligation would be used to supply the demands of the six highline taps covered under the service agreement it is stated. Applicant alleges that the proposed changes would allow Kansas-Nebraska to increase its takes from reserves that it controls in the Kansas area without having to change facilities or operations and would also benefit Applicant by reducing the volumes of gas to be delivered in the coldest months of the year.

The application states that the increase in deliveries to Kansas-Nebraska at Weld County would not substantially affect the total delivery capacity of Applicant's Wyoming pipeline, although less gas will be delivered to Denver from that system. Conversely, it is stated more gas would not available to Applicant's transmission system for delivery to Denver from its Southern System. Sufficient capacity is said to exist in the Southern System to accommodate the increased flow rate.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 29, 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.75-21172 Filed 8-12-75;8:45 am]

[Docket No. E-9002]

COMMONWEALTH EDISON CO.

Extension of Procedural Dates

AUGUST 6, 1975.

On August 1, 1975, Staff Counsel filed a motion to extend the date of service of staff testimony fixed by notice issued July 14, 1975, 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 date of service of staff testimony in the above matter is extended to September 2, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-21173 Filed 8-12-75;8:45 am]

[Docket No. ER76-36]

CONNECTICUT LIGHT & POWER CO.

Termination

AUGUST 6, 1975.

Take notice that The Connecticut Light & Power Company (CL&P) tendered for filing on July 28, 1975, a Notice of Termination of FPC Rate Schedule No. CL&P 109, effective February 19, 1975, and terminated in accordance with its terms, effective April 30, 1975. CL&P states that notice of the proposed termination has been served upon the Public Service Company of New Hampshire.

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 August 18, 1975. 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.75-21184 Filed 8-12-75;8:45 am]

[Docket No. ER76-33]

HARTFORD ELECTRIC LIGHT CO.

Termination

AUGUST 6, 1975.

Take notice that on July 28, 1975, Hartford Electric Light Company (HEL CO) tendered for filing Notice of Termination of FPC Rate Schedule No. CL&P 93, HELCO 75 and WMECO 91 which became effective December 1, 1972, and was terminated in accordance with its terms. HELCO states that the termination became effective May 31, 1975, and that notice of the proposed termination has been served on the United Illuminating Company, The Connecticut Light and Power Company and Western Massachusetts Electric Company.

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 August 18, 1975. 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.75-21174 Filed 8-12-75;8:45 am]

[Docket Nos. E-9233, E-9239 and E-9258]

INDIANA & MICHIGAN ELECTRIC CO.

Order Denying Petition for Rehearing

AUGUST 6, 1975.

On January 29, 1975, Indiana & Michigan Electric Company (I&M) tendered for filing, in three separate submittals, proposed changes in its wholesale for resale rates to the Cities of Anderson (E-9233), Richmond (E-9239), and Auburn (E-9258), Indiana. The rate increases proposed in such filings reflected a 15.22% surcharge upon all charges, exclusive of fuel cost adjustment, then being collected from the three customers. The proposed increases were intended to track the 15.22% increase in I&M's retail Tariff IP which was granted as interim emergency rate relief by a January 23, 1975, order of the Public Service Commission of Indiana (PSCI).

In letters transmitting the subject filings, I&M requested waiver of any and all of the filing requirements under Section 35 of our Regulations on grounds that (1) the service agreements between I&M and Anderson, Richmond and Auburn call for an automatic adjustment of the rates charged by I&M if charges in I&M's retail Tariff IP are approved by PSCI, and (2) the proposed increase to each of the three cities is supported by the cost of service study tendered by I&M in Docket No. E-7740. I&M also requested that the proposed increase be applicable to all bills rendered on and after January 23, 1975. Finally, I&M stated that the filing with respect to Auburn was merely "protective" since Auburn was then, as now, being served under Tariff WS.[1]

[1] I&M explained that the Auburn filing was "protective" in the event Auburn ultimately prevails in its contention that it has a contractual right to elect to remain on Tariff IP.

Upon review of I&M's three filings, we found that they were deficient with respect to certain filing requirements. Accordingly, by letter dated February 19, 1975, the Commission Secretary informed I&M that its filings were deficient under Section 35.13 of the Regulations. The Secretary further informed I&M that it should submit all data required by Section 35.13, including Period II if the amount of the increase is in excess of $1 million for the three customers. I&M was notified that a filing date would not be assigned its submittals until the deficiencies were cured.

On March 3, 1975, I&M filed an application for rehearing of the Commission Secretary's letter order of February 19, 1975. In said application, I&M renewed its contention that the E–7740 cost of service study supports the subject filings. As further support, I&M tendered material identical to that submitted to PSCI in the aforementioned Tariff IP proceedings before that commission. Finally, I&M asserted that it is not required to file Period II data in this proceeding, since none of the three filings exceeds $1 million. Moreover, I&M contended, even if the three filings were aggregated, they still would not exceed $1 million.

By order issued April 2, 1975, the Commission, finding that the proposed increases did not aggregate $1 million, granted, in part, I&M's application for rehearing, thereby relieving I&M from the requirement of filing Period II data. In all other respects, I&M's application for rehearing was denied.

On May 14, 1975, I&M tendered for filing cost of service data for calendar year 1974 for each of its three filings. I&M renewed its request that these filings, and the increases proposed thereby, be applicable to all bills rendered by I&M on and after January 23, 1975. I&M repeated its earlier statement that the filing with respect to Auburn was intended to be "protective" only. With respect to Anderson, I&M requested (1) that the filing be made effective only for the "locked in" period January 23, 1975, through April 16, 1975, and (2) that it remain as a "protective" filing thereafter, since I&M began service to Anderson under Tariff WS as of April 17, 1975.

By order issued June 13, 1975, we rejected each of the three filings. The Richmond filing was rejected because of its failure to substantially comply with the filing requirements of Section 35.13 of our Regulations. Rejection of the Auburn and Anderson "protective" filings was premised on our finding that under the Federal Power Act we have no authority to accept a rate for filing and hold it in abeyance, as we would be compelled to do if such "protective" filings were accepted.

On July 14, 1974, I&M filed a Petition for Rehearing of our June 13, 1975, order. In said petition, I&M contends that we erred in our June 13 order in the following respects:

(1) That our failure to waive certain of the filing requirements of our Regulations constitutes an abuse of discretion;

(2) That under the terms of our April 2, 1975, order, I&M was required to submit only cost of service support to cure the deficiencies in its January 29, 1975, filings;

(3) That our statement that the Richmond filing would not have been given a retroactive effective date was an "erroneous declaratory provision"; and

(4) That we erred in rejecting I&M's "protective" filings or, in the alternative, in not advising I&M in an earlier order that acceptance of such filings is beyond our authority.

We shall discuss each of these contentions separately.

I&M argues firstly that our refusal to waive compliance with that portion or our Regulations requiring testimony and exhibits supporting the proposed increase was an abuse of discretion, since the cost of service study is "self explanatory". Moreover, I&M contends, no testimony is required "to justify rates which result in a rate of return which is negative."

Our review of the Richmond filing indicated that, contrary to I&M's contention, the proposed increase would not have resulted in a negative rate of return. However, in making such contention, as well as in arguing that the cost of service study is "self-explanatory", I&M fails to understand the purpose of that portion of our Regulations here in question. As the Court of Appeals for the D.C. Circuit has stated, ". . . the purpose of . . . the regulations is to assure that the rate filing will provide the FPC with the necessary information from which it can reach an informed and equitable decision as to the necessity for an investigation, hearing, and suspension, *and to permit the Commission and parties in interest with meaningful opportunity to prepare for any proceeding.*" (emphasis supplied).[2] Although the court in that instance was concerned with certain other requirements of our Regulations, we believe that the quoted language is applicable to our filing requirements in general. In the instant case, we believe that the type of preparation referred to by the court could not be undertaken by our Staff and other parties in interest without the testimony and exhibits which I&M failed to submit. It was this context in which we found that the Richmond filing did not substantially comply with our regulations. We fail to see how such finding, or our failure to waive the requirement in question, constitutes an abuse of discretion.

I&M also contends that the language of our April 2, 1975, order required that only cost of service support be submitted to cure the deficiencies in the subject filings. In making this argument, I&M chooses to ignore the clear and unambiguous portion of the order wherein we stated: ". . . we find that I&M has neither rendered substantial compliance with Section 35.13 of our Regulations, nor shown good cause for waiver of same. The filings in question remain deficient, therefore, and filing dates will not be assigned *until such deficiencies have been cured in accordance with Section 35.13*" (emphasis supplied).[3] We believe that the language of the order considered as a whole, and especially that portion of the order emphasized above, clearly and fairly apprised I&M that substantial compliance with Section 35.13 was required, and that cost of service support alone would not be sufficient.

I&M argues further that we erred in stating "[a]ssuming *arguendo* that the Richmond filing had substantially complied with our Regulations, I&M's request for a retroactive effective date would have been rejected . . . "[4] While admittedly not required to meet the issue of the proper effective date for the Richmond filing, since said filing had previously been rejected in that same order, we nevertheless made such finding in response to I&M's repeated requests for retroactive effective dates for each of its three filings. As noted in the June 13, 1975, order, our decision on this issue has been previously contested by I&M and such decision has been affirmed.[5] Under these circumstances, we fail to see how the "declaratory statement" in question constitutes error on our part.

The fourth and final error in our June 13, 1975, order, I&M submits, was our finding that aceptance of "protective" filings is beyond our authority under the Federal Power Act. In this regard, I&M contends that in an order issued December 28, 1973, in Docket No. E–7740, ". . . the Commission . . . stated that I&M could employ just such a separate filing as it here attempted to do." I&M further questions our failure to advise the Company in previous orders in these dockets that we are without authority to accept "protective filings.

I&M misconstrues our December 28, 1973, order in Docket No. E–7740. By no means did we intend to suggest therein that a utility, when faced with a decision as to what is a valid filing, may tender two filings and have one accepted as "protective". Rather, as we said in that order, "It is incumbent upon the Company to determine initially what it believes to be a valid action. Only after that initial action is taken may this Commission rule upon it."[6] Moreover, in our

[2] *Municipal Light Boards of Reading and Wakefield, Mass.* v. *F.P.C.*, 450 F. 2d 1341, 1347–48 (D.C. Cir. 1971), *cert. den.* 405 U.S. 989 (1972).

[3] Order of April 2, 1975, in the subject dockets, mimeo at 5.

[4] Order of June 13, 1975, in the subject dockets, mimeo at 5.

[5] See our orders of November 2, 1973, and December 28, 1973, in *Indiana and Michigan Electric Company*, Docket No. E–7740, and the affirmance thereof in *Indiana and Michigan Electric Company* v. *Federal Power Commission*, —— F. 2d —— (D.C. Cir. Case Nos. 73–2193, *et al.*, decided March 13, 1975).

[6] *Indiana and Michigan Electric Company*, Docket No. E–7740, order issued December 28, 1973, mimeo at 2.

opinion, the mere possibility of reversal by a court of review cannot extend our authority to accept for filing more than one rate at any point in time.

As to our failure to state in previous orders that we could not accept "protective" filings, we simply had not yet determined that such action would be beyond our authority under the Act. It is for this reason, and none other, that we failed to advise I&M of our conclusions on this issue.

The Commission finds:

I&M's July 14, 1975, Petition for Rehearing of our June 13, 1975, order in these dockets presents no facts or principles of law which would provide an appropriate basis for modification or amendment of said order.

The Commission orders:

(A) I&M's Petition for Rehearing of our June 13, 1975, order in these dockets is hereby denied.

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

By the Commission.

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

[FR Doc.75-21175 Filed 8-12-75;8:45 am]

[Docket No. E-9485]

KANSAS GAS & ELECTRIC CO.

Order Accepting for Filing and Suspending Filing and Establishing Procedures

AUGUST 6, 1975.

On June 9, 1975, as completed on July 14, 1975, Kansas Gas and Electric Company (Kansas Gas) tendered for filing proposed changes in its FPC jurisdictional Electric Service Rate Schedule Nos. 87, 89, 98, 110, 113, 126, 128, 129, 131, 132 and 134. These are schedules to Electric Interconnection Contracts or Agreements affecting eleven wholesale customers.[1] The proposed amendments would increase revenues from jurisdictional sales and service to these wholesale customers by approximately $195,080 (11.45%) based on estimated sales for the year ending June 30, 1975. In addition, Kansas Gas has filed a fuel clause adjustment rider applicable to the above-mentioned FPC Rate Schedules intended to conform with Section 35.14 of the Commission's Regulations, as amended by Order No. 517.

Public notice of Kansas Gas' filing was issued June 19, 1975, with protests or petitions to intervene due on or before July 10, 1975. To date no responses have been received.

We note that Kansas Gas states as support for its proposed increase in rates and charges that, "Its earnings must be increased to assure continued confidence in the financial integrity of the business which will enable it to maintain its credit and attract the necessary additional capital on reasonable terms to finance its approximate $545 million construction program through 1979" [2], and that its construction budget for the next ten years is $1.3 billion. All parties submitting evidence in this case should therefore address the issues raised by the company's statements, including but not limited to the reasonableness of Kansas Gas' alleged financing requirements, how their recommended rates of return will permit Kansas Gas to meet those requirements, and the meaning of the phrase "reasonable term". Rate of return witnesses in this proceeding should further address themselves to Kansas Gas' statements (1) that its earnings decreased from $2.60 in 1972 to $2.44 in the test year ended March 31, 1975, (2) that Kansas Gas will have to raise some $403 million from new investors in the next five years, (3) that Kansas Gas has plans that call for selling 800,000 shares of common stock (even though none has been sold since 1963) and $40,000,000 of first mortgage bonds during the latter part of June, 1975, (4) that the requested rate of return (7.75%) will provide the company less than a full rate of return (said to be in the range of 8.52% to 8.82%) on the property used and useful in serving its municipal wholesale customers, (5) that the requested return is basically the same as that approved with respect to Kansas Gas' Rural Electric Cooperative customers in Docket No. E-9260, and Public Utility Resale Customers in Docket No. E-9349, (6) that Kansas Gas was granted an $8.3 million rate increase in April, 1974, and a $5.2 million increase in November, 1974 by the State Corporation Commission of Kansas, and has another $12 million retail rate increase pending, (7) that the cost of first mortgage bonds increased from 3.85% in 1969 to 6.32% currently, (8) that the price/earnings ratio on common stock fell from about 20 times in 1965 to about the present 6¼ times, and (9) that bond coverage has dropped from 8.11 times in 1964 to 2.50 times in the test year.

Our review indicates that the proposed changes in its FPC Jurisdictional Electric Service Rate Schedule, tendered herein by Kansas Gas, have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise illegal. Our review further indicates that the design and format of Kansas Gas' proposed fuel adjustment clause rider is not in conformance with Order No. 517 in that it does not provide for a reduction in the total cost of fuel by the cost of fuel recovered through inter-system sales. Accordingly, we shall accept Kansas Gas' proposed changes for filing, suspend their effectiveness for a period of five months, and establish procedures.

The Commission finds:

It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Kansas Gas' revised rate schedules proposed in this docket and that the tendered rate schedules be suspended as hereinafter provided.

The Commission orders:

(A) Pursuant to authority of the Federal Power Act, particularly Section 205 thereof, and the Commission's Rules and Regulations (18 CFR, Chapter I), a hearing for purposes of cross-examination concerning the lawfulness and reasonableness of the rates and charges in Kansas Gas' FPC Rate Schedules, as proposed to be amended herein shall be held commencing on December 9, 1975, at 10:00 A.M., EST, in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426.

(B) Pending a hearing and a decision thereon, Kansas Gas' proposed changes in its rates and charges, tendered on July 14, 1975, are accepted for filing, and suspended for five months, the full statutory term, the use thereof deferred until January 14, 1976, subject to refund.

(C) On or before October 29, 1975, the Commission Staff shall serve its prepared testimony and exhibits. Should any party petition for and be granted intervention in this proceeding, said intervenor's evidence will be filed on or before November 11, 1975. Any rebuttal evidence by Kansas Gas shall be served on or before November 25, 1975.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose, (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure.

(E) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

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

[FR Doc.75-21176 Filed 8-12-75;8:45 am]

[Docket No. RP64-38]

MICHIGAN WISCONSIN PIPE LINE CO.

Order Approving Refund Report and Requiring Further Refunds

AUGUST 6, 1975.

On September 30, 1968, Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) filed in Docket No. RP64-38 a report showing refunds made to its customers in the amount of $852,462.97

[1] The cities of Augusta, Burlington, Chanute, Coffeyville, Fredonia, Girard, Iola, Mulvane, Neodesha, Wellington, and Winfield, Kansas.

[2] Letter of Transmittal, Page 3, dated June 9, 1975.

covering the period September 1, 1966, through May 31, 1968. These refunds represent the flow-through by Michigan Wisconsin of refunds received from its suppliers.

Notice of the filing of the subject refund report was issued on May 25, 1973, providing for protests or petitions to intervene to be filed on or before June 5, 1973. No protests, petitions to intervene or other comments have been received in response to the notice.

In addition to the above refunds of $852,462.97, Michigan Wisconsin's refund report shows an amount of $100,639.66 received by Michigan Wisconsin from Northern Natural Gas Company (Northern Natural). This $100,639.66 was refunded to Michigan Wisconsin by Northern Natural in the form of billing credits and is comprised of (1) $75,489 representing the flow-through of the tax benefits derived from the use of literalized depreciation for the last six months of 1967, and (2) $25,151 resulting from the fact that Congress did not pass a federal income tax surcharge affecting the year 1967. These refunds were made by Northern Natural under the terms of its Commission-approved rate settlement agreement in Docket No. RP67-20. Michigan Wisconsin has not flowed this amount through to its customers.

Michigan Wisconsin, in a letter dated December 14, 1968, takes the position that the $100,639.66 received from Northern Natural represents a temporary rate reduction, the disposition of which is governed by the provisions of Article IV, entitled "Future Supplier Rate Reductions", of its settlement agreement in Docket No. RP64-38. That article provides for a reduction in Michigan Wisconsin's rates in the event that its overall weighted average base cost of purchased gas is reduced by at least one-tenth of a cent below the average cost of 21.55 cents per Mcf utilized in determining its rates in Docket No. RP64-38. Michigan Wisconsin claims that the alleged temporary rate reduction was more than offset by rate increases of producers, as allowed by Article IV, and that the net effect was to reduce Michigan Wisconsin's average cost of gas by less than the one-tenth of a cent necessary to effectuate a rate reduction.

Unfortunately, we cannot agree with Michigan Wisconsin's interpretation. It seems clear beyond any doubt that there is little, if any, practical or legal distinction to be made between a refund in the form of billing credits or in cash. In either case, the result is a refund. (See e.g. 42 F.P.C. 964). In the circumstances disclosed by this case, we find that the provisions of Article V of Michigan Wisconsin's rate settlement, entitled "Future Supplier Refunds", govern the transaction, rather than Article IV. Article V provides for the flow-through by Michigan Wisconsin of supplier refunds relating to gas purchases on and after September 1, 1966. We therefore find that the refund of $100,639.66 received by Michigan Wisconsin from Northern Natural must be flowed through to Michigan Wisconsin's jurisdictional customers. Since we are separately ordering the additional flow-through of refunds, and since Michigan Wisconsin's refund report of September 30, 1968, showing the disbursement of $852,462.97 appears correct in all respects as to the refunds there reported, such refund report will be approved.

The Commission orders:

(A) Michigan Wisconsin shall, within 30 days from the date of this order, disburse to its jurisdictional customers the sum of $100,639.66 plus any accrued interest, and shall file a report thereof with the Commission.

(B) The refund report filed by Michigan Wisconsin on September 30, 1968, showing the disbursement of refunds totaling $852,462.97 is hereby accepted and approved, subject to the terms of this order.

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

By the Commission.

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

[FR Doc.75-21177 Filed 8-12-75;8:45 am]

[Docket Nos. RP70-35 and RP73-110]

NATURAL GAS PIPE LINE COMPANY OF AMERICA

Filing of Report of Refunds

AUGUST 6, 1975.

Take notice that Natural Gas Pipe Line Company of America (Natural), on March 19, 1975, tendered for filing a report of refund distributions that it has made to its jurisdictional customers for the period December 1, 1970 through November 30, 1971, made in compliance with the provisions of the Stipulations and Agreements approved by the Commission in Docket Nos. RP70-35 and RP73-110.

Natural reports that it made refunds of $8,334,357.33 on December 3, 1974 and $847,332.78 on December 20, 1974 in Docket No. RP73-110 and a refund of $1,174,383.50 on December 20, 1974 in Docket No. RP70-35.

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. All such petitions or protests should be filed on or before August 22, 1975. 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.75-21178 Filed 8-12-75;8:45 am]

[Docket No. RP73-110, PGA75-11a, PGA75-12b]

NATURAL GAS PIPE LINE COMPANY OF AMERICA

Filing of Revised Tariff Sheets

AUGUST 6, 1975.

Take notice that Natural Gas Pipe Line Company of America (Natural), on July 23, 1975, tendered for filing Substitute Second Revised Twenty-Fourth Revised Sheet No. 5 and Substitute Second Revised Substitute Twenty-fourth Revised Sheet No. 5. Natural requests that these sheets be substituted for the corresponding sheets submitted under Natural's transmittal letter dated July 10, 1975, which requested effective dates of July 2, 1975 and August 1, 1975 respectively.

Natural states that the purpose of the requested substitution is to revise Natural's PGA unit adjustment effective July 2, 1975 to reflect the most recent level of rate change to be effective July 2 by United Gas Pipe Line Company in Docket No. RP72-133, PGA75-3.

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 Procedure. All such petitions or protests should be filed on or before August 18, 1975. 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.75-21179 Filed 8-12-75;8:45 am]

[Docket No. E-8954]

NEW ENGLAND POWER CO.

Further Extension of Procedural Dates

AUGUST 6, 1975.

On July 31, 1975, New England Power Company filed a motion to extend the procedural dates fixed by order issued February 3, 1975, as most recently modified by notice issued May 7, 1975 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, September 11, 1975.

Hearing, September 30, 1975 (10:00 a.m. EDT).

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-21180 Filed 8-12-75;8:45 am]

[Docket No. ES-76-4]

PACIFIC POWER & LIGHT CO.

Application

AUGUST 6, 1975.

Take notice that on July 31, 1975, Pacific Power & Light Company (Applicant), a corporation organized under the laws of the State of Maine and qualified to transact business in the States of Oregon, Wyoming, Washington, California, Montana and Idaho, with its principal business office at Portland, Oregon, filed an application with the Federal Power Commission, pursuant to Section 204 of the Federal Power Act, seeking an order authorizing borrowings in an aggregate principal amount not exceeding $50,000,000 at any one time outstanding under a Loan Facility with certain banks.

Under such Loan Facility, Applicant would have the right to make borrowings not exceeding $50,000,000 at any one time outstanding through drawings under a revolving stand-by Loan Facility evidenced by a Letter Agreement to be dated as of September 18, 1975, between Applicant and Credit Suisse White Weld Limited as Agent for the Banks listed in said Letter Agreement. The duration of the Loan Facility would be for a period of 18 months. Under the Loan Facility, Applicant would have the right to make drawings from time to time in the amount of $1,000,000, or multiples thereof, for a period of one, three or six months, at Applicant's option, which borrowings would mature and be repaid on the last day of the chosen period, but in no event later than the termination date of the Loan Facility. Each drawing would be advanced by the Banks in the proportions of their respective commitments as set forth in said Letter Agreement.

Interest would be payable on each drawing at a rate per annum equal to a margin of 1 and ¼ percent per annum plus the rate equal to the arithmetic mean (which, if not a whole multiple of ⅛ of 1 percent, would be increased to the nearest whole multiple of ⅛ of 1 percent) of the rates at which deposits in United States Dollars are offered by prime banks in the London interbank market for periods of one, three or six months, whichever is appropriate, and would be fixed at 11 a.m. (London Time) two business days prior to the date on which the drawing is made. The interest would be payable on each drawing from the date thereof until actual repayment and would be calculated on the basis of the actual number of days elapsed divided by 360. Applicant will be under no requirement or understanding to maintain compensating balances with the Banks.

Applicant would pay a commitment commission in United States Dollars at the rate of ½ of 1 percent per annum from September 18, 1975 until the termination of the Loan Facility calculated on the basis of the actual number of days elapsed divided by 360 and on the daily unused portion of the Loan Facility payable ninety days in arrears from the date of signing the Letter Agreement for the Loan Facility.

Proceeds from the borrowings to be made under the Loan Facility would be used, in part, to temporarily finance Applicant's construction expenditures for 1975–1976 presently estimated at $591,486,000. The balance of funds required to meet estimated 1975–1976 construction expenditures is expected to come, in part, from short-term borowings presently authorized by the Commission and as the Commission may further authorize, and from further permanent financing later in 1975 and in 1976 of a type and magnitude not yet finally determined.

Any person desiring to be heard or to make any protest with reference to this application should, on or before August 22, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or 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. 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.75-21181 Filed 8-12-75;8:45 am]

[Docket Nos. RP73-113 and RP74-91-3]

TENNESSEE GAS PIPELINE CO.

Tariff Filing

AUGUST 6, 1975.

Take notice that on August 1, 1975, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), filed revised tariff sheets to its FPC Gas Tariff consisting of the following to be effective September 1, 1975.

Ninth Revised Volume No. 1:
First Revised Sheet Nos. 4 and 218.
Third Revised Sheet Nos. 2 and 3.
Fifth Revised Sheet Nos. 227, 228, 230 and 232.
Sixth Revised Volume No. 2:
Third Revised Sheet Nos. 1 and 2.

Tennessee states that the purpose of these revised tariff sheets is to cancel the form of contract for its Rate Schedule TWS, to give effect to the cancellation of Rate Schedule TWS made effective by the Commission's order of August 1, 1973, in Docket No. RP73-113; revise the annual volumetric limitation for the city of Springfield, Tennessee, pursuant to the Commission's order of June 6, 1975, in Docket No. RP74-91-3; and to make minor corrections to its FPC Gas Tariff.

Tennessee states that copies of the filing have been mailed to all of its jurisdictional customers and affected state regulatory commissions.

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 September 2, 1975. 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.21182 Filed 8-12-75;8:45 am]

[Docket No. RP69-13]

TEXAS EASTERN TRANSMISSION CORP.

Order Directing Release and Flow-Through of Refunds

AUGUST 5, 1975.

Pursuant to the Commission's order issued in the above docket on October 31, 1969 (42 FPC 961) as modified by order issued April 13, 1970 (43 FPC 533), Texas Eastern Transmission Corporation (Texas Eastern) was directed to retain refunds owed to Texas Gas Transmission Corporation (Texas Gas) pending a determination of Texas Gas' obligation to flow-through the refunds to its jurisdictional customers. The refunds in question relate to the period May 15, 1969, through October 1, 1969, and total $1,067,225.56 plus accrued interest.

Following judicial determination of its flow-through obligation, *Texas Gas Transmission Corp.* v. *FPC*, 441 F. 2d. 1392 (6th Cir. 1971), Texas Gas advised the Commission by letter dated July 12, 1973, that it would flow the Texas Eastern refunds through to its jurisdictional customers.

There appears to be no reason why the subject refunds should not now be released and flowed-through. It will be so ordered.

The Commission orders: (A) Texas Eastern shall, within 30 days from the date of this order, release to Texas Gas all of the refunds owed to Texas Gas and heretofore retained by Texas Eastern pursuant to the Commission's order issued herein on October 31, 1969, as amended, and shall file a report thereof with the Commission.

(B) Texas Gas shall, within 30 days of their receipt, flow the subject refunds through to its jurisdictional customers, and shall file a report thereof with the Commission.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-21183 Filed 8-12-75;8:45 am]

[Rate Schedule Nos. 1, etc.]

THAYER H. LAURIE, ET AL.

Rate Change Filings

AUGUST 7, 1975.

Take notice that the producers listed in the Appendix attached hereto have filed proposed increased rates to the applicable new gas national ceiling based on the interpretation of vintaging concepts set forth by the Commission in its Opinion No. 699–H, issued December 4, 1974. Pursuant to Opinion No. 699–H the rates, if accepted, will become effective as of the date of filing.

The information relevant to each of these sales is listed in the Appendix.

Any person desiring to be heard or to make any protest with reference to said filings should on or before August 20, 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). A protest will not serve to make the protestant a party to the proceeding. Any party wishing to become a party to a proceeding must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

APPENDIX

Filing date	Producer	Rate schedule No.	Buyer	Area
July 23, 1975	Thayer H. Laurie and David N. Mills, Trustees, B. E. Hutchinson Trust, c/o R. E. George,[1] National Bank of Detroit, P.O. Box 222-A, Detroit, Mich. 48232.	[2] 1	El Paso Natural Gas Co.	Rocky Mountain.
Do	Thayer H. Laurie, c/o R. E. George,[1] National Bank of Detroit, P.O. Box 222-A, Detroit, Mich. 48232.	[2] 1	do	Do.
Do	Clinton Oil Co., P.O. Box 1201, Wichita, Kans. 67201.	21	Panhandle Producing Co.	Hugoton-Anadarko.
Do	do	27	do	Do.
Do	Texaco, Inc., P.O. Box 52332, Houston, Tex. 77052.	129	Northern Natural Gas Co.	Do.

[1] cc: Terry R. Barrett, Esquire; Fifth floor, 100 Park Avenue Building, Oklahoma City, Okla. 73102.
[2] Applicant's interest is currently covered under Northeast Blanco Development Corp. FPC Gas Rate Schedule No. 1.

[FR Doc.75-21170 Filed 8-12-75;8:45 am]

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

COMMITTEE MEETINGS

Pursuant to the provisions of section 10 of Public Law 92–463, effective January 5, 1973, notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on:

Thursday, September 4, 1975.
Thursday, September 11, 1975.
Thursday, September 18, 1975.

The meetings will convene at 10 a.m. and will be held in Room 5A06A, Civil Service Commission Building, 1900 E Street, NW., Washington, D.C.

The committee's primary responsibility is to study the prevailing rate system and from time to time advise the Civil Service Commission thereon.

At these scheduled meetings, the committee will consider proposed plans for implementation of Public Law 92–392, which law establishes pay systems for Federal prevailing rate employees.

The meetings will be closed to the public on the basis of a determination under section 10(d) of the Federal Advisory Committee Act (Public Law 92–463) and 5 U.S.C., section 552(b)(2), that the closing is necessary in order to provide the members with the opportunity to advance proposals and counter-proposals in meaningful debate on issues related solely to the Federal Wage System with the view toward ultimately formulating advisory policy recommendations for the consideration of the Civil Service Commission.

However, members of the public who wish to do so, are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the committee's attntion. Additional information concerning these meetings may be obtained by contacting the Chairman, Federal Prevailing Rate Advisory Committee, Room 5451, 1900 E Street, NW., Washington, D.C. 20415.

DAVID T. ROADLEY,
Chairman, Federal Prevailing Rate Advisory Committee.

AUGUST 8, 1975.

[FR Doc.75-21095 Filed 8-12-75;8:45 am]

federal register

WEDNESDAY, AUGUST 13, 1975



PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

NATIONAL HEALTH SERVICE CORPS

Title 42—Public Health

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

PART 23—NATIONAL HEALTH SERVICE CORPS

On January 6, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 1204-1206) proposing a new Part 23 to implement section 2 of the Emergency Health Personnel Act Amendments of 1972 (P.L. 92-585), which amended section 329 of the Public Health Act, authorizing the establishment of the National Health Service Corps. The major changes proposed were as follows: (1) the Secretary, without regard to the existence or absence of an application for assignment of NHSC personnel, will designate those areas which have a critical health manpower shortage and publish periodically in the FEDERAL REGISTER a list of such designated areas, as well as the criteria utilized in making such designation; (2) provision is made for 90-days written notice, published in the FEDERAL REGISTER, before the Secretary may withdraw his designation of an area as one having a critical health manpower shortage; (3) three options are set forth for the reimbursement of the National Health Service Corps by applicants whereby in accordance with the authorizing legislation the Corps can recover its reasonable costs of providing services; (4) the charge to any person for services from assigned personnel shall be in accordance with a schedule of charges determined in consultation with the local medical, dental or other appropriate health society; and (5) the Secretary may approve an application without the certification of need from the State and district medical, dental, or other appropriate health societies when he finds that such certification has been arbitrarily and capriciously withheld.

Interested persons were afforded the opportunity to submit written comments or suggestions thereon. Twenty-three letters of comment were received. Following are summaries of the recommendations, notations of changes in the regulations, and explanations of how the regulations as originally proposed can apply to given situations described in letters of comment received.

1. Four comments were made to amend the regulations to establish a sliding scale that would apply to those who earn income over the Social Security poverty index level. First, section 23.8 (d) of the proposed regulations provides that no charge or a reduced charge shall be made for services provided to any person from a family whose annual income is below the *higher* of the Social Security poverty index level or the State figures for the "medically needy" as determined in accordance with the Aid to Dependent Children figures calculated by the Assistance Payments Administration. Further, where individuals are charged for services received, the proposed regulations in section 23.8(b) thereof allow each sponsoring agency to propose an appropriate fee schedule (including a sliding fee schedule) insuring further flexibility to accommodate individual community needs. The recommended changes therefore are viewed as unnecessary and have not been included in the regulations as here revised.

2. A comment was received expressing concern that, under the regulations, local applicant agencies would bear too large a burden of providing services to medically indigent persons who cannot pay for these services. Section 329 of the Public Health Services Act, which authorizes the National Health Service Corps Program, mandates that any individual who is determined to be unable to pay for health care or services provided under the Program must be provided such services at a reduced rate or no charge. This requirement is reflected in section 23.8(d) of the proposed regulations as summarized above. In recognition of the burden of this requirement on sites in which the community is sharing in the cost of the project, the proposed regulations in section 23.8(a)(2) thereof provide for a reimbursement option by which the Corps is reimbursed on a shared percentage basis of the total receipts collected, after certain preferential costs are paid. This option should serve to reduce the economic burden on participating communities.

3. One comment expressed concern that the involvement of the health planning agencies required in the proposed regulations will place an undue burden on the resources of such agencies unless there is a corresponding increase in staffing and funding. The comment stated that the collection of data for validation of a critical health manpower shortage area would require at least two full days of staff time.

Under the regulations as proposed, the health planning agencies did not have any role in the designation process for critical health manpower shortage areas. In response to a number of comments however (see item #4) this provision in the regulations (section 23.4) has been revised to provide for a consultation with such agencies by the Secretary prior to any designation. Further, such agencies will be notified of any proposed withdrawal of designation prior to any such action. In our view this revision does not impose any additional requirements on the health planning agencies, but instead simply offers them an opportunity to make such recommendations with respect to the designation of critical health manpower shortage areas as is within their resources. Further we would point out that while such agencies are also given an opportunity to make recommendations with respect to a proposed assignment of National Health Service Corps personnel, the proposed regulations (Section 23.6(a)) do not require that such agencies certify that such assignment is needed for the area. Accordingly, no revision has been made in the proposed regulation in this regard.

4. Eight recommendations were made to provide greater involvement of the State and regional planning agencies in the designation and withdrawal of designation process for critical health manpower shortage areas. As indicated above, the proposed regulations (section 23.4) have been strengthened in this regard and as revised require the Secretary to consult specifically with comprehensive health planning agencies in determining whether an area covered in whole or part by comprehensive health plans meets the criteria utilized under this program. In addition, such agencies will be specifically notified where there is a proposed withdrawal of designation.

5. Two recommendations were made for the addition of two other professions (optometrists and podiatrists) to those included in the definition of "assigned personnel" in section 23.2. Such section however in providing that assigned personnel include but is not limited to the named categories already provides the needed flexibility to include all appropriate health or health-related personnel, including optometrists and podiatrists, in assignments under the Corps program. The suggested change has not, therefore, been included.

6. One recommendation was made to add a new paragraph to section 23.7, "Assignment of Personnel," which would recognize the need of NHSC recruits for professional development and opportunities for "quality of living." It was suggested that the willingness of communities, and appropriate governmental and nongovernmental agencies, to assist and cooperate with the Public Health Service in achieving these goals be a criteria for assignment of personnel.

Through an intensive process of recruitment and matching in the assignment of NHSC personnel with applicant communities the NHSC makes every reasonable effort to place personnel in communities which most clearly fit their mutual desires and goals. Further, the NHSC has established an extensive technical assistance and support network which provides recurring, special interaction with the assignees to assist them in meeting operational problems, in keeping abreast with changes in technology and, in general, facilitating their growth, development, and integration into the local community. In light of this ongoing NHSC activity, it was felt that the special provision suggested was unnecessary and therefore has not been accepted.

7. A recommendation was made to amend the regulations to provide for the applicant agency to initiate modification or termination of the Memorandum of Agreement with the NHSC before the two-year agreement ends. Section 23.10 has been revised to allow any Memorandum of Agreement under this Act to be terminated by either party on 30-days written notice, or to be modified with consent of both parties.

8. Six recommendations were made to revise the criteria used to designate critical health manpower shortage areas to cover populations with low incomes in urban areas. While NHSC manpower resources are primarily used where the fundamental problem facing the area is

a critical shortage in the absolute number of health manpower in a geographical area, section 23.4(a)(3) of the proposed regulations does provide that in designating areas the Secretary shall take into consideration the inaccessibility of health care services in the community, taking into account such factors as transportation difficulties, utilization rates and other socio-economic, demographic and environmental factors of community life which significantly impair access to health services. The addition of the specific criteria suggested, therefore, has not been accepted.

9. One recommendation was made to require that an applicant agency enclose a completed NHSC application form with any request for certification of need to State and district health societies. Also recommended was a written notice to health societies of the certification or waiver of certification procedures. It would be premature for a completed NHSC application form to accompany a certification request, since such a request applies to "need" certification only, and such determination is based on this consideration alone. The procedural details of the certification and waiver of certification requirement procedures will be published shortly in the FEDERAL REGISTER. This publication will address specifically the issues involved in the applicant-agency/health-society relationship.

10. Two recommendations were made to modify the Secretary's responsibilities and the timeframes for the waiver of certification of need procedures. The regulations provide adequate time and processes for both the health societies and the Secretary to make judicious decisions and to consult with each other prior to any Secretarial decision to waive a local professional society's lack of certification of need. Section 23.6 of the regulations has been revised to require the applicant agency to submit more detailed information to the Secretary when an application is not accompanied by certification from appropriate health societies.

11. One recommendation was made to establish an appeals mechanism in the event a professional society fails to certify the need for assignment of NHSC personnel and the Secretary then waives the requirement for such a certification. The waiver procedures allow adequate administrative safeguards for all interested parties in any case of disagreement. That recommendation was not adopted.

12. A recommendation was made to provide for utilization of more than one reimbursement mechanism under certain conditions. The three reimbursement options available are designed to comport with the statutory requirement that the Secretary recover his reasonable cost of providing such care and services, provide a sufficiently wide choice to accommodate variations in applicant agencies' needs, especially when combined with the flexibility provided in the allowable methods of charging and collecting patient fees. Where the use of one reimbursement option by a community is no longer appropriate, section 23.10 of the regulations provides that the agreement with the community may be modified. The proposed change, therefore, has not been included in the regulations as revised.

13. A recommendation was made to add a fourth reimbursement option which would allow full Federal support of the cost of management expenses and which would also place the responsibility for collection of receipts with the applicant agency. Under the current reimbursement option III as set forth in section 23.8(a)(3), the NHSC assumes the total cost responsibilty of a project including the cost of management support, and the program assumes the responsibility for physical collection of receipts. The fourth option suggested, therefore, is unnecessary.

14. A recommendation was made to revise section 23.8 of the proposed regulations to provide a method for excepting patient revenues provided from revenue sharing and other Federal funds allocated to States and counties from inclusion with other patient revenue and insurance payments for purposes of calculating National Health Service Corps reimbursement. While we share the concern about the circularity of the transaction, which circularity may also be observed with respect to certain third party reimbursements, such as medicare and medicaid, part of the legislative authority under which NHSC sites are supported mandates that any person receiving services, with limited exceptions, must be charged for such service so that the NHSC can recover its reasonable cost in providing such services. The statute goes on to provide that where third parties, *including governmental agencies*, would be responsible for payment, collection shall be made from such governmental agencies. Although we recognize that in one sense this may decrease the amount of money available to the site to support itself without outside NHSC assistance, it is at least as important that the practice of vigorous and comprehensive collection of third party funds be established. For these reasons the recommended change has not been made.

Accordingly, the present Part 23 of Title 42 of the Code of Federal Regulations is deleted and a new Part 23 is added as set out below.

Effective date: These regulations are effective on August 13, 1975.

Dated: July 7, 1975.

THEODORE COOPER,
Assistant Secretary for Health.

Approved: July 31, 1975.

CASPAR W. WEINBERGER,
Secretary.

PART 23—NATIONAL HEALTH SERVICE CORPS

Sec.
23.1 Applicability.
23.2 Definitions.
23.3 Eligibility.
23.4 Designation.
23.5 Information and Assistance.
23.6 Application for Assignment.
23.7 Assignment of Personnel.
23.8 Costs and charges for services.
23.9 Supervision of assigned personnel and termination of assignment.
23.10 Agreements with applicants.
23.11 Use of facilities by assigned personnel.

AUTHORITY: Sec. 215, 58 Stat. 690, as amended (42 U.S.C. 216); sec. 329, 84 Stat. 1868 as amended (42 U.S.C. 254b).

§ 23.1 Applicability.

The regulations in this subpart are applicable to the assignment of personnel of the National Health Service Corps to areas with critical health manpower shortages, as provided by section 329 of the Public Health Service Act (42 U.S.C. 254b).

§ 23.2 Definitions.

As used in this part:

(a) "Act" means the Public Health Service Act.

(b) "State" means any of the several states, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(c) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of that Department to whom the authority involved has been delegated.

(d) "Assigned personnel" means health or health related personnel of the Regular and Reserve Corps of the Service and such civil service personnel as the Secretary designates, including, but not limited to, physicians, dentists, psychologists, nurses, paramedical personnel, medical services administrators or planners, and medical and psychiatric technicians, who are assigned, in accordance with section 329 of the Act and the regulations in this part, to an area to provide needed health care or services.

(e) "Nonprofit" private health entity means a private health entity no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(f) "Population" means the population based on the latest figures available from the U.S. Census Bureau or such other source that the Secretary finds acceptable, applicable to the area to be served.

(g) "Area" means a defined geographical or service region acceptable to the Secretary from which persons are provided services under this part, irrespective of political or geographic boundaries.

§ 23.3 Eligibility.

Application for Assignment of Corps personnel to an area designated by the Secretary under § 23.4 may be made by the health agency or any other public or nonprofit private health entity in such area.

§ 23.4 Designation.

(a)(1) In accordance with section 329(b)(1)(A) of the Act, the Secretary shall designate those areas which he determines have critical health manpower

shortages. In making such determination the Secretary shall take into consideration, among other pertinent factors:

(i) The latest reliable health resources, statistics available to him, such as numbers of primary care physicians, dentists, and other health manpower personnel; the range of primary care and other health services available; and the types of health facilities in the area.

(ii) Health status indicators, such as infant and maternal mortality rates, accident rates, morbidity rates, disability rates, life expectancy rates, and others.

(iii) Inaccessibility of health care services in the community, and the ability to obtain services when required on a timely and effective basis, taking into account transportation difficulty, travel times, utilization rates, ability of health resources to meet increased demands, and other socio-economic, demographic, and environmental factors of community life which significantly impair access.

(2) In determining whether an area meets the criteria utilized in paragraph (a)(1) of this section, the Secretary will consult with the appropriate health planning agencies responsible for the development under section 314(a) or (b) of the Act for comprehensive plans for all or any part of the area (or their successor agencies).

(b) The Secretary will publish periodically in the FEDERAL REGISTER a list of such designated areas together with the specific criteria used in determining such areas.

(c) Any State health agency or local public health agency or other public or nonprofit private health entity in an area which has not been designated by the Secretary pursuant to paragraph (a) of this section may request such designation. If upon review of the application and all other relevant facts it is determined that the area meets the criteria utilized under paragraph (a) of this section, the Secretary shall add the area to the list of areas designated.

(d) Upon determining that there has been a substantial change in the circumstances upon which the designation of an area was based, or that the data upon which the designation was based was inaccurate or incomplete and the data as revised indicates that the area does not meet the criteria utilized under paragraph (a)(1) of this section, the Secretary may, 90 days after publication of a notice in the FEDERAL REGISTER that such action is planned, withdraw his designation of an area as one having a critical health manpower shortage. The Secretary will notify the appropriate health planning agencies for the area in writing of the basis for such action prior to the withdrawal of designation.

§ 23.5 Information and Assistance.

The Secretary shall conduct information programs in the areas designated to inform public and nonprofit private health entities serving the designated areas of the technical and consultative services available from the Corps and to assist people in those areas who are seeking assignment of Corps personnel to their areas.

§ 23.6 Application for Assignment.

(a) An application for the assignment of Corps personnel under section 329 of the Act may be submitted to the Secretary by an eligible applicant in such form and manner and at such time as the Secretary may require.

(b) The application shall include, among other things, the certification to the Secretary of

(1) the local government of such area that such assignment is needed; and

(2) the State and district medical, dental or other appropriate health societies (as the case may be) that such assignment is needed for the area, *provided, however,* That where such certification has been withheld, a full explanation of the absence of such certification shall be submitted by the applicant, including a detailed description of the actions taken by the applicant to obtain such certification and the rational, if any, provided to the applicant by the State and district medical, dental or other appropriate health societies for their failure to certify that such assignment is needed for the area.

(c) The application shall also include, unless established to the satisfaction of the Secretary that such recommendations were not reasonably obtainable, the recommendations of (1) the appropriate State health planning agency established pursuant to section 314(a) of the Act (or its successor agency); (2) the appropriate Regional Medical Program established pursuant to Title IX of the Act; (3) where there has been such an agency established, the appropriate areawide health planning agency established pursuant to section 314(b) of the Act (or its successor agency); (4) the State medical, dental, and other health associations and (5) from other medical personnel of the area to be served.

(d) The application shall also include evidence satisfactory to the Secretary that the general public has been informed, through the published news media or other means of communication appropriate to local circumstances, of the actions of all certifying and recommending agencies, and has been afforded adequate opportunity to comment on such application. All such comments received shall be appended to the application.

(e) Such applications shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant any obligations imposed by law, the statute, these regulations, or any additional conditions of assignment imposed pursuant thereto.

§ 23.7 Assignment of Personnel.

The Secretary may upon proper application, assign Corps personnel to such designated areas where he finds such assignment will best serve the purposes of section 329 of the Act and the regulations of this part, taking into account:

(a) The need of the area for the health services to be provided without regard to the area's ability to pay;

(b) The willingness of the area and the appropriate governmental agencies therein to assist and cooperate with the Public Health Service in providing effective health services to residents of the area;

(c) The recommendations of any agency or organization which may be responsible for the development, under section 314(a) or (b) of the Act, of a comprehensive plan covering all or any part of the area involved (or their successor agencies);

(d) Recommendations from the State medical, dental, and other health associations and from other medical personnel of the area considered for assistance. *Provided,* That with respect to any proposed assignment, where the Secretary has from all the facts available to him, found that certification required by section 329(b)(2)(A)(ii) of the Act was clearly arbitrarily and capriciously withheld by the State or district medical, dental or other appropriate health society, the Secretary may, after consultation with such society or societies, assign Corps personnel to the designated area. A certification may be considered to be arbitrarily and capriciously withheld when a State or district society:

(1) fails to acknowledge a request for certification within 30 days, or make a decision regarding certification within 90 days; or

(2) provides either no justification for its refusal to certify need or the data submitted in support of its justification clearly is not adequate as determined by the Secretary in light of the factors considered by the Secretary in designating areas.

§ 23.8 Costs and charges of services.

(a) The National Health Service Corps shall be reimbursed, subject to the approval of the Secretary, in accordance with one of the following mechanisms designed to recover the reasonable costs of providing services. Each agreement concluded with an applicant under § 23.10 shall identify the method of reimbursement selected from the following:

(1) The National Health Service Corps will be reimbursed a percentage of the total receipts collected (after certain preferential costs in the agreement concluded under § 23.10 agreed to are paid) which is equal to the percentage of the National Health Service Corps' contribution toward the cost of operation as determined under the agreement concluded with the applicant under § 23.10.

(2) The National Health Service Corps will be reimbursed its actual reasonable cost per annum, a fixed amount regardless of receipts collected; or

(3) The National Health Service Corps will provide the total cost of operation and will collect all receipts.

(b) Except as otherwise provided in paragraph (d) of this section, any person receiving services from assigned personnel shall be charged at a rate designed to recover reasonable costs, to be dis-

tributed according to one of the methods of reimbursement specified above. Such charges shall (except as provided in paragraph (c) of this section) be in accordance with a schedule of charges determined in consultation with the local medical, or dental, or other appropriate health society, and specified in the agreement concluded with the applicant under § 23.10; *provided, however,* That where assigned personnel are providing services within the framework of an established health services delivery system, the charges made shall be consistent with the charges made by such system.

(c) In lieu of being charged on a fee-for-services basis pursuant to paragraph (b) of this section, persons eligible to receive services from assigned personnel may be charged on a prepaid capitation basis or other reimbursement mechanism.

(d) No charge or a reduced charge shall be made for services provided by assigned personnel to any person from a family which has an annual income below the higher of (1) the State figures for the "medically needy" as determined in accordance with the Aid to Families with Dependent Children figures calculated by the Assistance Payments Administration, or (2) the Social Security Administration poverty index as set forth in the latest Social Security Bulletin, Annual Statistical Supplement, *provided, however,* That pursuant to paragraph (e) of this section, charges shall be made for services to such persons to the extent that payment will be made by a third party which is authorized or under legal obligation to pay such charges.

(e) If a Federal agency, an agency of a State or local government, or other third party would be responsible for all or part of the cost of the care or service provided under section 329 of the Act if such care or service had not been provided pursuant to section 329 of the Act, the Secretary shall collect from such agency or third-party the portion of such cost for which it would be so responsible.

(f) Any funds received by the Secretary pursuant to this section shall be deposited in the Treasury as miscellaneous receipts.

§ 23.9 Supervision of assigned personnel and termination of assignment.

Personnel assigned in accordance with the provisions of section 329 of the Act and the regulations in this part shall at all times remain under the direct supervision and control of the Secretary. Observance of institutional rules and regulations by assigned personnel are mere incidents of the performance of their Federal functions and do not alter their direct professional and administrative responsibility to the Secretary. The Secretary may terminate or modify any such assignment if he determines that such assignment is not being performed in accordance with section 329 of the Act, the regulations in this part, or any agreement entered into under § 23.10.

§ 23.10 Agreements with applicants.

The Secretary will, upon determining to assign personnel to an area, and consistent with section 329 of the Act and these regulations, enter into agreements with applicants setting forth such additional terms and conditions as he deems necessary to assure the furtherance of the purposes of section 329 of the Act, the regulations in this part, and interests of the public health, or the effective utilization of assigned personnel, including but not limited to:

(a) Number and type of personnel assigned;

(b) Duration of assignment;

(c) Fees and methods for charging for services of assigned personnel including the choice of option for reimbursing the Federal Government for its reasonable costs under section 23.8;

(d) Types of facilities or other assistance to be provided by applicant.

Any agreement entered into under this section may be terminated by either party on 30-days written notice, or modified by mutual consent.

§ 23.11 Use of facilities by assigned personnel.

The Secretary, to the extent feasible may make such arrangements as he determines necessary to enable assigned personnel to utilize the health facilities of the area to be served. If there are no health facilities in or serving such area, the Secretary may arrange to have such care and services provided in the nearest health facilities of the Public Health Service or the Secretary may lease or otherwise provide facilities in such area for the provision of care and services. In providing such care and services, the Secretary may (a) make such arrangements as he determines are necessary for the use of equipment and supplies of the Service and for the lease or acquisition of other equipment and supplies and (b) secure the temporary services of nurses and allied health professionals.

[FR Doc.75-21043 Filed 8-12-75;8:45 am]

federal register

WEDNESDAY, AUGUST 13, 1975



PART III:

FEDERAL ELECTION COMMISSION

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ADVISORY OPINION 1975-14

Contributions by Banks, Corporations, and Labor Unions to Defray Constituent Service Expenses

FEDERAL ELECTION COMMISSION

[Notice 1975-23]

ADVISORY OPINION 1975-14

Contributions by Banks, Corporations, and Labor Unions to Defray Constituent Service Expenses

This advisory opinion is rendered under 2 U.S.C. § 437f in response to requests for advisory opinions submitted by Congressman M. Caldwell Butler, Congressman W. Henson Moore, and William J. Holayter, which were published together as AOR 1975-14 in the July 17, 1975, FEDERAL REGISTER (40 FR 30258). Interested parties were given an opportunity to submit written comments relating to the requests.

The requests generally ask the Commission whether, under the Federal Election Campaign Act of 1971 as amended (the Act), corporate, labor and banking contributions may be accepted for office account related purposes. Specifically, the following requests were made:

(a) Congressman W. Henson Moore states that he intends to send under the frank a questionnaire to his constituents in order to learn their feelings on various issues. Congressman Moore asks whether the Commission will treat as a corporate contribution to his campaign the donation by a corporation of the use of its computer to analyze the results of the questionnaire;

(b) William J. Holayter, Director of the Machinists Non-Partisan Political League, asks whether money in the League's educational fund, which is composed of dues money from various local lodges, may be donated to incumbent United States Senators and Representatives for their office accounts; and

(c) Congressman M. Caldwell Butler states that he intends to hold a Farm Conference for the purpose of allowing farmers and other agricultural interests in his district the opportunity to present their views to him and officials of Federal and State agricultural agencies. Congressman Butler asks whether the Commission will consider the conference to be official business so that contributions by incorporated state banks and bank holding companies will be permitted in order to defray expenses.

It is clear that the Federal Election Commission has the duty to formulate general policy with respect to the Act (2 U.S.C. § 437d(a)(9)), has the power to regulate amounts contributed to a holder of Federal office in order to defray expenses arising in connection with that office (2 U.S.C. § 439a), has the power to formulate general policy regarding contributions and expenditures (18 U.S.C. § 608), and has the power to formulate general policy regarding contributions or expenditures by national banks, corporations or labor organizations (18 U.S.C. § 610). Pursuant to these powers and duties, it is the determination of the Commission that contributions to and expenditures by an office account are to be treated as political contributions and expenditures, and are subject to the limitations and prohibitions on such transactions.

Further, Congress has recognized the political value and campaign-related nature of material mailed under the frank and has provided in § 3210(f) of Title 39, United States Code, that:

> The equivalent amount of postage * * * on franked mail mailed under the frank of the Vice President or a Member of Congress, and *the cost of preparing or printing* such *frankable matter* for such mailing under the frank, *shall not be considered as a contribution* to, or *an expenditure* by, the Vice President or a Member of Congress *for the purpose of determining any limitation on expenditures or contributions* with respect to any such official, *imposed by any Federal*, State, or local *law or regulation, in connection with any campaign* of such official *for election to any Federal office*. (Emphasis added)

Accordingly, contributions to and expenditures by a separate segregated franking account are contributions and expenditures for the purposes of the Federal Election Campaign Act of 1971, as amended, and Title 18, United States Code, except for the limitations contained in 18 U.S.C. § 608.

It is the opinion of the Commission that Congressional appropriations for staff salaries, newsletters, stationery, and travel are for legislative activities and, therefore are not subject to the limitations and prohibitions of the Act. It is the Commission's conclusion that these appropriations represent a Congressional determination of the amount necessary for the continued performance of the public duties of a Member of Congress, and that Congress has thus knowingly appropriated sufficient funds for the performance of these duties. Accordingly, additional money which is raised by a Member or his supporters shall be treated as a contribution made for purposes of influencing a Federal election and shall be governed by all appropriate limitations. Similarly, any expenditure from any office account shall be treated as an expenditure intended for purposes of influencing a Federal election and shall be controlled by all appropriate limitations. If Congress concludes that activities currently supported by an office account are in fact essential legislative functions, it remains the prerogative of Congress to appropriate additional funds necessary to fulfill these functions.

Support for the Commission's views may be found in *United States* v. *Brewster*, 408 U.S. 501, 92 S. Ct. 2531, 33 L.Ed 2d 507 (1972) in which the Supreme Court stated:

> It is well known, of course, that Members of Congress engage in many activities other than the purely legislative activities. * * * These include a wide range of legitimate "errands" performed for constituents, the making of appointments with Government agencies, assistance in securing Government contracts, preparing so-called "newsletters" to constituents, news releases, and speeches delivered outside the Congress. The range of these related activities has grown over the years. They are performed in part because they have come to be expected by constituents, and because "they are a means of developing continuing support for future elections." Although these are entirely legitimate activities, they are political in nature rather than legislative, in the sense that term has been used by the Court in prior cases.

As an office account will be conclusively presumed to be used solely for political purposes, contributions to, expenditures by, and the general operation of an office account should be reported and otherwise treated as provided in Notice 1975-18 of the Federal Election Commission "Office Accounts and Franking Accounts; Excess Campaign Contributions," as published in the Federal Register.

The Commission intends to apply its policy on office accounts as follows:

(a) It is the opinion of the Commission that a corporate donation of the use of a computer to analyze the results of a questionnaire would constitute a corporate contribution made for purposes to influencing a Federal election. The fact that the questionnaire was mailed under the frank would not extend the coverage of 39 U.S.C. § 3210(f) to the analysis of questionnaire results, and accordingly the donation of the services of the corporate computer would constitute a corporate contribution prohibited under 18 U.S.C. § 610.

(b) It is the opinion of the Commission that money from the "educational fund" of a labor union may not be donated to the office accounts of incumbent United States Senators and Representatives, if the fund is composed of dues money from various local lodges of the union. Since the money in the fund would be derived from dues, and not from separate voluntary donations by union members to support the office accounts of Congressmen, contributions of this money by a union would be prohibited under 18 U.S.C. § 610.

(c) It is the opinion of the Commission that contributions by incorporated state banks, or bank holding corporations, to an agricultural conference organized by a Member of Congress would constitute a direct or indirect contribution by these banking institutions in connection with a federal election. If the agricultural conference is not funded directly through a Congressional appropriation, it will be conclusively presumed to be funded from an office or constituent service account utilized by the member of Congress for political purposes. Accordingly, contributions by state bank corporations or bank holding corporations to the conference would be prohibited under 18 U.S.C. § 610.

The Commission does not wish to discourage conferences involving policy development of important economic and other issues, but will examine the particulars of each such proposed conference for any implications under 18 U.S.C. § 610.

The provisions of this opinion represent the opinion of the Commission as to the effect of 2 U.S.C. § 437d(a)(9), 2 U.S.C. § 439a, 18 U.S.C. § 608, and 18

U.S.C. § 610 on contributions and expenditures from the office account of a Federal officeholder. The provisions of this opinion are reflected in the proposed regulations which the Commission has submitted to Congress (see the FEDERAL REGISTER, Notice 1975–18 of 40 FR 32951, "Office Accounts and Franking Accounts; Excess Campaign Contributions"). However, in order to provide sufficient notice for orderly compliance with this opinion, the provisions of this opinion shall become effective on October 1, 1975, notwithstanding any contrary language in this opinion.

Dated: August 7, 1975.

THOMAS B. CURTIS,
Chairman for the
Federal Election Commission.

[FR Doc.75–21080 Filed 8–12–75;8:45 am]

Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of May 1, 1975)

Title 27—Alcohol, Tobacco Products and Firearms..... $7.70

[A Cumulative checklist of CFR issuances for 1975 appears in the first issue of the Federal Register each month under Title 1]

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