

# federal register

WEDNESDAY, MARCH 24, 1976



## highlights

### MOTOR CARRIER SAFETY

DOT/FHA issues regulations defining reasonable accuracy for speedometers as plus or minus 5 mph. 12228

### SUPPLEMENTAL SECURITY INCOME PROGRAMS

HEW/SSA issues interim rules for prehearing case review; comments by 4-23-76. 12222

### PRIVACY ACT OF 1974

State proposes amendments to fee schedules; comments by 4-23-76. 12229

Interior issues notice of additional use of systems of records. 12235

### CONTRACT APPEALS BOARD

ERDA establishment to replace Board of Contract Appeals of the Atomic Energy Commission; effective 3-24-76. 12215

### MORTGAGE INSURANCE

HUD/HPMC issues regulations for existing multifamily housing; effective 12-31-75. 12224

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DOD/Army: Army Financial Management Advisory Committee, 4-14 and 4-15-76. 12234

ERDA: General Advisory Committee, 4-7 through 4-9-76. 12239

GSA/NARS: Archives Advisory Committee, 4-27 and 4-28-76. 12248

Legal Services Corporation: Committee on Regulations, 4-2 and 4-3-76. 12249

National Foundation On The Arts and Humanities: Special Projects Advisory Panel, 4-9 and 4-10-76. 12249

State: Government Advisory Committee on International Book and Library Programs, 4-22-76. 12239

USDA/ARS: National Plant Genetics Resources Board, 4-15 and 4-16-76. 12235

## AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

Ten agencies have agreed to a six-month trial period based on the assignment of two days a week beginning February 9 and ending August 6 (See 41 FR 5453). The participating agencies and the days assigned are as follows:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
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DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
	CSC			CSC
	LABOR			LABOR

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this trial program are invited and will be received through May 7, 1976. Comments should be submitted to the Director of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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# reminders

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

## Rules Going Into Effect Today

NOTE: There were no items eligible for inclusion in the list of rules going into effect today.

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### FEDERAL HOME LOAN BANK BOARD

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### FEDERAL RESERVE SYSTEM

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### FEDERAL TRADE COMMISSION

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### INTERIOR DEPARTMENT

Bureau of Land Management—  
Geothermal resources leasing; bond requirements; comments by 3-29-76..... 8794; 3-1-76

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### POSTAL SERVICE

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### VETERANS ADMINISTRATION

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### CIVIL RIGHTS COMMISSION

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### AGRICULTURE DEPARTMENT

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Secretary's Advisory Committee on Population Affairs, to be held in Washington, D.C. (open), 3-30 and 3-31-76..... 9909; 3-8-76

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Rules Going Into Effect Today

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

List of Public Laws

NOTE: No acts approved by the President were received by the Office of the Federal Register for inclusion in today's LIST OF PUBLIC LAWS.

# rules and regulations

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

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

## Title 7—Agriculture

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

[Orange Reg. 74, Amdt. 5]

#### PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGLOS GROWN IN FLORIDA

##### Minimum Size Regulations

This amendment lowers the minimum size requirements applicable to fresh shipments of Murcott Honey oranges, grown in the production area in Florida, to 2 1/16 inches in diameter (size 210). The specification of such lower minimum size for Florida Murcott Honey oranges is necessary to satisfy the current and prospective demand for such oranges. The amended regulation recognizes the size distribution of much of the Murcott Honey oranges remaining for fresh shipment from the 1975-76 crop.

**Findings.** (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in 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 recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that less restrictive requirements applicable to shipments of Murcott Honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) This amendment reflects the Department's appraisal of the current and prospective demand for fresh Murcott Honey oranges by domestic and export market outlets. Lower size requirements for such fruit are consistent with the size composition and remaining supply of such oranges in the production area. Fresh shipments of Florida Murcott Honey oranges for the season through March 14, 1976, totaled 1,757 carlots, and there were an estimated 493 carlots remaining for shipment.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 USC 553) because the time intervening between the date when information upon which this amendment is based became available

and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves requirements on the handling of Murcott Honey oranges grown in Florida.

**Order.** 1. The provisions of paragraph (a) (8) and paragraph (b) (8) of § 905.560 (Orange Regulation 74; 40 FR 42318, 49785, 54420, 58446; 41 FR 3282) are amended to read as follows:

#### § 905.560 Orange Regulation 74.

(a) \* \* \*

(8) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than 2-4/16 inches in diameter, except that a tolerance for Murcott Honey oranges smaller than such minimum diameter shall be permitted as specified in § 51.1818 of the United States Standards for Grades of Florida Tangerines; \* \* \*

(b) \* \* \*

(8) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than 2-4/16 inches in diameter, except that a tolerance for Murcott Honey oranges smaller than such minimum diameter shall be permitted as specified in § 51.1818 of the United States Standards for Grades of Florida Tangerines;

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

Dated: March 18, 1976, to become effective March 22, 1976.

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

[FR Doc. 76-8281 Filed 3-23-76; 8:45 am]

## Title 10—Energy

### CHAPTER III—ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

#### PART 703—CONTRACT APPEALS

The establishment of the Energy Research and Development Administration (ERDA) and the transfer to it of functions previously assigned to other agencies, including those discharged by the Board of Contract Appeals of the Atomic Energy Commission, led to a newly reorganized Board of Contract Appeals in ERDA. All decisions rendered by this Board become the final decisions of the Agency.

The reorganization of the Board, its composition, and its scope of functions and authorities, including the authority to establish and issue rules of procedure

not inconsistent with its charter is more fully set forth in ERDA Manual Chapter 0114 which is published for convenience as Appendix A to this part.

Because these rules relate solely to Agency practice and procedure and largely adopt the Uniform Rules of Practice for Boards of Contract Appeals referred to above, it has been determined, pursuant to Section 553 of Title 5 United States Code, that rule making and public procedures thereon are unnecessary.

Accordingly, the following revision to Title 10, Code of Federal Regulations, Chapter III, Part 703, is published as a document, subject to codification, to be effective March 24, 1976.

JOHN B. FARMAKIDES,  
Chairman, Board of  
Contract Appeals.

#### Subpart A—Rules of the Board of Contract Appeals

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703.121	Examination of witnesses.
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	<b>REPRESENTATION</b>
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## MOTION FOR RECONSIDERATION

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703.129 Motion for reconsideration.

## DISMISSALS

703.130 Dismissal without prejudice.  
703.131 Dismissal for failure to prosecute.

## EX PARTE COMMUNICATIONS

703.132 Ex parte conduct.

## SANCTIONS

703.133 Sanctions.

## SECURITY

703.134 Security requirements.

## Subpart B—Rules of the Contract Adjustment Board

703.200 Authority.  
703.201 Applicables rules.  
703.202 Matters pending as contract appeals.  
703.203 Decisions.

## APPENDIX A—Organization and functions, ERDA Manual, Chapter 0114, Office of the Board of Contract Appeals.

AUTHORITY: Sec. 105, Pub. L. 93-438, 88 Stat. 1238, 42 U.S.C. 5815; sec. 161, Pub. L. 93-703, 68 Stat. 948, 42 U.S.C. 2201; sec. 3, Pub. L. 85-804, 72 Stat. 972, 50 U.S.C. 1433.

## Subpart A—Rules of the Board of Contract Appeals

## § 703.1 Scope and purpose.

(a) The establishment of the Energy Research and Development Administration (ERDA) and the transfer to it of functions previously assigned to other agencies, including those discharged by the Board of Contract Appeals of the Atomic Energy Commission, led to a newly reorganized Board of Contract Appeals in ERDA. All decisions rendered by this Board become the final decisions of the Agency.

(b) The reorganization of the Board, its scope of functions and authorities, including the authority to establish and issue rules of procedure not inconsistent with its charter and the change in organization from one composed of two full-time, permanent members augmented by a panel of part-time "consultant" members, to its present composition of three full-time, permanent, lawyer members, is more fully set forth in ERDA Manual Chapter 0114; published for convenience as Appendix A to this part.

(c) Several factors were taken into consideration in reorganizing the Board, primary of which was the desire to establish an organization more like that of other agency boards, and to establish procedures that would conform to a more common practice before boards of contract appeals. This was in keeping with the recommendation of the Commission on Government Procurement and the Office of Federal Procurement Policy, and with the need of ERDA for prompt, fair, and inexpensive resolution of contract disputes as part of an effective agency-contractor relationship.

(d) Consistent with this policy, the Uniform Rules of Practice of Boards of Contract Appeals, as proposed by the National Conference of Boards of Contract Appeals Members, have been adopted herein in major part. However,

some provisions differ from the uniform rules, particularly in those areas in which earlier Agency practice had proven successful in expediting the appeal process. For example, the new rules call for the filing of a notice of appeal directly with the contracting officer, and that officer is then required to ascertain identification shown by experience to be effective in expediting the appeal process. Another rule with a similar purpose permits direct appeal by a subcontractor in disputes arising under a subcontract entered into by a cost-type prime contractor in which a dispute provision has been included. The earlier practice of providing for direct service of pleadings and papers between parties, simultaneously with their filing before the Board, similarly expedites the appeal and is adopted.

(e) The new rules also require that items in the appeal file be offered into evidence rather than the entire appeal file automatically becoming part of the evidence, subject to objection, at the time the appeal file is transmitted. This practice encourages the submission of relevant documentation only. The provisions in the uniform rules relating to depositions and discovery are consolidated and amended to clarify the use of depositions as one form of discovery, and to provide for apportionment of expenses within the discretion of the Board in cases of hardship associated with discovery.

(f) The use of the optional accelerated procedure is expanded beyond that contemplated in the uniform rules to recognize equitable considerations as well as a monetary ceiling for purposes of greater flexibility as reflected in earlier Agency practice. Thus, accelerated procedure is made available, in the sound discretion of the Board, in certain cases additional to those meeting a monetary limitation. The provision for final decision to be rendered by the entire Board in every case, including those processed under accelerated procedure, complements this practice.

(g) Some provisions have no corresponding basis in the uniform rules. For example, the revised rules include provisions for the use of subpoenas, and for security requirements, as provided by the enabling authorization; the Board is authorized to decide applications for extraordinary relief involving contractual fairness sitting as the Contract Adjustment Board. However, as to the later provisions, it should be noted that each case brought before the Contract Adjustment Board is judged solely on its merits under the criteria of Pub. L. 85-804 and Executive Order 10789, as amended, and decisions made pursuant thereto may not be cited as precedent in other matters brought before the Board.

(h) Throughout the revised rules emphasis is placed on flexibility and the exercise of broad discretion as primary means of effecting the resolution of appeals in an orderly, impartial and expeditious manner. Emphasis is likewise placed upon the sound administration of these rules in as informal a manner

as possible, consistent with the need to provide due process and to develop an adequate record for Board action and judicial review.

## PREFACE TO THE RULES

## § 703.11 Jurisdiction for considering appeals.

The Energy Research and Development Administration Board of Contract Appeals (Board) is the authorized representative of the Administrator to consider and determine appeals from decisions of contracting officers arising under contracts which contain provisions for resolving such disputes. The Board is also designated and authorized to function as the Contract Adjustment Board in applications for extraordinary relief pursuant to Pub. L. 85-804.

## § 703.12 Organization and location of Board.

(a) The Board is located in Washington, D.C. and its mailing address is:

The Board of Contract Appeals, U.S. Energy Research and Development Administration, Washington, D.C. 20545.

(b) The Board consists of a chairman and two other members all of whom shall be attorneys at law duly licensed by any State or the District of Columbia. The decision of a majority of the Board constitutes the decision of the Board. Board members are designated as Administrative Judges and the chairman is designated as Chief Administrative Judge.

## § 703.13 Decisions on questions of law.

When an appeal is taken pursuant to a disputes clause in a contract which limits appeals to disputes concerning questions of fact, the Board, may, in its discretion, hear, consider, and decide all questions of law necessary for the complete adjudication of the issue. In the consideration of an appeal, should it appear that a claim is involved which is not cognizable under the terms of the contract, the Board may make findings of fact with respect to such a claim without expressing an opinion on the question of liability.

## § 703.14 Contract appeals procedure.

(a) *Rules.* Appeals referred to the Board are handled in accordance with the rules of the Board.

(b) *Administration and interpretation of rules.* Emphasis is placed upon the sound administration of these rules in specific cases, because it is impracticable to articulate a rule to fit every possible circumstance which may be encountered. These rules will be interpreted so as to secure a just and inexpensive determination of appeals without unnecessary delay.

(c) *Preliminary procedures.* Preliminary procedures are available to encourage full disclosure of relevant and material facts, and to discourage unwarranted surprise.

## PRELIMINARY PROCEDURES

## § 703.101 Appeals, how taken.

An appeal from a decision of a contracting officer shall be taken by notice

of appeal, in writing, addressed to the Board, and shall be mailed to, or filed with, the contracting officer, within the time allowed by the contract or applicable provision of directive or law.

**§ 703.102 Notice of appeal, contents of.**

(a) The notice of appeal shall identify the contract by number, and shall specify the portion of the decision from which the appeal is taken, and the reasons why the decision of the contracting officer is deemed erroneous. It shall include a request for application of the accelerated procedure, if such is desired under § 703.112. All papers filed after the notice of appeal should be sent directly to the Board, with concurrent service upon the other party or parties.

(b) The notice of appeal should be signed personally by the appellant (the contractor taking the appeal, or a subcontractor under a cost-type prime contract which contains a dispute provision), or by an officer of the appellant corporation or member of the appellant firm, or by the contractor's duly authorized representative or attorney. The complaint referred to in § 703.106 may be filed with the notice of appeal, or the appellant may designate the notice of appeal as a complaint, if it otherwise fulfills the requirements of § 703.106 for a complaint.

**§ 703.103 Forwarding of appeals.**

When a notice of appeal has been received by the contracting officer, he shall, within 10 days, endorse thereon the date of mailing (or date of receipt, if otherwise conveyed) and shall forward said notice of appeal to the Board. In so notifying the Board, the contracting officer shall include the following information: date of receipt by the appellant of the contracting officer's decision; date of receipt by the contracting officer of the appellant's notice of appeal; amount of the claim; whether appellant is a small business; whether accelerated procedure has been requested, and if so, the names, addresses, and telephone numbers if known, of any attorney or attorneys representing the appellant, the contracting officer and any other parties to the appeal. Following receipt by the Board of the original notice of an appeal, the same will be docketed and the appellant and contracting officer so advised.

**§ 703.104 Preparation, contents, organization, forwarding, and status of appeal file.**

(a) *Duties of Contracting Officer.* Within 30 days of receipt of an appeal, the contracting officer shall assemble and transmit to the Board an appeal file consisting of all documents pertinent to the appeal, including:

(1) The contracting officer's decision and findings of fact from which appeal is taken;

(2) The contract including specifications and pertinent amendments, plans and drawings;

(3) All correspondence between the parties pertinent to the appeal, including the letter or letters of claim in response to which decision was issued;

(4) Transcripts of any testimony taken during the course of proceedings, and affidavits or statements of any witnesses on the matter in dispute made prior to the filing of the notice of appeal with the Board; and

(5) Any additional information considered pertinent.

Within the same time above specified the contracting officer shall furnish the appellant a copy of each document he transmits to the Board, except those stated in § 703.104(a) (1), (2) and (3) (as to which a list furnished appellant of all such documents transmitted will suffice), and those stated in paragraph (d) of this section below.

(b) *Duties of the Appellant.* Within 30 days after receipt of a copy of the appeal file assembled by the contracting officer, the appellant shall supplement the same by transmitting to the Board any documents not contained therein which he considers pertinent to the appeal, and shall furnish one copy of any such document to the contracting officer.

(c) *Organization or Appeal File.* Documents in the appeal file may be originals or legible facsimile or authenticated copies thereof, and shall be arranged in chronological order where practicable, numbered sequentially, tabbed, and indexed to identify the contents of the file.

(d) *Lengthy Documents.* The Board may waive the requirement of furnishing to the other party copies of bulky, lengthy, or out-of-size documents in the appeal file when a party has shown that doing so would impose an undue burden. At the time a party files with the Board a document as to which such a waiver has been granted, it shall notify the other party that the same or a copy is available for inspection at the offices of the Board or of the party filing same.

(e) *Status of Documents in the Appeal File and Supplements.* Documents contained in the appeal file are considered as part of the record, and may be offered into evidence at any time prior to or during the hearing.

**§ 703.105 Dismissal for lack of jurisdiction.**

Any motion addressed to the jurisdiction of the Board shall be promptly filed. Hearing on the motion shall be afforded on application of either party, unless the Board determines that its decision on the motion will be deferred pending hearing on both the merits of the appeal, and the motion. The Board shall have the right at any time and on its own motion to raise the issue of its jurisdiction to proceed with a particular case, and shall do so by an appropriate order, affording the parties an opportunity to be heard thereon.

**§ 703.106 Pleadings.**

(a) *Appellant.* Within 30 days after receipt of notice of docketing of the appeal, the appellant shall file with the Board an original and two copies of a complaint setting forth simple, concise and direct statements of each of appellant's claims, alleging the basis, with appropriate reference to contract provi-

sions, for each claim, and the dollar amount claimed. This pleading shall fulfill the generally recognized requirements of a complaint, although no particular form or formality is required. Should the complaint not be received within 30 days, appellant's claim and appeal may, if in the opinion of the Board the issues before the Board are sufficiently defined, be deemed to set forth his complaint and the respondent shall be so notified.

(b) *Respondent.* Within 30 days from receipt of said complaint, or the aforesaid notice from the Board, respondent shall prepare and file an answer thereto, setting forth simple, concise, and direct statements of respondent's defenses to each claim asserted by appellant. This pleading shall fulfill the generally recognized requirements of an answer, and shall set forth any affirmative defenses or counter-claims as appropriate. Should the answer not be received within 30 days, the Board may, in its discretion, enter a general denial on behalf of the Government, and the appellant shall be so notified.

**§ 703.107 Amendments of pleadings or record.**

(a) The Board upon its own initiative or upon application by a party may, in its discretion, order a party to make a more definite statement of the complaint or answer, or to reply to an answer.

(b) The Board may, in its discretion, and within the proper scope of the appeal, permit either party to amend its pleading upon conditions just to both parties. When issues within the proper scope of the appeal, but not raised by the pleadings are tried by express or implied consent of the parties, or by permission of the Board, they shall be treated in all respects as if they had been raised therein. In such instances, motions to amend the pleadings to conform to the proof may be entered, but are not required. If evidence is objected to at a hearing on the ground that it is not within the issues raised by the pleadings, it may be admitted within the proper scope of the appeal, provided, however, that the objecting party may be granted a continuance if necessary to enable that party to meet such evidence.

**§ 703.108 Hearing election.**

Upon receipt of respondent's answer or the notice referred to in the last sentence of § 703.106(b), appellant shall advise whether a hearing is desired as prescribed in §§ 703.117 through 703.125, or whether, in the alternative, the case will be submitted on the record without a hearing, as prescribed in § 703.111. In appropriate cases, the appellant may also elect the optional accelerated procedure prescribed in § 703.112.

**§ 703.109 Prehearing briefs.**

Based on an examination of the pleadings, and a determination of whether the arguments and authorities addressed to the issues are adequately set forth therein, the Board may, in its discretion, require the parties to submit prehearing briefs in any case in which a hearing

has been elected pursuant to § 703.108. In the absence of a Board requirement therefor, either party may, in its discretion and upon appropriate and sufficient notice to the other party, furnish a prehearing brief to the Board. In any case where a prehearing brief is submitted, it shall be furnished so as to be received by the Board at least 15 days prior to the date set for hearing, and a copy shall simultaneously be furnished to the other party as previously arranged.

#### § 703.110 Prehearing or presubmission conference.

(a) Whether the case is to be submitted pursuant to § 703.111 or heard pursuant to §§ 703.117 through 703.126, the Board may upon its own initiative or upon the application of either party, call upon the parties to appear before the Board or an Administrative Judge thereof for a conference to consider:

(1) The simplification or clarification of the issues;

(2) The possibility of obtaining stipulations, admissions, agreements on documents, understandings on matters already of record, or similar agreements which will avoid unnecessary proof;

(3) The limitation of the number of expert witnesses, or avoidance of similar cumulative evidence, if the case is to be heard;

(4) The possibility of agreement disposing of all or any of the issues in dispute;

(5) The scope of testimony, including a possible request by the Board for the introduction of any fact or expert testimony desired; and

(6) Such other matters as may aid in the disposition of the appeal.

(b) A transcript of the conference shall be made and a copy shall be available for public inspection. Following the conference, the Board may enter an order setting forth the results of the conference which shall thereafter constitute a part of the record.

#### § 703.111 Submission without a hearing.

Either party may elect to waive a hearing and to submit his case upon the record before the Board, as settled pursuant to § 703.113. Submission of a case without hearing does not relieve the parties from the necessity of proving the facts supporting their allegations or defenses. Affidavits, depositions, admissions, answers to interrogatories, and stipulations may be employed to supplement other documentary evidence in the Board record. The Board may permit or require such submission to be supplemented by oral argument (transcribed if requested), and by briefs arranged in accordance with § 703.123.

#### § 703.112 Optional accelerated procedure.

(a) In appeals involving \$25,000 or less, either party may elect, in its notice of appeal, complaint, answer, or by separate correspondence or statement prior to commencement of hearing or settlement of the record, to have the appeal pro-

cessed under a shortened and accelerated procedure. For application of this rule the amount in controversy will be determined by the sum of the amounts claimed by either party against the other in the appeal proceeding. If no specific amount is claimed, a case will be considered to fall within this rule if the sum of the amounts which each party represents in writing that it could recover as a result of a Board decision favorable to it does not exceed \$25,000. In addition, such optional accelerated procedure, at the discretion of the Board, may be employed regardless of the amount involved for other reasons, such as financial hardship, status as small business, location of appellant in an area of concentrated unemployment or underemployment or in an area of substantial or persistent labor surplus. An accelerated case shall be processed under this rule unless the other party objects and shows good cause why the substantive nature of the dispute requires processing under the Board's regular procedures and the Board sustains such objection. In accelerated cases proceeding under this rule, parties are encouraged, to the extent possible consistent with adequate presentation of their factual and legal positions, to waive pleadings, discovery, and briefs.

(b) Written decision by the Board in cases proceeding under this rule normally will be short and contain summary findings of fact and conclusions only. The Board will endeavor to render such decisions within 30 days after the appeal is ready for decision. Such decisions will be rendered for the Board by a single Administrative Judge with the concurrence of the Chairman or other designated member.

(c) Except as herein modified, these rules otherwise apply to accelerated cases in all respects.

#### § 703.113 Settling the record.

(a) The record upon which the Board's decision will be rendered consists of the pleadings, prehearing conference memoranda or orders, prehearing briefs, depositions or interrogatories received in evidence, admissions, stipulations, oral and written testimony, transcripts of conferences and hearings, hearing exhibits, posthearing briefs, and documents which the Board has specifically designated be made a part of the record. The record will at all reasonable times be available for inspection by the parties at the office of the Board, or such other place as the Board may designate.

(b) Except as the Board may otherwise order in its discretion, no proof shall be received in evidence after completion of an oral hearing or, in cases submitted on the record, after notification by the Board that the case is ready for decision.

(c) The weight to be attached to any evidence of record will rest within the sound discretion of the Board. The Board may in any case require any party, with appropriate notice to the other party, to submit additional evidence on any matter relevant to the appeal.

#### § 703.114 Discovery.

(a) *General Policy and Protective Orders.* The parties are encouraged to engage in voluntary discovery procedures. In connection with any deposition or other discovery procedure, the Board may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, and those orders may include limitations on the scope, method, time and place for discovery, and provisions for protecting classified or privileged information or documents.

(b) *Depositions.* After an appeal has been docketed and complaint filed, the parties may mutually agree to, or the Board may, upon application of either party and for good cause shown, order the taking of testimony of any person by deposition upon oral examination or written interrogatories before any officer authorized to administer oaths at the place of examination, for use as evidence or for purpose of discovery. The application for order shall specify whether the purpose of the deposition is discovery or for use as evidence.

(1) *Orders on Depositions.* The time, place, and manner of taking depositions shall be as mutually agreed by the parties, or failing such agreement, governed by order of the Board.

(2) *Use as Evidence.* No testimony taken by depositions shall be considered as part of the evidence in the hearing of an appeal unless and until such testimony is offered and received in evidence at such hearing. It will not ordinarily be received in evidence if the deponent is present and can testify personally at the hearing. In such instances, however, the deposition may be used to contradict or impeach the testimony of the witness given at the hearing. In cases submitted on the record, the Board may, in its discretion, receive depositions as evidence in supplementation of that record.

(c) *Interrogatories to Parties.* After an appeal has been filed with the Board, a party may serve on the other party written interrogatories to be answered separately in writing, signed under oath and returned within 30 days. Upon timely objection by a party, the Board will determine the extent to which the interrogatories will be permitted.

(d) *Admission of Facts.* After an appeal has been filed with the Board, a party may serve upon the other party a request for the admission of specified facts. Within 30 days after service, the party served shall answer each requested fact or file objections thereto. The factual propositions set out in the request shall be deemed admitted upon the failure of a party to respond to the request for admission.

(e) *Production and Inspection of Documents.* Upon motion of any party showing good cause therefor, and upon notice, the Board may order the other party to produce and permit the inspection and copying or photographing of any designated documents or objects, not privi-

leged, specifically identified, and their relevance and materiality to the cause or causes in issue explained, which are reasonably calculated to lead to the discovery of admissible evidence. If the parties cannot themselves agree thereon, the Board shall specify just terms and conditions in making the inspection and taking the copies and photographs.

(f) *Expenses.* Each party shall bear its own expenses associated with discovery, unless for purposes of hardship or other reasons in the sound discretion of the Board, the expenses should be apportioned otherwise.

**§ 703.115 Subpoenas.**

On application by a party, the Chairman of the Board, or other Board member, may, upon a showing of general relevance, issue subpoenas requiring the attendance and testimony of witnesses or the production of documents, or other things. An application for subpoena shall identify the name, title, and address of the person to whom the subpoena is to be directed, and the time and place where that person is to appear to give testimony or to produce specified documents or other things.

**§ 703.116 Service of papers, and time computation.**

(a) A copy of all pleadings, briefs, or other papers shall be served on the other party or parties, and four copies simultaneously filed with the Board at the Energy Research and Development Administration, Washington, D.C. 20545. Service shall be made by delivery of a copy, or by mailing the same, addressed to the party upon whom service is to be made or his attorney.

(b) For purposes of time, computation, and extensions:

(1) All time limitations specified for various procedural actions are computed as maximums, and are not to be fully exhausted if the action described can be accomplished in a lesser period. These time limitations are similarly eligible for extension in appropriate circumstances, on good cause shown;

(2) Except as otherwise provided by law, in computing any period of time prescribed by these rules or by any order of the Board, the day of the event from which the designated period of time begins to run shall not be included, but the last day of the period shall be included unless it is a Saturday, Sunday, or a legal holiday, in which event the period shall run to the end of the next business day; and

(3) Requests for extensions of time from either party shall be made in writing and state good cause therefor.

**HEARINGS**

**§ 703.117 Where and when held.**

Hearings will ordinarily be held in the Washington, D.C. area, except that upon request reasonably made and upon good cause shown, the Board may set the hearing at another location. Hearings will be scheduled at the discretion of the Board with due consideration to the regular order of appeals and other pertinent fac-

tors. On request or motion by either party and upon good cause shown, the Board may, in its discretion, advance or extend a hearing.

**§ 703.118 Notice of hearings.**

The parties shall be given at least 15 days notice of the time and place set for hearings. In scheduling hearings, the Board will give due regard to the desires of the parties and to the requirement for just and inexpensive determination of appeals without unnecessary delay.

**§ 703.119 Unexcused absence of a party.**

The unexcused absence of a party at the time and place set for hearing will not be occasion for delay. In the event of such absence, the hearing will proceed and the case will be regarded as submitted by the absent party as provided in § 703.111.

**§ 703.120 Nature of hearings.**

(a) Hearings shall be as informal as the Board may consider to be reasonable and appropriate under the circumstances. Appellant and respondent may offer at a hearing on the merits such relevant evidence as each deems appropriate and as would be admissible under the Federal Rules of Evidence (Pub. L. 93-595, 88 Stat. 1926, January 2, 1975), subject, however, to the sound discretion of the Board, or presiding administrative judge in supervising the extent and manner of presentation of such evidence. In general, admissibility will hinge on relevancy and materiality. Letters or copies thereof, affidavits, or other evidence not ordinarily admissible under the generally accepted rules of evidence, may be admitted in the discretion of the presiding member.

(b) The weight to be attached to evidence presented in any particular form will be within the discretion of the Board, taking into consideration all the circumstances of the particular case. Stipulations of fact agreed upon by the parties may be regarded and used as evidence at the hearing. The parties may stipulate the testimony that would be given by a witness if the witness were present. The Board may in any case require evidence in addition to that offered by the parties.

**§ 703.121 Examination of witnesses.**

Witnesses before the Board will be examined orally under oath or affirmation, unless the facts are stipulated, or the Board shall otherwise order. If the testimony of a witness is not given under oath, the Board shall invite the attention of the witness to the provisions of Title 18, U.S.C., Sec. 287 and 1001.

**§ 703.122 Copies of papers.**

When books, records, papers, or documents have been received in evidence, a true copy thereof or of such part thereof as may be material or relevant may be substituted therefor, during the hearing or at the conclusion thereof.

**§ 703.123 Posthearing briefs.**

Posthearing briefs may be submitted upon such terms as may be agreed upon

by the parties and the presiding member at the conclusion of the hearing. Ordinarily, they will be simultaneous briefs, exchanged within 30 days after receipt of transcript.

**§ 703.124 Transcript of proceedings.**

Testimony and argument at hearings shall be reported verbatim, unless the Board otherwise orders. Transcripts or copies of the proceedings shall be supplied to the parties on their request at such rates as may be fixed.

**§ 703.125 Withdrawal of exhibits.**

After final decision, the Board may, upon request and after notice to the other parties, in its discretion, permit the withdrawal of original exhibits, or any part thereof, by the party entitled thereto. The substitution of true copies of exhibits or any part thereof may be required by the Board in its discretion as a condition of granting permission for such withdrawal.

**REPRESENTATION**

**§ 703.126 The appellant.**

An individual appellant may appear before the Board in person, a corporation by an officer thereof, a partnership or joint venture by a member thereof, or any of these by an attorney a law duly licensed in any state, commonwealth, territory, or in the District of Columbia. An attorney representing an appellant shall file a written notice of appearance with the Board.

**§ 703.127 The respondent.**

Government counsel may, in accordance with their authority, represent the interest of the Government before the Board. They shall file notices of appearance with the Board, and notice thereof will be given appellant or its attorney in the form specified by the Board from time to time.

**DECISIONS**

**§ 703.128 Written decisions.**

Decisions of the Board shall be made in writing and served simultaneously to all parties. The rules of the Board and all final orders and decisions shall be open for public inspection at the offices of the Board, and the ERDA public document room in Washington, D.C. Decisions of the Board will be made solely upon the record, as described in § 703.113.

**MOTION FOR RECONSIDERATION**

**§ 703.129 Motion for reconsideration.**

A motion for reconsideration, if filed by a party, shall set forth specifically the ground or grounds relied upon to sustain the motion, and shall be filed within 30 days from the date of the receipt of a copy of the decision of the Board by the party filing the motion.

**DISMISSALS**

**§ 703.130 Dismissal without prejudice.**

In certain cases, appeals docketed before the Board are required to be placed in a suspense status and the Board is unable to proceed with disposition thereof for reasons not within the con-

trol of the Board. In any such case where the suspension has continued, or it appears that it will continue for an inordinate length of time, the Board may, in its discretion, dismiss such appeal from its docket without prejudice to its restoration when the cause of suspension has been removed. Unless either party or the Board acts within three years to reinstate any appeal dismissed without prejudice, the dismissal shall be deemed with prejudice.

**§ 703.131 Dismissal for failure to prosecute.**

Whenever a record discloses the failure of either party to file documents required by these rules, respond to notices or correspondence from the Board, comply with orders of the Board, or otherwise indicates an intention not to continue the prosecution or defense of an appeal, the Board may issue an order requiring the offending party to show cause why the appeal should not be either dismissed or granted, as appropriate. If the offending party shall fail to show such cause, the Board may take such action as it deems reasonable and proper under the circumstances.

**EX PARTE COMMUNICATIONS**

**§ 703.132 Ex Parte conduct.**

No member of the Board or of the Board's staff shall entertain, nor shall any person directly or indirectly involved in an appeal submit to the Board or the Board's staff, off the record, any evidence, explanation, analysis, or advice, whether written or oral, regarding any matter at issue in an appeal. This provision does not apply to consultation among Board members nor to requests for information concerning the Board's administrative functions or procedures.

**SANCTIONS**

**§ 703.133 Sanctions.**

If any party fails or refuses to obey an order issued by the Board, the Board may make such order in regard to the failure as it considers necessary to the just and expeditious conduct of the appeal.

**SECURITY**

**§ 703.134 Security requirements.**

All proceedings shall be so conducted and the Board shall take such steps as necessary to insure compliance with the security regulations and requirements of the Agency.

**Subpart B—Rules of the Contract Adjustment Board**

**§ 703.200 Authority.**

The Board of Contract Appeals in its designated capacity as the Contract Adjustment Board exercises the authority of the Administrator on applications for extraordinary relief under Pub. L. 85-804 involving contractual fairness cases, and such other matters as may be referred to the Board by the Administra-

tor or his designee in accordance with the provisions of 41 CFR 9-17, "Extraordinary Contractual Actions to Facilitate the National Defense".

**§ 703.201 Applicable rules.**

The Contract Adjustment Board shall proceed to hear and decide matters brought before it, with sole regard to the merits of each matter, in the same general manner as when it presides as the Board of Contract Appeals.

**§ 703.202 Matters pending as contract appeals.**

A matter otherwise before the Board of Contract Appeals which also appears to be an application for extraordinary relief under Pub. L. 85-804 involving contractual fairness, may be heard and decided by the Contract Adjustment Board with or without referring it to the head of the appropriate field organization for initial consideration, provided it is placed on the Contract Adjustment Board's docket for such cases.

**§ 703.203 Decisions.**

Decisions of the Contract Adjustment Board shall be made in writing and served simultaneously on all parties. Although recorded, the Contract Adjustment Board's decisions are not considered to be judicial in character and may not be cited as precedents in other matters brought to the Contract Adjustment Board.

NOTE: Except as otherwise directed by the Board, these rules shall not apply to appeals which have been docketed prior to their effective date.

**APPENDIX A—ORGANIZATION AND FUNCTIONS, ERDA MANUAL CHAPTER 0114, OFFICE OF THE BOARD OF CONTRACT APPEALS**

**0114-01 SUPERVISION**

Under the supervision of a Chairman, who is appointed by and reports to the Administrator.

**0114-02 FUNCTIONS AND AUTHORITY**

Acts for the Administrator to provide for the orderly, impartial, fair, and expeditious handling of contract appeals, applications for extraordinary relief under Public Law 85-804, and such other matters as may be referred to the Board by the Administrator. Specifically:

021 The Board, both when acting as the Board of Contract Appeals and as the Contract Adjustment Board, acts for and exercises the full authority of the Administrator in hearing, considering, and deciding all proceedings within the scope of this chapter.

022 The Board shall have all powers necessary for the performance of its duties, including but not limited to the authority to conduct hearings, call witnesses, dismiss appeals with or without prejudice, order the production of documents and other evidence, administer oaths and affirmations, issue subpoenas, order depositions to be taken, take official notice of facts within general knowledge, and decide all questions of fact and law. Decisions rendered by the Board are final decisions of the Administrator. All such decisions will be by a majority of the Board. Decisions on questions of law are subject to 68 Stat. 81 (1954). 41 U.S.C. §§ 321 and 322 (1970 ed.) relating to finality.

023 Members of the Board are designated as Administrative Judges and the Chairman is designated Chief Administrative Judge.

024 Board members may perform such other quasi-judicial functions as are assigned by the Administrator.

025 The Board shall establish and issue rules of procedure not inconsistent with this chapter.

026 When acting as the Board of Contract Appeals, the Board shall:

a. Consider and decide appeals from decisions of ERDA contracting officers in disputes arising under:

(1) Any ERDA prime contract containing a dispute provision requiring an ERDA contracting officer's decision and providing for an appeal therefrom to the Administrator, and

(2) Any subcontract entered into by a cost-type prime contractor in which such a dispute provision has been included in accordance with ERDA Procurement Regulations.

b. Assess liquidated damages pursuant to section 104(c) of the Contract Work Hours and Safety Standards Act (40 U.S.C. secs. 327-332).

c. Conduct hearings and decide proceedings for debarment of contractors.

027 When acting as the Contract Adjustment Board, the Board shall:

a. Exercise the authority of the Administrator with respect to contractual fairness cases and such other matters as may be referred to the Board by the Administrator or his designee in accordance with the provisions of 41 CFR 9-17, "Extraordinary Contractual Actions to Facilitate the National Defense." When so designated, and functioning as the Contract Adjustment Board, it shall proceed in the same general manner as when it presides as the Board of Contract Appeals. However, decisions of the Contract Adjustment Board will not be cited as precedent on other matters brought to the Contract Adjustment Board.

b. Hear and decide a case as the Contract Adjustment Board when such a case is otherwise before it as the Board of Contract Appeals under 10 CFR Part 703 and the case appears to be one of contractual fairness.

**0114-03 BOARD MEMBERSHIP**

The Board shall consist of three members appointed by Administrator, who shall be qualified attorneys admitted to practice before the highest court of any State or the District of Columbia. The Administrator shall designate one of the members as Chairman. The Chairman shall designate a member of the Board to be Vice Chairman. In the absence of the Chairman, the Vice Chairman shall act for the Chairman. A single member may be assigned by the Chairman to conduct hearings and to develop the record including deciding any motion which is not dispositive of the appeal.

**0114-04 RESPONSIBILITIES OF THE CHAIRMAN**

041 The Chairman shall preside over the Board's activities and shall be responsible for:

- The administration of the Board;
- Delegation of functions and responsibilities to Board members;
- The receipt and custody of all papers and material relating to contract appeals; and
- The submission of a report, not less often than annually, to the Administrator on the status of the Board's activities.

[FR Doc.76-8288 Filed 3-23-76;8:45 am]



## Title 16—Commercial Practices

## CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

## SUBCHAPTER D—FLAMMABLE FABRICS ACT REGULATIONS

## PART 1607—PROCEDURE FOR THE DEVELOPMENT OF FLAMMABILITY STANDARDS

## Simplification of Procedures for Establishing New or Amended Flammability Standards

The purpose of this document is to amend 16 CFR Part 1607 to change from a three-step to a two-step procedure the issuance of new or amended flammability standards under the Flammable Fabrics Act. (15 U.S.C. 1291 *et seq.*) The procedural simplification was proposed in the FEDERAL REGISTER of March 17, 1975 (40 FR 12111).

Under current practices three procedural steps are used to prescribe flammability standards. These steps are:

(1) Simultaneous publication in the FEDERAL REGISTER of advance notice of finding that a flammability standard may be needed (16 CFR 1607.6) and a notice instituting proceedings for the development of an appropriate flammability standard (16 CFR 1606.7).

(2) Publication in the FEDERAL REGISTER of the proposed flammability standard (16 CFR 1607.8).

(3) Publication in the FEDERAL REGISTER of the adopted flammability standard or notice terminating or suspending the proceeding to establish the standard (16 CFR 1607.11).

The proposed amendment would simplify this procedure by replacing steps one and two with a new step (16 CFR 1607.6) prescribing that the Commission institute proceedings for establishment of flammability standards by publishing a document in the FEDERAL REGISTER that both (1) gives notice of a finding of possible need for a standard or amendment to a standard, and (2) proposes the flammability standard or amendment for comment.

*Response to proposal.* In response to the proposal, comments were received from two trade associations, a retailer, a manufacturer, a research corporation, a law firm, and Senator Warren G. Magnuson, Chairman of the U.S. Senate Committee on Commerce. The trade associations, the retailer, the manufacturer and the research corporation oppose the proposal. The law firm describes an injury case without addressing the proposed procedural change. Senator Magnuson favors the proposal.

One trade association and the retailer suggest that if a two-step procedure for promulgating standards is developed, the public would be deprived of the knowledge that there may be a need for a standard until a proposed standard is developed.

Since the Commission will continue to make public, by notice of meetings in the Public Calendar and/or press re-

leases, any standard development activity it may undertake, it does not agree with the contention that the public will be deprived of the knowledge that there may be a need for a standard until such standard is proposed.

The other trade association contends that section 4(a) of the act contemplates a proceeding or a time period during which the attention of interested parties should be directed solely to whether a standard is needed. It believes the three-step procedure allows for fuller and better presentation by interested parties on the question of need because interested parties can concentrate their efforts on that issue alone to the exclusion of other substantive issues. In addition, it creates savings of time and effort on the part of all involved because work on all regulatory aspects of a standard becomes unnecessary if the need determination is negative.

Under the current three-step procedure the Commission often receives the same comments addressing the need for a standard in response to both the notice of possible need for the standard and the notice proposing the standard. Under the two-step procedure, the Commission will solicit comment on the need for the standard at the time the standard is proposed. The Commission believes that in most instances this opportunity for comment will be sufficient. The Commission notes that it has always sought the participation of all interested and affected parties in all stages of the standards development process. Should the Commission determine that for a specific issue a need exists to obtain additional information in addition to the two required steps, it may exercise its option to hold meetings and/or public hearings to solicit necessary information. In addition, under the amended procedure, the Commission could still elect to utilize a three-step procedure if there appear to be compelling reasons for initiating a proceeding by soliciting comment on the need for a standard independent of the proposed standard. A provision reflecting this fact has been included in the regulation at § 1607.6(c).

The research corporation contends that the Commission will decide on the need for a standard and develop a proposed standard eliminating the chance for input by industry and other interested groups. The manufacturer suggests that in a two-step procedure, the issue of need would not be presented in good faith since there would appear to be a presumption that the published finding could not be rebutted.

The Commission believes that in a two-step procedure, commentators will clearly be able to present their views on both the question of whether the standard may be needed and on the proposed standard itself. The Commission will seriously consider comments on both issues. The Commission does not consider such a publication to prejudice the

issue of whether a standard is needed. The Commission believes that more meaningful comment can be obtained if the public can read a proposed standard that describes in detail the requirements the Commission feels necessary.

The manufacturer also suggests that the three-step procedure is justified and is a proper construction of the intent of Congress in section 4(b) of the Flammable Fabrics Act.

The Commission does not interpret section 4 of the Flammable Fabrics Act as requiring the publication of a finding that a standard may be needed prior to publication of the proposed standard. Section 4(d) of the Flammable Fabrics Act states that the provisions of sections 551 to 559 of title 5 of the United States Code apply to the issuance of standards. This indicates that the Commission may proceed under either 5 U.S.C. 553 (informal rulemaking) or 5 U.S.C. 556 and 557 (formal on-the-record rulemaking), informal rulemaking under 5 U.S.C. 553 requires only a two-step approach. In this connection, the Senate Committee on Commerce in hearings held in 1970 (S. Rep. No. 1039, 91st Cong., 2d Sess., 2, 3 (1970)) on the Flammable Fabrics Act indicated:

It was the intent of Congress to offer the Department of Commerce the opportunity to proceed under either section 553 or sections 556 and 557 of the United States Code. It was expected that the Department of Commerce in most cases would issue safety standards by utilizing the informal rulemaking procedures of section 553. Instead of proceeding under section 553, the Secretary of Commerce adopted procedures that at all times require a laborious two-step process prior to promulgation of any flammable (sic) standard. (emphasis added)

It is, therefore, clear that the Commission change to a two-step procedure is appropriate under the Flammable Fabrics Act.

Sen. Magnuson, sponsor of the Flammable Fabrics Act amendments, states in his comment on the proposed change that Congress never intended that the three-step procedure be used and that when lifesaving safety standards are being developed, the procedure should be designed to work as expeditiously as possible. The Commission concurs with the Senator's view.

*Conclusion and promulgation.* Having considered the proposal and the comments thereon, the Commission concludes that the proposal should be adopted without change.

Therefore, pursuant to provisions of the Flammable Fabrics Act (sec. 4, 67 Stat. 112, as amended 81 Stat. 569-70; 15 U.S.C. 1193) and under authority vested in the Commission by the Consumer Product Safety Act (Pub. L. 92-573, sec. 30(b), 86 Stat. 1231; 15 U.S.C. 2079(b)), 16 CFR Part 1607 is amended by deleting subsections 1607.7 and 1607.8, and by revising § 1607.6 to read as follows:

## RULES AND REGULATIONS

1. Section 1607.6 is revised to read as follows:

§ 1607.6 Notice both announcing possible need for a new or amended flammability standard and proposing the standard or amendment.

(a) Whenever the Commission finds on the basis of investigations or research conducted under authority of section 14 of the act that a new or amended flammability standard for a fabric, related material, or product may be needed to protect the public against unreasonable risk of the occurrence of fire leading to death or personal injury, or significant property damage, the Commission shall institute proceedings for the development of an appropriate flammability standard by publishing a document in the FEDERAL REGISTER (1) giving notice of such finding of possible need for a standard or amendment thereto, and (2) proposing such flammability standard for the fabric, related material, or product.

(b) The notice of finding of need and proposed flammability standard shall include: (1) The provisions of such proposed flammability standard or amendment, stated in objective terms; and (2) the preliminary finding of the Commission, with a concise statement of the basis for the finding that the flammability standard (i) is needed to protect the public against unreasonable risk of the occurrence of fire leading to death, personal injury, or significant property damage; (ii) is reasonable, technologically practicable, and appropriate; and (iii) is limited to fabrics, related materials, or products that have been determined to present such unreasonable risks.

(c) In its discretion, prior to publishing a proposed standard, the Commission may publish a document in the FEDERAL REGISTER to solicit public comment on (1) whether a flammability standard may be needed; or (2) the terms or substance of a flammability standard that might be adopted in the event the Commission finds that such a flammability standard is needed.

§ 1607.7 and § 1607.8 [Deleted]

2. Sections 1607.7 and 1607.8 are deleted.

*Effective date.* The above amendment of 16 CFR Part 1607 shall become effective on April 23, 1976.

(Sec. 4, 67 Stat. 112, as amended 81 Stat. 569-70 (15 U.S.C. 1193))

The above amendment is a procedural change and is not expected to have any significant economic impact.

Dated: March 19, 1976.

SADYE E. DUNN,  
Secretary, Consumer Product  
Safety Commission.

[FR Doc. 76-8334 Filed 3-23-76; 8:45 am]

## Title 20—Employees' Benefits

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

[Regulations Nos. 4, 16]

## PART 404—FEDERAL OLD AGE, SURVIVORS', AND DISABILITY INSURANCE

## Subpart J—Procedures, Payment of Benefits, and Representation of Parties

## PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

## Subpart N—Determinations, Reconsideration, Hearings, Appeals, and Judicial Review

Interim amendments to the regulations set forth below are promulgated to add §§ 404.918b and 416.1427a to Regulations No. 4, Subpart J and Regulations No. 16, Subpart N, respectively, to provide procedures whereby cases in which a request for hearing has been filed may be reviewed, prior to being forwarded for hearing, for possible favorable action and for the recall of such cases to take favorable action. The procedures will be applicable where additional evidence is submitted at the time the hearing is requested, there is an allegation or indication that additional evidence is available, or there are other indications, such as an error in the claims file or a change in law or regulation, that the prior determination can be revised.

The review shall be for the purpose of determining whether favorable action can be taken prior to forwarding the case for hearing. Where additional evidence is necessary, it may be requested for consideration prior to hearing.

Hearings are scheduled in the order of the date the request for hearing is filed. Any prehearing review, including requests for additional evidence, will be terminated and the case will be forwarded to a presiding officer if it comes up for scheduling of hearing prior to completion of such action, except where a favorable revised determination is being processed or the claimant consents in writing to a delay in scheduling and agrees to the rescheduling of the hearing. Therefore, the case review will not ordinarily cause delay in scheduling of the hearing in its regular order.

Where a revised determination is made which is wholly favorable to the parties, the parties will be sent a notice advising that they have 30 days to request that the presiding officer proceed on the pending hearing request. If the parties do not request within 30 days that the presiding officer proceed with the hearing, the request for hearing shall be dismissed. Where the revised determination is partially favorable, the presiding officer shall proceed with the hearing unless the parties affirmatively assent to dismissal of the hearing request. If the parties disagree with the revised determination, they will have six months from the date

notice of the revised determination is mailed in title II (Federal Old-Age, Survivors, and Disability Insurance) and XVIII (Health Insurance for the Aged and Disabled) cases, and 60 days from the date of receipt of notice of the revised determination in title XVI (Supplemental Security Income for the Aged, Blind, and Disabled) cases, to file a request for hearing on the revised determination, as provided in regulations § 404.961 and § 416.1483, respectively. The request for hearing in title XVI cases is limited to 60 days as the result of a recent amendment of section 1631 (c) (1) of the Social Security Act made by section 1 of Pub. L. 94-202, which was effective January 2, 1976.

Experience has shown that in a significant number of cases an individual filing a request for hearing submits additional evidence which would permit the issuance of a favorable determination, or there is evidence available which when obtained would permit a favorable determination. The most recent study shows that approximately 44% of favorable hearing decisions were based on additional documentary evidence received at the hearing level. The Bureau of Hearings and Appeals is currently faced with a large backlog of cases pending hearing. Because of the backlog, it is often several months before a case is reviewed by a presiding officer, a hearing is scheduled, and additional evidence can be considered.

The procedures which are set forth in these regulations would provide for review of the claim immediately upon the filing of a hearing request, and the prompt requesting of additional evidence where appropriate. Where upon prehearing review, under these procedures, it is decided that a favorable determination may be made without the need for a hearing, a revised determination will be rendered and payment may be started more expeditiously than if the individual had to wait several months to go to hearing before the favorable action could be taken.

Even if favorable action cannot be taken under these procedures, since additional evidence can be obtained as part of this review, those cases which do ultimately go to hearing should be better documented which should expedite the rendering of a hearing decision. The scheduling of the requested hearing will not be delayed unless a favorable revised determination is in process. The procedures will not adversely affect the claimant's receipt of a timely hearing. The procedures will also enable the Bureau of Hearings and Appeals to make more efficient use of its presiding officers and to dispose of hearing requests more expeditiously than under present procedures for those claimants whose cases will be going to hearing.

The procedures are not intended to alter any rights of parties but rather to permit speedier action on their claims, particularly where additional evidence will permit a favorable determination without their having to wait for a hearing. The procedures are being instituted primarily because of the present large volume of cases awaiting hearing and the resultant delay in scheduling hearings because of the backlog. However, it is expected that the procedures will be used on a continuing basis where they will expedite favorable disposition of a claim as long as they do not delay the scheduling of a hearing. Where a favorable revised determination may be rendered without the need for a hearing, the appeals process is less costly and also assists in keeping the hearing workload at a reasonable level facilitating the holding of hearings on other cases more timely.

Amendment of regulations No. 10, Subpart F (20 CFR Part 410) relating to appeals involving claims for Black Lung benefits (title IV, part B of the Federal Coal Mine Health and Safety Act (30 USC 901 et seq.)) is not proposed since the Social Security Administration appeals responsibility in the Black Lung program will be minimal after disposition of the pending requests for hearing.

Regulations No. 5, Subpart G, Reconsideration and Appeals Under the Hospital Insurance Program (20 CFR Part 405) incorporates by reference the provisions of regulations No. 4, Subpart J. Therefore, the amendments proposed herein are applicable to hearings under that subpart. Amendment to regulations No. 5, Subpart O relating to providers and suppliers of medical services is not proposed, since, because of the nature of those hearings (i.e., both the Bureau of Health Insurance and the provider, independent laboratory, etc., are parties), these procedures would be inappropriate.

The rules set forth in the interim regulations will be applied by the Social Security Administration upon publication until final regulations are adopted, in order to help alleviate the high hearing backlog and enable those claimants whose prior determinations can be revised to be paid sooner than if the case were to go to hearing.

Prior to the final adoption of the interim amendments to the regulations, consideration will be given to any comments pertaining thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare, P.O. Box 1585, Baltimore, Maryland 21203, on or before April 23, 1976.

Copies of all comments received in response to these amendments will be available for public inspection during regular business hours at the Washing-

ton Inquiries Section, Office of Information, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue, SW, Washington, D.C. 20201.

The interim amendments are issued under the authority contained in sections 205, 1102, 1631(c), 1869, and 1871 of the Social Security Act, as amended, 53 Stat. 1368, as amended, 49 Stat. 647, as amended, 86 Stat. 1476, 79 Stat. 330, 79 Stat. 331; 42 USC 405, 1302, 1383(c), 1395f, and 1395hh and section 1 of Pub. L. 94-202, 89 Stat. 1135, 42 USC 1383.

(Catalog of Federal Domestic Assistance Program No. 13.800, Health Insurance for the Aged and Disabled—Hospital Insurance; 13.801, Health Insurance for the Aged and Disabled—Supplementary Medical Insurance; 13.802, Social Security—Disability Insurance Benefits; 13.803, Social Security—Retirement Insurance; 13.804, Social Security—Benefits for persons aged 72 and over; 13.805, Social Security—Survivors Insurance; and 13.807, Supplemental Security Income for the Aged, Blind, and Disabled.)

Dated: February 5, 1976.

J. B. CARDWELL,  
Commissioner of Social Security.

Approved March 17, 1976.

MARJORIE LYNCH,  
Acting Secretary of Health,  
Education, and Welfare.

Chapter III of title 20 of the Code of Federal Regulations is amended as set forth below:

1. Section 404.918b is added to read as follows:

**§ 404.918b Prehearing case review.**

(a) *General.* Under the circumstances set forth in this section, a case in which a request for hearing has been filed, may be forwarded to the component of the Social Security Administration (including a State Agency) which issued the determination upon which the request for hearing was based for the purpose of determining whether such determination may be revised prior to the issuance of the hearing decision. The parties to the prehearing case review shall be the parties referred to in § 404.919.

(b) *Criteria for prehearing case review.* Prehearing case review shall be applicable where:

(1) Additional evidence is submitted at the time the request for hearing is made; or,

(2) There is an allegation or indication that additional evidence is available; or

(3) There are other indications that the prior determination may be revised, e.g., error noted in the file, a change in law or regulation.

(c) *Prehearing case review and determination.* The component of the Social Security Administration which issued the determination upon which the request for hearing was filed shall, upon receipt of the case, ascertain whether such determination may be revised. A revised determination may be either wholly or partially favorable to the claimant. Prehearing review shall not delay the scheduling of a hearing in the regular order unless the claimant consents to the continuation of such review. Where prehearing review is not completed prior to the date on which the case is to be scheduled for hearing, the case shall be forwarded to the presiding officer for hearing, except where a favorable revised determination is in process or the parties, in writing, consent to the scheduling of the hearing being delayed until the completion of such review.

(d) *Notice of prehearing revised determination.* Where a revised determination is made as a result of the prehearing case review, notice of such revised determination and the basis therefor shall be sent to the parties to such determination and the request for hearing at their last known addresses.

(1) *Revised determination wholly favorable.* Where the revised determination is wholly favorable to the claimant, the notice shall also inform the claimant that the presiding officer may dismiss the request for hearing unless the parties request, in writing, within 30 days after the mailing date of notice of such revised determination, that the presiding officer proceed with the request for hearing.

(2) *Revised determination partially favorable.* Where the revised determination is partially favorable to the claimant, the notice of such revised determination shall also inform the claimant of the matter not found favorable to the claimant. The notice shall also inform the claimant that the presiding officer shall proceed with the hearing, unless the parties to such revised determination and the request for hearing affirmatively assent to the dismissal of the hearing request.

(3) *Right to hearing on prehearing revised determination.* The notice shall also advise the parties of their right to file, within 6 months after the mailing date of the notice of the prehearing revised determination, a request for hearing on such revised determination, as provided in § 404.961(b).

2. Section 416.1427a is added to read as follows:

**§ 416.1427a Prehearing case review.**

(a) *General.* Under the circumstances set forth in this section, a case in which

a request for hearing has been filed may be forwarded to the component of the Social Security Administration (including a State Agency) which issued the determination upon which the request for hearing was based for the purpose of determining whether such determination may be revised prior to the issuance of the hearing decision. The parties to the prehearing case review shall be the parties referred to in § 416.1428.

(b) *Criteria for prehearing case review.* Prehearing case review shall be applicable where:

(1) Additional evidence is submitted at the time the request for hearing is made; or,

(2) There is an allegation or indication that additional evidence is available; or

(3) There are other indications that the prior determination may be revised, e.g., error noted in the file, a change in law or regulation.

(c) *Prehearing case review and determination.* The component of the Social Security Administration which issued the determination upon which the request for hearing was filed shall upon receipt of the case ascertain whether such determination may be revised. A revised determination may be either wholly or partially favorable to the claimant. Prehearing review shall not delay the scheduling of a hearing in the regular order unless the claimant consents to the continuation of such review. Where prehearing review is not completed prior to the date on which the case is to be scheduled for hearing, the case shall be forwarded to the presiding officer for hearing, except where a favorable revised determination is in process or the parties, in writing, consent to the scheduling of the hearing being delayed pending the completion of such review.

(d) *Notice of prehearing revised determination.* Where a revised determination is made as a result of the prehearing case review, notice of such revised determination and the basis therefor shall be sent to the parties to such determination and the request for hearing at their last known addresses.

(1) *Revised determination wholly favorable.* Where the revised determination is wholly favorable to the claimant, the notice shall also inform the claimant that the presiding officer may dismiss the request for hearing unless the parties request, in writing, within 30 days after the mailing date of notice of such revised determination, that the presiding officer proceed with the request for hearing.

(2) *Revised determination partially favorable.* Where the revised determination is partially favorable to the claimant, the notice of such revised determination shall also inform the claimant of the matter not found favorable to the claimant. The notice shall also inform the claimant that the presiding officer shall proceed with the hearing, unless the parties to such revised determination

and the request for hearing affirmatively assent to the dismissal of the hearing request.

(3) *Right to hearing on prehearing revised determination.* The notice shall also advise the parties of their right to file, within 60 days after the date of receipt of the notice of the prehearing revised determination, a request for hearing on such revised determination as provided in § 416.1483.

[FR Doc.76-8350 Filed 3-23-76;8:45 am]

#### Title 24—Housing and Urban Development

#### CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION)

[Docket No. R-76-320]

#### SUBCHAPTER B—MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER THE NATIONAL HOUSING ACT

#### PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

#### Mortgage Insurance for Existing Multifamily Housing

The Department of Housing and Urban Development is amending § 207.32a in order to extend the date on which incomplete projects must be completed and applications for insurance of mortgages on such projects must be submitted, from December 31, 1975 to June 30, 1976.

It was the Department's view at the time of the publication of the interim regulations that rather than allowing for a longer period, an extension could be granted at a later time if market conditions justified such extension. The Department has found that an extension of the date would do much toward encouraging lenders to invest in housing and thus help to eliminate the present inadequacy of available funds for construction of housing projects.

Since this amendment would not enlarge the scope of the program beyond that which the Department had originally contemplated, would not impose hardship on any persons, and is urgently needed to accommodate projects not capable of completion within the presently prescribed time, good cause exists for making this amendment effective upon publication.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. The Finding of Inapplicability, in accordance with HUD's environmental procedures handbook (HUD Handbook 1390.1), is available for inspection at the Office of the Rules Docket Clerk, Department of Housing and Urban Development, Room 10245, 451 Seventh Street SW., Washington, D.C.

Accordingly, Part 207 is amended as follows:

Section 207.32a(f)(2) is amended by deleting "December 31, 1975," wherever it appears, and inserting in lieu thereof "June 30, 1976."

(Sec. 7(d), Department of HUD Act; 42 U.S.C. 3535(d)).

*Effective date.* This amendment was effective as of December 31, 1975.

It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular A-107.

DAVID S. COOK,  
Assistant Secretary for Housing  
Production and Mortgage  
Credit—Federal Housing  
Commissioner.

[FR Doc.76-8529 Filed 3-23-76;8:45 am]

#### CHAPTER X—FEDERAL INSURANCE ADMINISTRATION

#### SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-923]

#### PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

#### Final Flood Elevation for the City of Georgetown, IL

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (Section 1917.10)), hereby gives notice of his final determinations of flood hazards for the City of Georgetown, IL under § 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 11, 1976.

J. ROBERT HUNTER,  
Acting Federal  
Insurance Administrator.

[FR Doc.76-8363 Filed 3-23-76;8:45 am]

[Docket No. FI-925]

#### PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

#### Final Flood Elevation for the City of San Fernando, California

The Federal Insurance Administrator, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which

added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 § 1917.10), hereby gives notice of his final determinations of flood hazards for the City of San Fernando, California under § 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 11, 1976.

J. ROBERT HUNTER,  
*Acting Federal  
Insurance Administrator.*

[FR Doc.76-8361 Filed 3-23-76; 8:45 am]

[Docket No. FI-924]

**PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW**

**Final Flood Elevation for the City of Kuna, Idaho**

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.10)), hereby gives notice of his final determinations of flood hazards for the City of Kuna, Idaho under § 1917.8 of Title 24 of the Code of Federal Regulations.

Accordingly, the Administrator has determined that no 100-year flood frequency elevation is known to exist in the above named community.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 11, 1976.

J. ROBERT HUNTER,  
*Acting Federal  
Insurance Administrator.*

[FR Doc.76-8362 Filed 3-23-76; 8:45 am]

[Docket No. FI-321]

**PART 1920—PROCEDURE FOR MAP CORRECTION**

**Letter of Map Amendment for the City of Carrollton, Texas**

On August 6, 1974, in 39 FR 28270, the Federal Insurance Administrator published a list of communities with

special hazard areas which included the City of Carrollton, Texas. Map No. H 480167 08 indicates that a tract of land, located at Valley View Lane and Wallace Road, Carrollton, Texas, as recorded in Volume 71154, Pages 1134 through 1138 in the office of the Clerk of Dallas County, Texas, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that two portions of the above property are not within the Special Flood Hazard Area. These portions can be further described as follows:

Beginning at a point on the North line of Valley View Lane 100 feet wide, said beginning point being the Southwest corner of the intersection cutoff between the North line of Valley View Lane and the West line of Wallace Road, being 40.0 feet Westerly of the intersection of said Road lines projected; thence Westerly along the North line of Valley View Lane, along a curve to the right, having a radius of 1860.08 feet, an arc distance of 22.7 feet, said arc having a central angle of 00°42' and a chord which bears N 88°23' W to the end of said curve; thence N 88°02' W along the North line of Valley View Lane, a distance of 1241.9 feet to a point for corner; thence N 01°20' W a distance of 850.0 feet to a point for corner; thence N 64° E a distance of 450 feet to a point for corner; thence N 80° E a distance of 430 feet to a point for corner; thence N a distance of 109 feet to a point for corner; thence N 59° W a distance of 310 feet to a point for corner; thence N 19° W a distance of 190 feet to a point for corner; thence N 23° E a distance of 140 feet to a point for corner; thence S 87° E a distance of 717 feet to a point for corner; thence S 1°47' E a distance of 770 feet to a point for corner; thence S 02°06' E along the West line of Wallace Road whose center line South of said angle bears S 01°07' E a distance of 583.9 feet to an angle in said West line; thence S 01°07' E along the West line of Wallace Road being 20.0 feet West of and parallel with its center line a distance of 311.4 feet to a point for corner at the North corner of said intersection cutoff being 40.0 feet Northerly of said intersection of said road lines projected; thence S 44°46' along said cutoff a distance of 55.7 feet to the place of beginning.

And also, starting at a point in the North line of Valley View Lane 100 feet wide and said point being the Southwest corner of the intersection cutoff between the North line of Valley View Lane and the West line of Wallace Road being 40.0 feet Westerly of the intersection of said road lines projected, and continuing Westerly along the North line of Valley View Lane along a curve to the right having a radius of 1860.08 feet an arc distance of 22.7 feet and continuing N 88°02' W along the North line of Valley View Lane a distance of 1241.9 feet and continuing N 01°20' W a distance of 1204.0 feet to the point of beginning; thence S 89°55' W a distance of 795.6 feet to a point for corner; thence N 01°53' W a distance of 698.1 feet to a point for corner; thence E a distance of 120 feet to a point for corner; thence S 67° E a distance of 300 feet to a point for corner; thence S 77° E a distance of 770 feet to a point for corner; thence S 17° E a distance of 310 feet to a point for corner; thence S 83° W a distance of 380 feet to a point for corner; thence S 33° W a distance of 75 feet to the point of beginning.

Accordingly, Map No. H 480167 08 is hereby corrected to reflect that the above property is not within the Special Flood

Hazard Area identified on June 28, 1974. (National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 23, 1976.

H. B. CLARK,  
*Acting Federal  
Insurance Administrator.*

[FR Doc.76-8371 Filed 3-23-76; 8:45 am]

[Docket No. FI-296]

**PART 1920—PROCEDURE FOR MAP CORRECTION**

**Letter of Map Amendment for the City of Evansville, Indiana**

On June 20, 1974, in 39 FR 22121, the Federal Insurance Administrator published a list of communities with special hazard areas which included the City of Evansville, Indiana. Map No. H 180257 09 indicates that a portion of the Westerly half of the Southeast Quarter of section 14, Township 6 South, Range 10 West, being 4004 Morgan Avenue, Evansville, Indiana, as recorded in Volume 598, Page 21 in the office of the Recorder of Vanderburgh County, Indiana, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical view of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, Map No. H 180257 09 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area identified on June 14, 1974.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 23, 1976.

H. B. CLARK,  
*Acting Federal  
Insurance Administrator.*

[FR Doc.76-8366 Filed 3-23-76; 8:45 am]

[Docket No. FI-347]

**PART 1920—PROCEDURE FOR MAP CORRECTION**

**Letter of Map Amendment for the City of Duluth, Minnesota**

On August 29, 1974, in 39 FR 31523, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas which included the City of Duluth, Minnesota. Map No. H 270421 18 indicates that Lot 8, Block 25, Lakeview Division of Duluth, Duluth, Minnesota, as recorded in Book A, Page 132, in the office of the Register of Deeds of St. Louis County, Minnesota, is in its entirety within the Special Flood

Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above mentioned property is not within the Special Flood Hazard Area. Accordingly, Map No. H 270421 18 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area identified on August 16, 1974.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 23, 1976.

H. B. CLARK,  
Acting Federal  
Insurance Administrator.

[FR Doc.76-8368 Filed 3-23-76;8:45 am]

[Docket No. FI-347]

**PART 1920—PROCEDURE FOR MAP CORRECTION**

**Letter of Map Amendment for the City of Duluth, Minnesota**

On August 29, 1974, in 39 FR 31523, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas which included the City of Duluth, Minnesota, Map No. H 270421 11 indicates that the Southerly 130 feet of Lot 11, Block 2, Colman's Second Acre Tract Addition to Duluth, Duluth, Minnesota, as recorded on Plat 2, Page 16, in the office of the Register of Deeds of St. Louis County, Minnesota, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above mentioned property is not within the Special Flood Hazard Area. Accordingly, Map No. H 270421 11 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area identified on August 16, 1974.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 23, 1976.

H. B. CLARK,  
Acting Federal  
Insurance Administrator.

[FR Doc.76-8367 Filed 3-23-76;8:45 am]

[Docket No. FI-226]

**PART 1920—PROCEDURE FOR MAP CORRECTION**

**Letter of Map Amendment for the City of Lewisville, Texas**

On March 26, 1974, in 39 FR 11190, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas which included the City of Lewisville, Texas. Map No. H 480195 07 indicates that a portion of Serendipity Village No. 3, Lewisville, Texas, as recorded in Volume 9, Page 24 in the office of the Clerk of the Court of Denton County, Texas, is located within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that Lots 8 through 10 and 13 through 45, Block F; Lots 12 through 40, Block N; Lots 7 through 18, Block P; and Lots 1 through 22, Block R of the above property are not within the Special Flood Hazard Area. Lots 11 and 12, Block F, with the exception of the drainage Easement as shown on the recorded plat cited above, are not within the Special Flood Hazard Area. Accordingly, Map No. H 480195 07 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area identified on March 15, 1974.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: February 19, 1976.

J. ROBERT HUNTER,  
Acting Federal  
Insurance Administrator.

[FR Doc.76-8372 Filed 3-23-76;8:45 am]

[Docket No. 229]

**PART 1920—PROCEDURE FOR MAP CORRECTION**

**Letter of Map Amendment for the City of Oak Creek, Wisconsin**

On March 27, 1974, in 39 FR 11267, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas which included the City of Oak Creek, Wisconsin. Map No. H 550279 05 indicates that Lot 4, Block 1, Oak Creek Parkway Estates, City of Oak Creek, Wisconsin, as recorded on Reel 486, Image 931, in the office of the Register of Deeds of Milwaukee County, Wisconsin, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of addi-

tional, recently acquired flood information, that the above mentioned property is not within the Special Flood Hazard Area. Accordingly, Map No. H 550279 05 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area identified on March 22, 1974.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974)

Issued: February 23, 1976.

H. B. CLARK,  
Acting Federal  
Insurance Administrator.

[FR Doc.76-8373 Filed 3-23-76;8:45 am]

[Docket No. FI-321]

**PART 1920—PROCEDURE FOR MAP CORRECTION**

**Letter of Map Amendment for the Village of Pickerington, Ohio**

On March 3, 1975, in 40 FR 8809, the Federal Insurance Administrator published a list of communities with special hazard areas which included the Village of Pickerington, Ohio. Map No. H 390162-A 01 indicates that Lots 100 through 103, and 140 through 153, Pickerington Hills, Pickerington, Ohio, as recorded in Plat Book 10, Page 43 in the office of the Clerk of Fairfield County, Ohio, are partially within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information that Lots 100 through 103, 140 through 146, 152, and 153 of the above property are not within the Special Flood Hazard Area. A portion of Lots 147 through 151, which can be described as follows:

Beginning at a point in the northeasterly right-of-way line of Sycamore Drive at the southeast lot line of Lot 151; thence N 67°-29'03" E, approximately 134 feet along said lot line to a point; thence N 22°31' W, approximately 110 feet to a point on the northwest lot line of Lot 151; thence S 52°30'13" W along said lot line a distance of approximately 24 feet to a point; thence N 37°30' W approximately 86 feet to a point on the northwest lot line of Lot 150; thence S 49°-45'58" W along said lot line a distance of approximately 26 feet to a point; thence N 40°-14' W, approximately 338 feet to the northeast corner of Lot 146; thence S 9°02'49" W, 194.65 feet to a point on the North right-of-way line of Sycamore Drive; thence southeasterly along said right-of-way line, 374.98 feet to the point of beginning.

is not within the Special Flood Hazard Area. Accordingly, Map No. H 390162A 01 is hereby corrected to reflect that the above property is not within the Special

Flood Hazard Area identified on June 28, 1974.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 19, 1976.

J. ROBERT HUNTER,  
*Acting Federal  
Insurance Administrator.*

[FR Doc.76-8370 Filed 3-23-76;8:45 am]

[Docket No. FI-196]

**PART 1920—PROCEDURE FOR MAP CORRECTION**

**Letter of Map Amendment for the Village of Ridgewood, New Jersey**

On August 24, 1973, in 38 FR 22776, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas which included the Village of Ridgewood, New Jersey. Map No. H 340067 04 indicates that Lot 30, Block 194, East Ridgewood Gardens, Ridgewood, New Jersey, as recorded in Book 4922, Page 422, in the office of the Clerk of Bergen County, New Jersey, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above mentioned property is not within the Special Flood Hazard Area. Accordingly, Map No. H 340067 04 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area identified on August 31, 1973.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 23, 1976.

H. B. CLARK,  
*Acting Federal  
Insurance Administrator.*

[FR Doc.76-8369 Filed 3-23-76;8:45 am]

**Title 33—Navigation and Navigable Waters**

**CHAPTER IV—SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, DEPARTMENT OF TRANSPORTATION**

**PART 401—SEAWAY REGULATIONS**

On pages 6287 and 6288 of the FEDERAL REGISTER of February 12, 1976, there was published a notice of proposed rulemaking by the Saint Lawrence Seaway Development Corporation to amend the Seaway Regulations.

In amending the regulations, pursuant to its enabling act (33 U.S.C. 981 et seq.),

and pursuant to the authority vested in the Secretary of Transportation with respect to the St. Lawrence Seaway under the Ports and Waterways Safety Act of 1972 (Pub. L. 92-340, 86 Stat. 424), which authority was subsequently delegated to the Administrator of the Saint Lawrence Seaway Development Corporation in the FEDERAL REGISTER on October 17, 1972 (37 FR 21942), the Corporation is acting jointly with the St. Lawrence Seaway Authority of Canada.

The Seaway Regulations and Rules were published initially in the FEDERAL REGISTER on July 1, 1958 (23 FR 5011-5013), to give users of the waterway essential information and directions for transiting. The last major revision of the regulations and rules was published in the FEDERAL REGISTER on March 22, 1974 (39 FR 10899) when the regulations and rules were consolidated into one set of regulations to eliminate repetition of the regulations in the rules and vice versa, and for clarity.

With respect to the current proposed amendments, interested parties were invited to submit written comments for consideration. No comments were received; therefore, the proposed amendments are hereby adopted without change.

Because the amendments were developed jointly with the St. Lawrence Seaway Authority of Canada and will be adopted by that agency at the beginning of the 1976 navigation season, I find that good cause exists for making the amendments effective in less than 30 days.

The amendments are as follows:

**§ 401.3 [Amended]**

1. § 401.3(a) is amended by substituting the words "seventy-six feet" for the words "seventy-five feet six inches".

**§ 401.4 [Amended]**

2. § 401.4 is amended by substituting the words "any canal" for the words "the South Shore, Beauharnois or Welland Canal".

3. § 401.16 is amended to specify the location of the propeller and shaft r.p.m. indicators and reads as follows:

**§ 401.16 Propeller direction alarms.**

Every vessel of more than two hundred and sixty feet in overall length shall be equipped with

(a) Propeller direction and shaft r.p.m. indicators located in the wheelhouse and the engine room; and

(b) Visible and audible wrong-way propeller direction alarms located in the wheelhouse and the engine room, unless the vessel is equipped with an automatically synchronized electric telegraph system or a device that renders it impossible to operate engines against orders from the bridge.

4. § 401.31(b) is amended to allow the prohibition of meeting at other designated areas in addition to those within the limit of approach signs at bridges, if it becomes necessary. The amended section reads:

**§ 401.31 Meeting and passing.**

(b) No vessel shall meet another vessel within the limit of approach signs at bridges or within any area that is designated as a "no meeting area" by signs erected by the Corporation or the Authority at that area.

**§ 401.32 [Amended]**

5. § 401.32(a) is amended by omitting the words "in their housings" since storing cargo booms in this manner does not necessarily provide for maximum visibility.

**§ 401.70 [Amended]**

6. § 401.70 is amended by adding the words "carrying flammable goods" following the words "hazardous cargo vessel" in the first sentence for clarity.

7. § 401.75 is amended by deleting the reference to surcharges and reads as follows:

**§ 401.75 Payment of tolls.**

Every toll account is payable in Canadian or American funds as indicated on the account, within fourteen days after it is issued, and any adjustment of the amount payable shall be provided for in a subsequent account.

8. § 401.88(a) is amended to clarify the Seaway entities' authority to sell a vessel upon failure to remit assessed charges. The amended section reads:

**§ 401.88 Power of sale for toll arrears.**

(a) Where a vessel has been detained pursuant to § 401.87(a) and payment of the tolls and charges or the fine imposed has not been made within a reasonable time after

(1) The time of the detention, in the case of arrears of tolls and charges, or

(2) The imposition of the fine or penalty, in the case of a violation, the Corporation or the Authority may direct that the vessel or its cargo or any part thereof be seized and sold subject to and in accordance with an order of a court of competent jurisdiction.

**Schedule I [Amended]**

9. Schedule I, is amended by adding the following explanatory note prior to the title of the form:

NOTE: Numbering of "Information Extracts from the Seaway Handbook" in the following form has been changed from the actual form to correspond with requirements for Code of Federal Regulations publication.

10. In view of the above amendment, the numbering sequence on the pre-clearance form published as Schedule I is changed to correspond with the numbering of the body of the regulations.

11. Schedule I is further amended to change § 401.75, Payment of Tolls, to correspond with the change in the body of the regulations.

**Schedule III [Amended]**

12. Schedule III is amended by adding under Item 8, Message Content, a

requirement for call sign, first U.S. port of call and ETA at first U.S. port of call as follows:

C.I.P. and checkpoint	Station to call	Message content
8. Exiting Elsenhower Lock.	Seaway Elsenhower, Ch. 12.	1. Name of vessel and call sign. 2. Location. 3. ETA C.I.P. 11. 4. Confirm pilot requirement—Lake Ontario. 5. 1st U.S. port of call. 6. ETA 1st U.S. port of call.

13. Schedule III is further amended by renumbering Item 52 to become Item 53 and adding a new Item 52 as follows:

C.I.P. and checkpoint	Station to call	Message content
52. St. Nicholas Island.	Seaway Beauharnois, Ch. 14.	1. Name of vessel. 2. Location.

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

Effective Date: March 19, 1976.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION,

[SEAL] D. W. OBERLIN,  
Administrator.

[FR Doc. 76-8257 Filed 3-23-76; 8:45 am]

#### Title 49—Transportation

### CHAPTER III—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

#### SUBCHAPTER B—FEDERAL MOTOR CARRIER SAFETY REGULATIONS

[Notice No. 76-10]

#### PART 393—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

##### Interpretations; Definition of Reasonable Accuracy for Speedometers

• Purpose. The purpose of this document is to give public notice of an interpretation to § 393.82 of the Federal Motor Carrier Safety Regulations (49 CFR

393.82) concerning the intent of the term "reasonable accuracy" as it applies to speedometers on commercial motor vehicles. •

In the motor carrier industry there have been various interpretations of the meaning of "reasonable accuracy" in § 393.82. Some have felt this means plus or minus one or two miles per hour (m.p.h.) at highway speeds; others interpret it as plus or minus a much larger amount. Because of this confusion, Mr. Earl A. Klingler of West Jefferson, Ohio, and Mr. Arthur L. Fox, Director of PROD, Inc., Washington, D.C., have both petitioned the Bureau of Motor Carrier Safety to define the meaning of "reasonable accuracy."

A review of these petitions indicates that more definitive guidance is desirable concerning the required accuracy of speedometers. Rather than locking a percentage or other stringent tolerance into a new substantive regulation, however, an Appendix A interpretation will provide a flexible "rule-of-thumb" for the Federal Highway Administration's enforcement personnel, motor carriers, and drivers alike. Since this notice interprets an existing rule, public notice and procedure are unnecessary.

Therefore, Appendix A to Subchapter B of Chapter III in Title 49 CFR, is amended by adding Interpretation No. 7 as set forth below. (Section 204, Interstate Commerce Act, 49 U.S.C. 304, section 6, Department of Transportation Act, 49 U.S.C. 1655; delegations of authority by the Secretary of Transportation and the Federal Highway Administrator at 49 CFR 1.48 and 389.4, respectively).

Issued on March 12, 1976.

ROBERT A. KAYE,  
Director, Bureau of  
Motor Carrier Safety.

#### APPENDIX A—INTERPRETATIONS

##### DEFINITION OF "REASONABLE ACCURACY" FOR SPEEDOMETERS

[Interpretation No. 7]

Section 393.82 requires a bus, truck or truck-tractor to be equipped with a speedometer which is operable with "reasonable

accuracy." The term "reasonable accuracy" is interpreted to mean accuracy to within plus or minus 5 m.p.h. at a speed of 50 m.p.h. It is felt that speedometer accuracy within these limits is sufficient for a professional driver to ascertain the true speed of the vehicle.

This interpretation is based upon the following considerations:

(1) The Society of Automotive Engineers' Recommended Practice J678d states that a new speedometer head under specified conditions shall read 8 to 12 m.p.h. at a true vehicle speed of 10 m.p.h., 30 to 33 m.p.h. at 30 m.p.h., and 60 to 63 m.p.h. at 60 m.p.h.

(2) An alert driver should become aware of excessive speedometer variation on his vehicle a short time after beginning a trip. The best indication would be obtained by comparing the speed of the driver's own vehicle with that of the general traffic flow. Also, it is not unusual for a driver to estimate his speedometer accuracy on a long trip, by checking the elapsed time between the standard highway mileage markers. An elapsed time of one minute (60 seconds) or less, from one mile-post marker to the next would indicate a speed well above the legal 55 m.p.h. limit. For example, it should take a driver approximately 65 seconds to travel one mile at a speed of 55 m.p.h.

(3) A variation greater than that recommended in paragraph (1) for establishing vehicle-in-use speedometer accuracy is needed because of the many factors which affect speedometer accuracy. These include ambient temperature, vibration and friction in the speedometer drive system, tire wear and load as they affect tire rolling radius, and age of and mileage on the vehicle.

(4) As a general rule, speedometer inaccuracies tend to be on the "high" side rather than the "low" side. For example, if a speedometer is inaccurate, it usually indicates a speed which is greater than the speed at which the vehicle is actually traveling. In this situation, a driver is not likely to be unfairly ticketed for a speeding violation of abiding by the speed limit as indicated on the vehicle's speedometer.

This rule-of-thumb speedometer accuracy interpretation shall not be construed to circumvent speed enforcement authority now vested in the several States, but it shall be a guide for concerned personnel in the field and on the highway in determining what they may expect from a speedometer.

[FR Doc. 76-8259 Filed 3-23-76; 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 STATE

Office of the Secretary

[ 22 CFR Part 6a ]

[Docket No. SD-117]

### PRIVACY ACT POLICIES AND PROCEDURES

#### Fee Schedule, Proposed Amendment

The Department of State is considering a change to Title 22, Part 6a, of the Code of Federal Regulations concerning fees charged for reproducing copies of personnel records requested by individuals under the Privacy Act of 1974 (5 USC 552a).

Interested persons may participate in the proposed change by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Director, Foreign Affairs Document and Reference Center, Room 1239, Department of State, 2201 C Street, NW., Washington, D.C. 20520. All communications received on or before April 23, 1976, will be considered before action is taken on the proposed change.

Since the implementation of the Act, it has been noted that the number of manhours required to reproduce all of the documents in an individual's several personnel files has increased to the extent that the Department now believes that, in the interest of efficiency and economy, the government should be reimbursed for this service. Therefore it is proposed to delete paragraph (a) of § 6a.10 and charge a fee of \$.10 per page for copies of personnel records requested for retention by individuals, with the exception that there will be no charge for requests involving costs of \$1.00 or less. Accordingly, it is proposed to change § 6a.10 to read as follows:

#### § 6a.10 Fees.

(a) The Department will charge a fee of \$.10 per page for copies of documents which are identified by an individual and reproduced at the individual's request for retention, except that there will be no charge for requests involving costs of \$1.00 or less.

(b) Remittances shall be in the form of either a personal check or bank draft drawn on a bank in the United States, a postal money order, or cash. Remittances shall be made payable to the order of the Treasury of the United States and delivered or mailed to the Director, Foreign Affairs Document and Reference Center, Room 1239, Department of State, 2201 C Street, NW., Washington, D.C. 20520. The

Department will assume no responsibility for cash sent by mail.

(c) A receipt for fees paid will be given only upon request.

For the Secretary of State.

[SEAL]

LAWRENCE S. EAGLEBURGER,  
Deputy Under Secretary  
for Management.

[FR Doc.76-8357 Filed 3-23-76;8:45 am]

## DEPARTMENT OF THE TREASURY

Customs Service

[ 19 CFR Part 24 ]

### CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

#### Proposed Amendment to the Customs Regulations Pertaining to Customs Financial and Accounting Procedure

Notice of a proposed amendment to Part 24 of the Customs Regulations (19 CFR Part 24), which would add a new § 24.21 pertaining to Customs charges for administrative overhead for reimbursable and overtime services, was published in the FEDERAL REGISTER on March 5, 1976 (41 FR 9555). Pursuant to that notice, the public was given until March 22, 1976, to submit data, view, or arguments pertaining to the proposed amendment.

Requests have been received for an extension of the time for the submission of comments. Therefore, the period for submission of data, views, or arguments with respect to the cited amendment is extended to April 5, 1976.

LEONARD LEHMAN,  
Acting Commissioner of Customs.

[FR Doc.76-8426 Filed 3-23-76;8:45 am]

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[ 7 CFR Part 908 ]

### HANDLING OF VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

#### Expenses and Rate of Assessment for the 1975-76 Fiscal Period and Carryover of Unexpended Funds

This notice invites written comment relative to the proposed expenses of \$287,290 and rate of assessment of \$0.0145 per carton of Valencia oranges to support the activities of the Valencia Orange Administrative Committee for the 1975-76 fiscal period under Marketing Order No. 908.

Consideration is being given to the following proposals submitted by the Valencia Orange Administrative Committee, established under the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 USC 601-674), as the agency to administer the terms and provisions thereof: (1) that the expenses which are reasonable and likely to be incurred by the Valencia Orange Administrative Committee during the period from November 1, 1975, through October 31, 1976, will amount to \$287,290; (2) that there be fixed, at \$0.0145 per carton of oranges, the rate of assessment payable by each handler in accordance with § 908.41 of the aforesaid marketing agreement and order; and (3) that unexpended funds in excess of expenses incurred during the fiscal year ended October 31, 1975, in the amount of \$10,000, be carried over as a reserve in accordance with § 908.42.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than April 3, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: March 18, 1976.

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

[FR Doc.76-8282 Filed 3-23-76;8:45 am]

## CIVIL AERONAUTICS BOARD

[ 14 CFR Part 302 ]

[PDR 40; Docket No. 29012, dated: March 18, 1976]

### RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

#### Applicability of Discretionary Review Procedures to Recommended Decisions

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to its Rules of Practice (14 CFR Part 302) so as to bring the review process for recom-

mended decisions within the framework now established for initial decisions. The purpose of the proposed amendment is explained in the attached Explanatory Statement, and the proposed amendment is set forth in the Proposed Rule. The amendment is proposed under the authority of sections 204 and 416 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 771; 49 U.S.C. 1324, 1386.

Interested persons may participate in the proposed rulemaking through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before April 23, 1976, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board:

[SEAL] PHYLLIS T. KAYLOR,  
Acting Secretary.

#### EXPLANATORY STATEMENT

The Board is constantly reviewing methods and means of improving and expediting its decisional process. Recently, the Board's Advisory Committee on Procedural Reform, in its report issued on December 31, 1975, pointed with approval to the increased use of the discretionary review procedure as a means of expediting decision in cases in which no important issues are at stake. In this connection, the Board observes that the procedural rules governing the review of initial decisions and recommended decisions are different notwithstanding there are no inherent distinctions in the type, magnitude or importance of the issues presented by the two categories of cases. Both pose the same general review problems for the Board—i.e., whether or not the decision presents important questions of law, policy, or discretion and is otherwise consistent with governing precedent, and whether or not the administrative law judge has satisfactorily found the facts and resolved the substantive and procedural issues. The procedures in connection with recommended decisions involving the licensing of U.S.-flag carriers—i.e., the filing of exceptions and the automatic provision for briefs and oral argument—often unnecessarily delay cases in circumstances in which the Board could—and would—dispose of the case without further proceedings if an initial decision were involved. On the other hand, the Board ordinarily dispenses with oral argument in cases involving the licensing of foreign-flag carriers since those cases routinely involve matters which can easily be resolved without an oral presentation of the Board.

In addition, Rule 30, which permits the filing of general exceptions, is not as well designed as Rule 28(a)(2) to spe-

cifically alert the Board to important matters of law or policy, or substantive or procedural defects. Rule 28(a)(2) sets out express categories of reviewable matters.

We believe that it would serve the proper functioning of the Board's business to bring the review process for recommended decisions within the framework now established for initial decisions. As the Board has recently observed, the discretionary review procedure is a useful and legally sanctioned means of allowing the Board to determine the desirability of having a proceeding reviewed more extensively at the Board level. See *The Fort Myers-Atlanta Case* (Order on reconsideration) Order 76-1-81, January 22, 1976. The added requirement of Presidential approval does not, in any meaningful way, alter the efficacy of the discretionary review approach. In short, the Board believes that subsequent Presidential involvement does not and should not affect the decisionmaking process at the Board level. Thus, we propose to make the discretionary review standards and procedures now contained in Rule 28 applicable to recommended decisions as well as initial decisions, and to eliminate the special provisions contained in Rule 30 insofar as they concern recommended decisions.

We recognize, of course, that recommended decisions, unlike initial decisions, are not amenable to automatic effect since the proceedings are ultimately subject to Presidential review under section 801 of the Federal Aviation Act. As a consequence, we shall leave unaltered Rule 27 insofar as it now provides that the delegation of authority to administrative law judges to make the Board's decision does not extend to cases requiring Presidential approval under section 801 of the Act. In section 801 cases, in other words, the Board must—and will—submit its decisions on review to the President before publication when it elects to decline discretionary review or to review a recommended decision without further proceedings. As in the case of initial decisions, the Board reserves the right to grant review on its own initiative in appropriate cases and shall, to the degree practicable, endeavor to do so promptly following the issuance of a recommended decision.

The time for filing petitions for review of recommended decisions shall be the same as that now provided for filing such petitions in connection with initial decisions. However, with respect to recommended decisions involving foreign air carrier permits where the action of the Board is subject to the approval of the President pursuant to section 801 of the Act, we shall authorize the administrative law judge to establish a different period in the recommended decision. This provision is principally designed to permit a reduction in the 21-day period when the public interest requires.

It is proposed to amend Part 302 of the Board's Procedural Regulations (14 CFR Part 302) as follows:

1. Amend the Table of Contents by revising § 302.28 and § 302.30 to read as follows:

302.28 Petitions for discretionary review of initial decisions or recommended decisions; review proceedings.

302.30 Exceptions to tentative decisions of the Board.

2. Amend § 302.28 by revising the heading and paragraph (a)(1) to read as follows:

§ 302.28 Petitions for discretionary review of initial decisions or recommended decisions; review proceedings.

(a) Petitions for discretionary review.  
(1) Review by the Board pursuant to this section is not a matter of right but of the sound discretion of the Board. Any party may file and serve a petition for discretionary review by the Board of an initial decision or recommended decision within 21 days after service thereof: *Provided, however*, That the administrative law judge may fix a different period in any recommended decision involving a foreign air carrier where the action of the Board is subject to the approval of the President pursuant to section 801 of the Act. Such petitions shall be accompanied by proof of service on all parties.

3. Amend § 302.30 by revising the heading and paragraph (a) to read as follows:

§ 302.30 Exceptions to tentative decisions of the Board.

(a) *Time for filing.* Within ten (10) days after service of any tentative decision of the Board, any party to a proceeding may file exceptions to such decision with the Board.

4. Amend § 302.31 by revising paragraph (a) to read as follows:

§ 302.31 [Amended]

(a) *Time for filing.* Within such period after the date of service of any tentative decision by the Board as may be fixed therein, any party may file a brief addressed to the Board, in support of his exceptions to such decision or in opposition to the exceptions filed by any other party. Briefs to the Board on initial decisions or recommended decisions of administrative law judges shall be filed only in those cases where the Board grants discretionary review and orders further proceedings, pursuant to § 302.28(b)(2), and only upon those issues specified in the order. Such briefs shall be filed within 30 days after date of service of the order granting discretionary review. In cases where, because of the limited number of parties and the nature of the issues, the filing of opening, answering, and reply briefs will not unduly delay the proceeding and will assist in its proper disposition, the Board or the administrative law judge (where the administrative law judge's decision was not made under

delegated authority) may direct that the parties file briefs at different times rather than at the same time.

5. Amend § 302.33 to read as follows:

§ 302.33 [Amended]

The parties to any proceeding may agree to waive any one or more of the following procedural steps provided in §§ 302.25 through 302.32: Oral argument before the administrative law judge, the filing of proposed findings and conclusions for the administrative law judge or for the Board, a recommended decision of the administrative law judge, a tentative decision of the Board, exceptions to a tentative decision of the Board, a petition for discretionary review of an initial decision or recommended decision, the filing of briefs with the Board, or oral argument before the Board.

[FR Doc.76-8333 Filed 3-23-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20364; RM-2336]

TABLE OF ASSIGNMENTS, FM BROADCAST STATIONS

Order Extending Time for Filing Comments and Reply Comments

1. On December 11, 1975, the Commission adopted a Further Notice of Proposed Rule Making in the above-mentioned proceeding (40 F.R. 59452). The present dates for filing comments and reply comments are March 19 and April 2, 1976, respectively.

2. On March 12, 1976, Lawrence Norman DeBeau, by counsel, requested that the time for filing comments be extended to and including April 19, 1976. Counsel states the additional 30-day extension is necessary in order to permit Mr. DeBeau's consulting radio engineer sufficient time to complete an engineering showing solicited in the Further Notice of Proposed Rule Making. He states that the press of other business prevented the engineer from completing the showing in sufficient time to permit review by counsel's office. Counsel adds that the original petitioner and only participant in this proceeding has consented to this extension.

3. We are of the view that the public interest would be served by extending the time in this proceeding. Accordingly, it is ordered, that the dates for filing comments and reply comments are extended to and including April 19 and May 3, 1976, respectively.

4. This action is taken pursuant to authority found in Sections 4(i), 5(d) (1), and 303(r) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

Adopted: March 17, 1976.

Released: March 18, 1976.

FEDERAL COMMUNICATIONS COMMISSION,

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

[FR Doc.76-8312 Filed 3-23-76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1108]

[Ex Parte 320]

FINDING OF MARKET DOMINANCE

Railroad Revitalization and Regulatory Reform Act of 1976; Special Procedures; Correction

The above-captioned document was published at 41 FR, Tuesday, March 16, 1976, (11034). This document was inadvertently assigned Part 1108. Part 1108 had been previously assigned, 40 FR, August 26, 1975 (37233). Therefore, the above-captioned document is being re-assigned Part 1109.

[SEAL] ROBERT L. OSWALD, Secretary.

[FR Doc.76-8336 Filed 3-23-76;8:45 am]

HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[24 CFR Part 1917]

[Docket No. FI-940]

NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Chillicothe, Peoria County, Illinois

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood

Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.4(a)) hereby gives notice of his proposed determinations of flood elevations for the City of Chillicothe, Peoria County, Illinois.

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary. Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the Counter at City Hall, 908 North 2nd Street, Chillicothe, Illinois.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mr. Harold Pribble, Mayor, City of Chillicothe, City Hall, 908 North 2nd Street, Chillicothe, Illinois 61523. The period for comment will be ninety days following the second publication of this notice in a newspaper or local circulation in the above-named community or ninety days from publication of this notice in the FEDERAL REGISTER, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width in feet from bank of stream to 100-yr flood boundary facing downstream	
			Left	Right
Illinois River	Park Blvd	460	210	
	Clover Dale Rd	460	80	
	Hickory St	460	400	
	Sycamore St	460	440	
	Beech St	460	490	
	Elm St	460	410	
	Walnut St	460	280	
	Pine St	460	290	
	Chestnut St	460	300	
	Cedar St	460	420	
	Ash St	460	400	
	Fruit St	460	400	
	Oak St	460	280	

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: March 2, 1976.

HOWARD B. CLARK, Acting Federal Insurance Administrator.

[FR Doc.76-8365 Filed 3-23-76;8:45 am]

[24 CFR Part 1917]

[Docket No. FI-939]

NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Prescott, Yavapai County, Arizona

The Federal Insurance Administrator, in accordance with Section 110 of the

Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917 (§ 1917.4(a)) hereby gives notice of his proposed determinations of flood elevations for the City of Prescott, Yavapai County, Arizona.

Under these Acts, the Administrator, to whom the Secretary has delegated the statutory authority, must develop criteria for flood plain management in identified flood hazard areas. In order to participate in the National Flood Insurance Program, the City must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected loca-

## PROPOSED RULES

tions. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the City Hall Lobby, City Hall, 201 South Cartez Street, Prescott, Arizona 86301.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mrs. Jerri Wagner, Mayor,

P.O. Box 2059, Prescott, Arizona 86301. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community or ninety days from publication of this notice in the FEDERAL REGISTER, whichever is the later.

The proposed 100-year Flood Elevations are:

Source of flooding	Location	Elevation (feet above mean sea level)	Width in feet from bank of stream to 100-yr flood boundary facing downstream	
			Left	Right
Granite Creek	Wilkerson Dr.		375	1,400
	Unnamed road		125	350
	U.S. Route 89		25	50
	6th St.	5,300	750	250
	Atchison, Topeka, & Santa Fe R.R.	5,320	25	50
	East Gurley St.	5,340	325	450
	Carleton St.	5,350	300	150
	Aubrey St.	5,355	75	375
	Leroux St.	5,360	175	100
	Spar Rd.	5,385	50	45
	Brookside Blvd (extended)	5,405	100	25
do	U.S. Route 89		65	50
do			150	75
Unnamed tributary to Granite Creek (north)	Atchison, Topeka, & Santa Fe R.R.		75	75
Unnamed tributary to Granite Creek (south)	Moeller St.		100	100
	East Sheldon St.		150	100
	East Gurley St.		75	125
	Corporate limits (west)		225	100
Willow Creek	Lorraine Dr.		75	75
	Willow Creek Rd.		25	25
North Fork of Miller Creek	Unnamed St.	5,430	100	75
	Hinman St.	5,400	375	25
	Whipple St.	5,390	375	15
Willow Creek	Corporate limits (west), Organ Ave.	5,470	50	75
	Park Dr.	5,415	25	25
	Fairground Ave.	5,385	25	25
	Hillside Ave.	5,377	150	250
	Miller Valley Rd.	5,355	25	35
	Lincoln Ave.	5,333	250	150
	Campbell St. (extended)	5,325	300	115
	Granite St. (extended)	5,318	75	200
	Corporate limits (west)		100	100
	Butte Creek	Plaza Dr.	5,465	150
West Gurley St.		5,430	100	50
Willow St.		5,347	50	100
Grove Ave.		5,335	50	125
Atchison, Topeka, & Santa Fe R.R.		5,235	50	125
Middlebrook Rd.		5,473	200	100
Aspen Creek	Highland Ave.	5,450	25	25
	Park Ave.	5,415	100	75
	Jonian Ave.		75	25
North Fork of Granite Creek	Whipple St.	5,353	525	450
	Merritt Ave.	5,342	225	750
	Atchison, Topeka, & Santa Fe R.R.		375	50
Government Creek	U.S. Route 89		50	50
	State Route 69		50	50
	Corporate limits (east)		75	75

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42

U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: March 2, 1976.

HOWARD B. CLARK,  
Acting Federal  
Insurance Administrator.

[FR Doc.76-8364 Filed 3-23-76;8:45 am]

# notices

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

## DEPARTMENT OF THE TREASURY

Office of the Secretary

### ANTIDUMPING

#### Clear Polymethyl Methacrylate of Pellet, Powder, Flake, Granular or Similar Forms, From Japan

Information was received on May 16, 1975, that polymethyl methacrylate polymers from Japan were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act"). An "Antidumping Proceeding Notice" was published in the FEDERAL REGISTER of June 16, 1975 (40 FR 25497). An "Amendment of Antidumping Proceeding Notice" limiting the class or kind of merchandise under consideration to polymethyl methacrylate of pellet, powder, flake, granular or similar forms, from Japan was published in the FEDERAL REGISTER of June 23, 1975 (40 FR 26282).

A "Withholding of Appraisalment Notice" issued by the Secretary of the Treasury was published in the FEDERAL REGISTER of December 18, 1975 (40 FR 58666-7).

Subsequent to that "Withholding of Appraisalment Notice", it has been concluded that it is inappropriate to include within that withholding of appraisalment, merchandise other than clear polymethyl methacrylate of pellet, powder, flake, granular or similar forms. Accordingly, insofar as the "Withholding of Appraisalment Notice" now includes merchandise other than clear polymethyl methacrylate of pellet, powder, flake, granular or similar forms, the withholding of appraisalment is hereby revoked.

#### DETERMINATION OF SALES AT LESS THAN FAIR VALUE

I hereby determine that, for the reasons stated below, clear polymethyl methacrylate of pellet, powder, flake, granular or similar forms, from Japan is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

#### STATEMENT OF REASONS ON WHICH THIS DETERMINATION IS BASED

The reasons and bases for the above determination are as follows:

a. *Scope of the Investigation.* It appears that all, or virtually all, imports of the subject merchandise from Japan were manufactured by either Mitsubishi Rayon Co., Ltd., or Asahi Chemical Industry Co., Ltd., both of Tokyo, Japan. Therefore, the investigation was limited to these two manufacturers.

b. *Basis of Comparison.* For the purpose of considering whether the mer-

chandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison is between purchase price and the home market price of such or similar merchandise. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162), was used since all export sales were made to non-related Japanese trading companies. Home market price, as defined in section 153.3, Customs Regulations, (19 CFR 153.3), was used since such or similar merchandise was sold in the home market in sufficient quantities to provide a basis of comparison for fair value purposes.

c. *Purchase Price.* For purposes of this determination of sales at less than fair value, adjustments have been made on the following bases. In accordance with section 153.31(b), Customs Regulations, (19 CFR 153.31(b)), pricing information was obtained concerning imports of clear polymethyl methacrylate from Japan during the period January 1, 1975, through June 30, 1975.

In the import transactions, all of the merchandise was purchased, or agreed to be purchased, prior to the time of exportation by the persons by whom or for whose account it was purchased, within the meaning of section 203 of the Act. The purchase price was calculated on the basis of the ex-godown, Japanese port, packed price to the United States. Deductions were made for inland freight and packing with respect to both manufacturers. A deduction was made for a royalty payment for merchandise sold by Asahi Chemical Industry Co., Ltd.

d. *Home Market Price.* For the purposes of this determination of sales at less than fair value, adjustments have been made on the following bases. The home market price was calculated on the basis of the delivered, net, packed price to the distributor. Adjustments were made for rebates, credit expenses, transportation, certain technical service expenses and packing costs, as appropriate, for merchandise sold by both manufacturers, in accordance with section 153.8, Customs Regulations (19 CFR 153.8). Adjustments for credit expenses relate to discounted promissory notes used for payment in the home market. With respect to sales by Asahi Chemical Industry Co., Ltd., further adjustments for differences in circumstances of sales were made for freely offered discounts and rebates on merchandise, for royalty payments for merchandise, and for certain sales aids, including technical brochures, provided for the benefit of purchasers in later sales. With respect to sales by Mitsubishi Rayon Co., Ltd., further adjustments for differences in circumstances of sale have been made for certain expenses relating to advertising,

sales aids and technical service brochures incurred for the benefit of purchasers in later sales, and for rebates actually paid in connection with the sales under consideration.

Adjustments for differences in circumstances of sale in accordance with section 153.8, Customs Regulations (19 CFR 153.8), for warehousing costs for inventory purposes, salesmen's salaries, interest on inventory, research and development expenses and certain technical services were claimed by counsel for both manufacturers. These expenses do not bear a direct relationship to the sales under consideration and no adjustment was allowed for these expenses. Certain claimed adjustments for technical services were not allowed because of an absence of sufficient evidence of the direct relationship of such expenses to the sales under consideration.

Adjustments to the home market price, in purchase price situations, are allowed only for circumstances of sale which bear a direct relationship to the sales under consideration. Accordingly warehousing costs for inventory purposes are not an allowable adjustment, since these expenses must be borne regardless of whether particular sales are made.

Salesmen's salaries, unlike commissions, are also not an allowable adjustment, to home market price, since they too must be paid by the company irrespective of whether sales are made.

After further consideration of the nature of an adjustment for technical services, the Secretary has concluded that, pending a comprehensive review of the circumstances of sale policies and regulations, adjustment for expenses which are incurred regardless of whether a particular sale is made, such as technician's salaries, would be inappropriate. Adjustments for expenses incurred only when sales are actually made, such as travel expenses in connection with after-sale technical services, are only allowable where such expenses are incurred by a foreign company in its home market for the purchaser in connection with the particular sale under consideration, rather than as a service provided for all potential purchasers.

e. *Result of Fair Value Comparison.* Using the above criteria, purchase price was found to be lower than home market price of such or similar merchandise. Comparisons were made on approximately 95 percent of all clear polymethyl methacrylate from Japan sold to the United States during the period of investigation. Margins were found, ranging from 18-30 percent, on 100 percent of sales compared. The weighted average margin was found to be 24 percent for each firm.

The United States International Trade Commission is being advised of this determination.

This determination is being published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

Dated: March 18, 1976.

DAVID R. MACDONALD,  
Assistant Secretary of the Treasury.

[FR Doc.76-8323 Filed 3-23-76; 8:45 am]

## DEPARTMENT OF DEFENSE

Department of the Army

### ARMY FINANCIAL MANAGEMENT ADVISORY COMMITTEE

#### Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), announcement is made of the following Committee meeting:

Name of Committee: Army Financial Management Advisory Committee.  
Date of Meeting: 14-15 April 1976.  
Place: Room: 2D 680, The Pentagon.  
Time: 0800-1600 hours.

#### Proposed agenda

The Committee will be given a progress report by the Department of the Army Staff on the development of a specific plan to improve the organization and procedures for financial management within the Army's procurement accounts. In addition, the Committee will receive a progress report on the preparatory work for the development of an initial draft report. The Committee will provide further direction to the Committee staff on the preparation of its initial draft report. This meeting is open to the public; however, space accommodations are limited. Persons wishing to attend, appear before or file statements with the Committee at the time and in the proper manner permitted by the Committee should advise the Deputy Chairman of the Committee in writing prior to the meeting at the following address: Office, Assistant Secretary of the Army (Financial Management), Room ZE 665, the Pentagon, Washington, D.C.

Dated: March 18, 1976.

By authority of the Secretary of the Army:

R. W. HAMPTON,  
Director of Administrative  
Management.

[FR Doc.76-8255 Filed 3-23-76; 8:45 am]

## DEPARTMENT OF JUSTICE

Drug Enforcement Administration

### IMPORTATION OF CONTROLLED SUBSTANCES

#### Application

Pursuant to Section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in

schedule I or II, and prior to issuing a regulation under Section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore in accordance with § 1311.42 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on (undated) Stepan Chemical Company, Natural Products Dept., 100 W. Hunter Avenue, Maywood, N.J. 07607, made application to the Drug Enforcement Administration to be registered as an importer of coca leaf, a basic class of controlled substance in schedule II.

As to the basic class of controlled substance listed above for which application for registration has been made, any other applicant therefore, and any existing bulk manufacturer registered therefor, may file written comments on or objections to the issuance of such registration and may, at the same time, file a written request for a hearing on such application in accordance with 21 CFR 1301.54 in such form as prescribed by 21 CFR 1316.47. Such comments, objections and requests for a hearing may be filed no later than April 29, 1976.

Comments and objections may be addressed to the DEA Federal Register Representative, Office of Chief Counsel, Drug Enforcement Administration, Room 1203, 1405 Eye Street, NW., Washington, D.C. 20537.

Dated: March 12, 1976.

JERRY N. JENSON,  
Deputy Administrator,  
Drug Enforcement Administration.

[FR Doc.76-8314 Filed 3-23-76; 8:45 am]

### MANUFACTURE OF CONTROLLED SUBSTANCES

#### Application

Section 303(a)(1) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 823(a)(1)) states:

"The Attorney General shall register an applicant to manufacture controlled substances in schedule I or II if he determines that such registration is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on the effective date of this part. In determining the public interest, the following factors shall be considered:

"(1) Maintenance of effective controls against diversion of particular controlled substances and any controlled substance in schedule I or II compounded therefrom into other than legitimate medical, scientific, research, or industrial channels, by limiting the importation and bulk manufacture of such controlled substances to a number of establishments which can produce an adequate and uninterrupted supply of these substances under adequately competitive conditions for legitimate medical, scientific, research, and industrial purposes;"

Pursuant to Section 1301.43 of Title 21 of the Code of Federal Regulations, no-

tice is hereby given that on January 19, 1976, Gane's Chemical Works, Inc., Lessee of Siegfried Chemical, Inc., Industrial Park Road, Pennsville, New Jersey 08070, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of the basic class of controlled substances listed below:

Drug:	Schedule
Pentobarbital	II
Amobarbital	II
Secobarbital	II
Methaqualone	II

Pursuant to Section 301 of the Controlled Substances Act (21 U.S.C. 821), and in accordance with Section 1301.43 (a) of Title 21 of the Code of Federal Regulations (CFR), notice is hereby given that the above company has made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of the basic class of controlled substances indicated, and any other such person, and any existing registered bulk manufacturer of the above substances may file written comments on or objections to the issuance of such registration and may, at the same time, file a written request for a hearing on the application in accordance with 21 CFR 1301.54 in such form as prescribed by 21 CFR 1316.47. Such comments, objections and requests for a hearing may be filed no later than April 29, 1976.

Comments and objections may be addressed to the DEA Federal Register Representative, Office of Chief Counsel, Drug Enforcement Administration, Room 1203, 1405 Eye Street, N.W., Washington, D.C. 20537.

Dated: March 5, 1976.

JERRY N. JENSON,  
Deputy Administrator,  
Drug Enforcement Administration.

[FR Doc.76-8353 Filed 3-23-76; 8:45 am]

### MANUFACTURE OF CONTROLLED SUBSTANCES

#### Application

Section 303(a)(1) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 823(a)(1)) states:

"The Attorney General shall register an applicant to manufacture controlled substances in schedule I or II if he determines that such registration is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on the effective date of this part. In determining the public interest, the following factors shall be considered:

"(1) Maintenance of effective controls against diversion of particular controlled substances and any controlled substance in schedule I or II compounded therefrom into other than legitimate medical, scientific, research, or industrial channels, by limiting the importation and bulk manufacture of such controlled substances to a number of establishments which can produce an adequate and un-

interrupted supply of these substances under adequately competitive conditions for legitimate medical, scientific, research, and industrial purposes."

Pursuant to Section 1301.43 of Title 21 of the Code of Federal Regulations, notice is hereby given that on (undated) Stepan Chemical Co., Natural Products, 100 W. Hunter Avenue, Maywood, N.J. 07607, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of the basic class of controlled substances listed below:

Drug:	Schedule
Coca Leaf	II
Cocaine	II
Egonine	II

Pursuant to Section 301 of the Controlled Substances Act (21 U.S.C. 821), and in accordance with Section 1301.43 (a) of Title 21 of the Code of Federal Regulations (CFR), notice is hereby given that the above company has made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of the basic class of controlled substances indicated, and any other such person, and any existing registered bulk manufacturer of the above substances may file written comments on or objections to the issuance of such registration and may, at the same time, file a written request for a hearing on the application in accordance with 21 CFR 1301.54 in such form as prescribed by 21 CFR 1316.47. Such comments, objections and requests for a hearing may be filed no later than April 29, 1976.

Comments and objections may be addressed to the DEA Federal Register Representative, Office of Chief Counsel, Drug Enforcement Administration, Room 1203, 1405 Eye Street, N.W., Washington, D.C. 20537.

Dated: March 12, 1976.

JERRY N. JENSON,  
Deputy Administrator,  
Drug Enforcement Administration.  
[FR Doc.76-8354 Filed 3-23-76;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Geological Survey

[NTL-1]

### OIL AND GAS ROYALTY

#### Accounting Reports, Requirements, and Procedures

The Geological Survey hereby extends the time in which to submit written comments, objections, and suggestions concerning proposed Notice to Lessees (NTL-1). Comments on proposed NTL-1 should be submitted on or before May 1, 1976, to the Chief, Conservation Division, U.S. Geological Survey, 650 National Center, Reston, Virginia 22092.

The proposed NTL-1 was published in the FEDERAL REGISTER (Vol. 41, No. 41—pp. 8802-8805) of Monday, March 1, 1976, and requested that comments be submitted by March 25, 1976.

HENRY W. CODLER,  
Acting Director.

[FR Doc.76-8277 Filed 3-23-76;8:45 am]

## Bureau of Land Management

[Colorado 0126472]

### COLORADO

#### Termination of Proposed Withdrawals and Reservation of Lands

MARCH 10, 1976.

Notice of a United States Forest Service application C-0126472 for withdrawal and reservation of land for public recreation sites was published as FEDERAL REGISTER Document No. 65-12676, on page 14691 of the issue for Thursday, November 25, 1965. The applicant agency has canceled its application insofar as it affects the following described lands.

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO  
HORSETHIEF CAMPGROUND

T. 36 N., R. 3 E., unsurveyed,  
Sec. 11: S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 14: NE $\frac{1}{4}$ NW $\frac{1}{4}$ .

#### TREASURE CREEK CAMPGROUND

T. 36 N., R. 3 E., unsurveyed,  
Sec. 16: SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

#### STUNNER PICNIC GROUND

T. 36 N., R. 4 E.,  
Sec. 9: E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

#### VALLEY OVERLOOK

T. 40 N., R. 3 E.,  
Sec. 12: NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

#### ADAMS FORK CAMPGROUND

T. 36 N., R. 4 E.,  
Sec. 31: SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

#### MOLINO CAMPGROUND

T. 37 N., R. 2 E.,  
Sec. 12: SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

#### DECKER CREEK CAMPGROUND

T. 39 N., R. 2 E.,  
Sec. 24: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$   
SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

Excepting a strip of land 200 feet wide to each side of the centerline of U.S. Highway 160, which has been previously withdrawn.

#### STONY PASS PICNIC GROUND

T. 41 N., R. 6 W., unsurveyed.  
Beginning at an abandoned mine shaft from which Stony Pass bears N. 53° W. approximately 600 ft., Canby Mountain bears N. 16° E., and Sheep Mountain bears S. 64° E., by metes and bounds.

N., 620 ft., to Corner No. 1, W., 1320 ft., to Corner No. 2, S., 1320 ft., to Corner No. 3, E., 1320 ft., to Corner No. 4, N., 700 ft., to the place of beginning.

Therefore, pursuant to the regulations contained in 43 CFR, Part 2310, such lands will be relieved of the segregative effect of the above-mentioned application 30 days from the date of this notice.

RODNEY A. ROBERTS,  
Acting Chief, Branch of  
Land Operations.

[FR Doc.76-8256 Filed 3-23-76;8:45 am]

#### Office of the Secretary PRIVACY ACT OF 1974 Additional Routine Uses

Notice is hereby given that, pursuant to 5 U.S.C. 301 and 552a and 43 U.S.C. 1461, the Department of Interior has under consideration adoption of a state-

ment describing additional routine uses for a record system which it maintains which is subject to section 3 of the Privacy Act of 1974.

By notice published in the FEDERAL REGISTER on September 26, 1975, the Department adopted a system notice describing the Metal and Nonmetal Mine Health and Safety Management Control System (Interior, MESA-3). The Department has now identified additional routine uses for this system which were not described in the system notice. These routine uses are not new uses for the system, but were overlooked in initial preparation of Privacy Act systems notices.

The additional routine uses are as follows:

(9) Transmit to the National Institute of Occupational Safety and Health and the Environmental Protection Agency information resulting from special health studies.

(10) Provide state agencies or bodies in state plan states applicable inspection reports, surveys on personal exposure and special health studies.

(11) Furnish unions and company officials inspection reports containing exposure data pertaining to members and employees, respectively.

Comments on these proposed routine uses statements may be submitted to the Assistant Solicitor, General Legal Services, Office of the Solicitor, U.S. Department of the Interior, 18th and C Streets N.W., Washington, D.C. 20240. All comments received on or before March 12, 1976, will be considered. Copies of any comments received may be inspected in Room 6525 at the above address.

Dated: March 19, 1976.

RICHARD R. HITE,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc.76-8356 Filed 3-23-76;8:35 am]

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

### NATIONAL PLANT GENETICS RESOURCES BOARD

#### Meeting

Pursuant to the provisions of the Federal Advisory Committee Act of October 6, 1972 (Public Law 92-463, 86 STAT. 770-776) notice is hereby given that a public meeting of the National Plant Genetics Resources Board will be held on April 15 and 16, 1976, in Room 218A, U.S. Department of Agriculture, 14th and Independence Avenue, SW., Washington, D.C. The meeting is open to the public and will convene at 9:00 a.m. on both dates. Members of the public may submit comments before or after the meeting.

The purpose of the meeting is to advise the Secretary of Agriculture on policies and actions to more effectively collect, describe, and utilize plant genetic resources.

Copy of the agenda and further information concerning the meeting may be obtained by contacting the Executive Secretary, Dr. C. F. Lewis, Agricultural Research Service, U.S. Department of

Agriculture, BARC West, Beltsville, Maryland 20705. His telephone number is (301) 344-3884.

Done at Washington, D.C., this 19th day of March 1976.

T. W. EDMISTER,  
Administrator,  
Agricultural Research Service.

[FR Doc.76-8349 Filed 3-23-76;8:45 am]

#### Forest Service

### MULTIPLE USE PLAN PETTY MOUNTAIN PLANNING UNIT

#### Availability of Final Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a Final environmental statement for the Multiple Use Plan Petty Mountain Planning Unit, USDA-FS-R1(16)FES-ADM-76-3.

The environmental statement concerns a proposed action to implement a revised Multiple Use Plan for the Petty Mountain Planning Unit, located on the Missoula and Ninemile Ranger Districts, Lolo National Forest in Missoula County, Montana. The action affects 73,248 acres of National Forest Lands. This plan recommends that 54,436 acres be managed in various combinations for recreation, esthetics, fisheries, wildlife, watershed, timber and range. An area of 18,812 acres which is to remain unroaded will be managed for recreation, esthetics, wildlife, and watershed.

The primary environmental effects involve the modification of natural conditions on 20,581 acres that are presently roadless or essentially roadless. The major changes will be in the vegetative patterns and tree species resulting from management of the vegetative resources, changes in the availability of products, employment, services provided and changes in the natural condition of vegetation, soil, water, and wildlife.

This final environmental statement was transmitted to CEQ on March 16, 1976. Copies are available for inspection during regular working hours at the following locations.

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

USDA, Forest Service, Northern Region, Federal Building, 340 N. Pattee, Missoula, MT 59801.

USDA, Forest Service, Lolo National Forest, Building 24, Fort Missoula, Missoula, Montana 59801.

USDA, Forest Service, Ninemile Ranger District, Huson, MT 59846.

USDA, Forest Service, Missoula Ranger District, 2801 Russell Street, Missoula, MT 59801.

University of Montana, University Library, Documents Division, Missoula, MT 59801.  
University of Montana, Forestry School Library, Room 411, Science Complex, Missoula, MT 59801.

Missoula City, County Library, Washington and East Main, Missoula, MT 59801.

A limited number of single copies are available upon request to Orville L. Daniels, Forest Supervisor, Lolo National

Forest, Building 24, Fort Missoula, Missoula, Montana 59801.

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

Dated: March 16, 1976.

ORVILLE L. DANIELS,  
Forest Supervisor.

[FR Doc.76-8318 Filed 3-23-76;8:45 am]

## DEPARTMENT OF COMMERCE

### Domestic and International Business Administration

#### U.S. SERVICE INDUSTRY

##### Request for Information

The Department of Commerce in conjunction with an Interagency Task Force established under the Council on International Economic Policy is conducting a study of the U.S. Service Industries in domestic and world markets. The central thrust of the study is to (i) develop data identifying the importance of the U.S. service industries, in both domestic and international trade, (ii) identify specific barriers and/or issues to expanding services in world trade, and (iii) determine the appropriate international organizations for dealing with these issues and/or barriers. The study, and any recommendations made therein, will serve to assist the U.S. government in determining how it may better respond to the trade problems of the service industries and its workers, in both domestic and international forums.

The following is an outline of the objectives of the study and the information required to complete the analyses. Interested parties are requested to provide information in accordance with this outline.

#### I. OBJECTIVES OF THE STUDY

To determine the importance of the service industries in the U.S. economy and in world markets;

To determine the comparative advantage of U.S. service industries in domestic and foreign markets;

To evaluate technological changes that are or are likely to affect the service industries and its workers in domestic or foreign markets;

To evaluate the penetration of foreign service industries into U.S. and third country markets;

To isolate and evaluate the various obstacles which inhibit the export of U.S. services;

To evaluate the existing international forums as a means for resolving trade problems faced by the U.S. service industries.

#### II. U.S. SERVICE INDUSTRIES (EXCLUDE PERSONAL SERVICES)

Information on the following service sectors is requested:

Accounting Services  
Advertising Services  
Auto and Truck Rental and Leasing Services  
Banking Services

Building Construction and Installation,  
Maintenance and Operation Services  
Communication Services  
Educational Services  
Employment Services  
Engineering, Consulting and Management Services  
Equipment Leasing Services  
Franchising  
Health Services  
Hotels and Motel Services  
Insurance Services  
Legal Services  
Miscellaneous Business Services  
Motion Picture Services  
Transportation Services

#### III. INTERNATIONAL PROBLEMS OF THE SERVICE INDUSTRIES

Identify and comment upon the major obstacles that inhibit the exports of U.S. services, on a country-by-country basis, for all applicable sectors listed above. The following item is an example of the types of problems to be isolated for all major service sectors:

*Motion Pictures:* Import quotas—restrictive taxes—pirating of films—film rental price controls—distributor and remittance restrictions—screen-time quotas.

#### IV. APPROPRIATE INTERNATIONAL ORGANIZATIONS FOR RESOLVING INTERNATIONAL PROBLEMS OF THE SERVICE INDUSTRIES

A. Comment on any existing international bodies that are or could serve as appropriate forums for resolving specific trade problems of the service industries.

B. Provide suggestions for organizational or procedural modifications of these organizations to improve their ability to be an effective forum for resolving international trade problems.

C. Comment on whether the current GATT Multilateral Trade Negotiations (MTN), authorized by the Trade Act of 1974, would be an appropriate forum for undertaking negotiations on any of the international trade problems of the service industry. If so, identify which of the trade problems should be presented for negotiation to the MTN, and indicate your reasons.

Information should be submitted within 30 days of this notice. All responses and questions should be directed to Mr. Norris A. Lynch, Director, Consumer Goods and Services Division, Main Commerce Building, U.S. Department of Commerce, Washington, D.C. 20230, (202) 967-3873.

MURRAY S. SCUREMAN,  
Acting Deputy Assistant Secretary  
for Domestic Commerce.

[FR Doc.76-8322 Filed 3-23-76;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[FDA-225-76-8005]

### MEDI-CAL VOLUME PURCHASING PLAN Memorandum of Understanding With State of California Department of Health

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974



(39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the State of California Department of Health on March 4, 1976. The purpose of the Memorandum is to describe an agreement under which FDA will provide information needed for the Medi-Cal Volume Purchasing Plan.

**MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF CALIFORNIA DEPARTMENT OF HEALTH AND THE FOOD AND DRUG ADMINISTRATION**

**I. Purpose.** To describe an agreement between the Food and Drug Administration (FDA) and the State of California Department of Health (State) under which FDA will furnish to the State information regarding the capability of prospective suppliers to supply drugs of acceptable quality for distribution under the Medi-Cal Volume Purchasing Plan (VPP).

**II. Background.** The State of California Department of Health has developed, and decided to evaluate, a new program for centralized procurement of the 150 highest volume, most expensive prescription drugs which are reimbursed for under Medicaid. The State plans to award a contract to the lowest responsible bidder for the State's total annual requirement for each of these drugs. The centrally procured drugs will be State-owned property, to be distributed through commercial wholesale druggists to retail pharmacies. The State expects this program to result in a net saving of up to \$18.4 million annually in California Medicaid costs, \$7.3 million of which will be Federal funds saved. The State intends to test this new program on a pilot basis for a 6-month period, during which 75 multiple-source drugs will be procured centrally on bid for distribution to a limited number of retail pharmacies. The pilot test results will be evaluated by the State, and a decision will then be made whether to extend the program to its full scale, or to drop it.

In June, 1975, the State Health Department requested the Food and Drug Administration to make certain quality assurance information available to the State program, in a manner analogous to the support FDA provides to Federal purchasing agencies under the Government-Wide Quality Assurance Program for drugs. FDA has agreed to provide quality assurance information as outlined in this agreement, during the period of the pilot test. FDA will then decide whether to respond any further to this type of request on a long-term basis, with California or any other state or non-Federal agency.

**III. The State of California Department of Health and the Food and Drug Administration Agree:**

1. The FDA's Current Good Manufacturing Practice Regulations (CGMPR) (21 CFR Part 211) will be the single

standard to be applied industry-wide for the manufacture, processing, packing or holding of drugs procured under the State Volume Purchasing Plan (VPP);

2. The Food and Drug Administration will be the agency responsible for administrative interpretation and enforcement of the CGMPR's;

3. FDA will furnish to the State, on written request, a quality assurance evaluation of a firm's capability to supply to the VPP a product which meets quality standards and is in compliance with laws FDA enforces. The State will identify the low bidder responding to each solicitation, and will provide FDA with the name and address of the establishment of the primary contractor, the name, address and role of any subcontractor, and a copy of the complete product specification or purchasing description for the drug being procured. FDA will complete its evaluation of a prospective supplier within 10 workdays after receiving the request from the State. There may be instances when work FDA has underway as part of its regular operations must be completed in order to provide a proper evaluation to the State; if extension of the 10-workday timeframe is necessary, the evaluation will be furnished to the State as soon as possible.

4. FDA will not provide an evaluation of the quality capability of a firm for procurement if the firm is not in business, or if the nature of the firm's operations does not allow a proper evaluation to be made of the firm's ability to produce a product of acceptable quality;

5. The State will prepare and be responsible for product specifications. FDA will be responsible for review and concurrence in the parts of drug specifications that concern quality. This review will be done concurrent with the preaward evaluation process. Whatever public and private product quality specifications are applicable to the general public will also apply to State VPP procurements. For those products for which there are official published specifications of quality or for which there are approved New Drug Applications (NDA's) or Abbreviated New Drug Applications (ANDA's), approved antibiotic Form 6's, or FDA licensing, the quality assurance requirements therein will be the quality assurance requirements for procurement purposes, and a reference to such a requirement in the procurement specifications shall be sufficient to define the quality requirement for the product;

6. FDA does not anticipate the need to perform inspectional or analytical work solely to provide a preaward quality evaluation to the State as part of this agreement. Inspections or analyses scheduled or being performed as part of regular FDA operations will provide the information upon which FDA's quality evaluations will be based. Scheduling and performing such work will continue to be an FDA responsibility;

7. The State will be responsible for any postaward sampling and testing of drugs being procured, and for the acceptance of the drugs it procures;

8. The State will inform FDA immediately whenever any information is

received which impacts adversely on the quality assurance of any drug. All quality complaints will be forwarded directly to FDA;

9. FDA is prepared to provide training in drug analysis to State chemists, and to provide guidance to the State in their development of the quality portion of drug specifications. The amount of training and guidance to be provided to the State will be determined by FDA.

**IV. Name and Address of Participating Activities.**

State of California Department of Health, 714 P St., Sacramento, CA 95814.

Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

**V. Liaison Officers.** For the State of California Department of Health: Mr. Carols Michelotti, Assistant Chief, Medi-Cal Benefits Section.

Address: 714 P St., Sacramento, CA 95814.  
Telephone: (916) 445-1995.

For FDA: Mr. Francis J. Flaherty, Deputy Director, Medical Products Quality Assurance Staff (HFC-50), Office of the Associate Commissioner for Compliance.

Address: 5600 Fishers Lane, Rockville, MD 20852. Telephone: (301) 443-3590.

**VI. Period of Agreement.** This agreement, when accepted by both parties, will have an effective period starting at the time of signature, with an expiration date of July 31, 1976. It may be terminated by either party upon 60 days advance written notice to the other party.

**VII. Revisions.** Additional procedures and revisions as are necessary for the implementation of this agreement and for effectuating the intention of the parties, may be developed jointly by FDA and the State. Such revisions shall be come effective on a date mutually agreed upon by the parties.

Approved and accepted for the State of California:

Jerome A. Lackner, M.D.,  
Director of Health.

Date: February 9, 1976.

Approved and accepted for The Food and Drug Administration:

Alexander M. Schmidt,  
Commissioner of Food and Drugs.

Date: March 4, 1976.

**Effective date.** This Memorandum of Understanding became effective March 4, 1976.

Dated: March 17, 1976.

WILLIAM F. RANDOLPH,  
Acting Associate Commissioner  
for Compliance.

[FR Doc.76-8283 Filed 3-23-76;8:45 am]

**ADMINISTRATIVE CONFERENCE  
OF THE UNITED STATES  
COMMITTEE ON AGENCY ORGANIZATION  
AND PERSONNEL  
Meeting**

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Com-

mittee on Agency Organization and Personnel of the Administrative Conference of the United States, to be held at 2 p.m., April 7, 1976 in the Conference's library, 2120 L Street, NW., Suite 500, Washington, D.C.

The Committee will meet to consider (1) a proposed recommendation on exemption from mandatory retirement of certain Presidential appointees and (2) the outline of a proposed study of agency experience under the Federal Advisory Committee Act.

Attendance is open to the interested public, but limited to the space available. Persons wishing to attend should notify this office at least one day in advance. The Committee Chairman may, if he deems it appropriate, permit members of the public to present oral statements at the meeting; any member of the public may file a written statement with the Committee before, during or after the meeting.

For further information concerning this Committee meeting contact Richard K. Berg, (202) 254-7020. Minutes of the meeting will be available on request.

RICHARD K. BERG,  
Executive Secretary.

MARCH 19, 1976.

[FR Doc.76-8285 Filed 3-23-76;8:45 am]

## CIVIL AERONAUTICS BOARD

[Docket 29014]

### SERVICE TO TRI-CITY CASE

#### Environmental Rejection

Upon analysis of the environmental evaluations provided by United Air Lines/Southern Airways and Allegheny Airlines within their applications in Dockets 28398 and 28459, respectively,<sup>1</sup> we have found, pursuant to section 312.13 of the Board's Procedural Regulations, that the above-cited proceeding, instituted by Order 76-3-128 is not one which could lead to a "major Federal action significantly affecting the quality of the environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969.

Dated at Washington, D.C., March 18, 1976.

[SEAL] BRUCE E. CUNNINGHAM,  
Director, Bureau of  
Operating Rights.

[FR Doc.76-8331 Filed 3-23-76;8:45 am]

[Order 76-3-128, Docket 28398; et al.]

### SOUTHERN AIRWAYS, INC., ET AL. Applications

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 18th day of March, 1976.

On October 14, 1975, Southern Airways and United Air Lines filed a joint applica-

<sup>1</sup> Those applications have been consolidated into the Service to Tri-City Case insofar as they conform to the scope of that proceeding.

tion for Board approval of a route transfer agreement. The agreement contemplates the concurrent deletion of United's authority at Bristol, Tenn.-Va., and transfer to Southern of United's Route 51 nonstop authority between that point and Pittsburgh, Pa.<sup>2</sup> in the form of a new segment to Southern's Route 98. The carriers accompanied their application with a joint petition/motion requesting show cause treatment or, in the alternative, an expedited hearing. United also filed an application to delete Tri-City from its certificate for Route 51, Docket 28397,<sup>3</sup> and a motion to consolidate that docket with the joint application in Docket 28398.<sup>4</sup>

Allegheny Airlines has filed an answer in opposition to show-cause treatment and another contending that the United-Southern agreement is not a bona fide route transfer coming under section 408 of the Act, and that the Board should treat the joint application as separate requests for deletion and new route authority coming under section 401. Allegheny has also filed a motion to consolidate its application in Docket 28459, which seeks Pittsburgh-Tri-City-Atlanta authority, with the United-Southern application.

Eastern Air Lines and Piedmont Aviation have filed answers in opposition to the Allegheny motion to consolidate, Eastern insofar as Allegheny seeks consideration of the grant of new Atlanta authority, and Piedmont insofar as Allegheny seeks new Tri-City-Atlanta authority.<sup>5</sup>

An answer in support of the joint application of United and Southern has been filed by the County of Allegheny, Pennsylvania, and the Pittsburgh Airport Advisory Committee. The Tri-City Airport Commission and the Greater Kingsport Chamber of Commerce, Inc., have filed answers in opposition to the United-Southern petition to show cause, in which they state that, if the Board is to consider the deletion of United, it should do so in a section 401 proceeding in which alternatives to Southern's proposal are explored.<sup>6</sup>

<sup>1</sup> Southern is authorized on segment 4 of its Route 98 to serve "Bristol, Va.-Tenn.-Kingsport-Johnson City, Tenn." The point is designated as "Bristol, Tenn.-Va." on segments 1 and 4 of United's certificate for Route 51. Southern requests the inclusion of Kingsport and Johnson City in the designation of the point as transferred to Southern. Hereinafter, we will refer to the point as "Tri-City."

<sup>2</sup> United currently provides a single one-stop round trip in the Tri-City-Pittsburgh market via Charleston, W. Va. OAG, February 1, 1976.

<sup>3</sup> Southern has filed an answer in support of the motion to consolidate.

<sup>4</sup> In the Atlanta-Tri-City market, Piedmont provides four nonstop round trips, plus one-stop service and an extra nonstop Tri-City bound. The Atlanta-Pittsburgh market is served by Eastern and United with seven non-stop and two one-stop round trips. OAG, February 1, 1976.

<sup>5</sup> The Greater Kingsport Chamber of Commerce accompanies its answer with a motion to accept its late-filed pleading, which motion shall be granted.

United and Southern have filed a joint reply and answer in response to Allegheny's answer and in opposition to Allegheny's motion to consolidate.<sup>7</sup>

Allegheny has filed a reply to the answers of Eastern and Piedmont in opposition to its motion to consolidate, and Piedmont has filed a reply to Allegheny's pleading.<sup>8</sup>

Upon consideration of the above pleadings and of all relevant facts, we have decided to institute a proceeding to be called the Service to Tri-City Case, to consider the issue of United's deletion at Bristol and the question of the need for any new authorizations in the Tri-City-Pittsburgh market. We have concluded that the consideration of new service in the Tri-City-Pittsburgh market should not be limited to Southern's proposal, but should include the proposals of Allegheny and any other carrier applicant. However, we have decided to limit our inquiry to the Tri-City-Pittsburgh market, which would lose all direct service were United to be deleted, and not to widen the proceeding, as requested by Allegheny, to consider markets which are not served by United.

By a Notice of Environmental Rejection, contemporaneously issued with this Order, the Director, Bureau of Operating Rights, after an analysis of the environmental evaluations provided with their applications by United/Southern and Allegheny, has found, pursuant to section 312.13 of the Board's Procedural Regulations, that the proceeding instituted herein is not one which could lead to a "major Federal action significantly affecting the quality of the environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA). However, that conclusion is not intended to foreclose any party from presenting evidence (subject to the usual evidentiary rules in force in C.A.B. proceedings) or from making arguments with respect to relevant environmental issues. Nor are we foreclosed from consideration of environmental facts resulting from the possible licensing actions in issue in this proceeding, which, although of a lesser magnitude than those required to trigger further procedures under the requirements of NEPA and Part 312 of the Board's Rules, might nonetheless be relevant to our decisions.

Accordingly, it is ordered That. 1. A proceeding to be known as the Service to Tri-City Case, Docket 29014, be and it hereby is instituted and shall be set down for hearing before an Administrative Law Judge of the Board at a time and place hereafter designated, as the Board's calendar may permit;

2. The proceeding instituted by paragraph 1, above, shall include consideration of the following issues:

<sup>6</sup> This reply and answer is also adopted by United and Southern as their reply to the answer of the Tri-City Airport Commission.

<sup>7</sup> Both Allegheny and Piedmont accompany their pleadings with motions for leave to file unauthorized documents, which motions shall be granted.

(a) Do the public convenience and necessity require that the certificate of United Air Lines for Route 51 be altered, amended, or modified so as to delete or suspend its authority to serve Bristol, Tenn.-Va.?

(b) Do the public convenience and necessity require the certification of an air carrier or air carriers to engage in air transportation between Bristol, Tenn.-Kingsport-Johnson City, Tenn. and Pittsburgh, Pa.?

(c) If the answer to (b) is in the affirmative, which air carrier(s) should be authorized to engage in such service?

(d) What conditions, if any, shall be placed on the operation of such carrier(s)?

4. The joint application of Southern Airways and United Air Lines in Docket 28398, the application of Allegheny Airlines in Docket 28459, and the application of United Air Lines in Docket 28397, be and they hereby are consolidated with the proceeding instituted herein insofar as they conform to the scope of the proceeding as set out in paragraph 2 above; to the extent not consolidated, the foregoing applications be and they hereby are dismissed without prejudice;

5. The joint petition/motion of Southern Airways and United Air Lines be and it hereby is granted to the extent indicated herein and denied in all other aspects;

6. The motions of Allegheny Airlines and of Piedmont Aviation to file unauthorized pleadings and of the Greater Kingsport Chamber of Commerce to file a late-filed pleading be and they hereby are granted; and

7. Applications, motions to consolidate and petitions for reconsideration of this order shall be filed within twenty days from the service date of this order and answers thereto shall be filed within ten days thereafter.

This order shall be published in the FEDERAL REGISTER.

[SEAL] PHYLLIS T. KAYLOR,  
Acting Secretary.

[FR Doc.76-8332 Filed 3-23-76;8:45 am]

## DEPARTMENT OF STATE

Agency for International Development  
PRINCIPAL AID OFFICER, INDIA, ET AL.

Redelegation of Authority Regarding  
Grant Functions No. 99.1.76

Pursuant to the authority delegated to me as Director, Office of Contract Management, under Redelegation of Authority No. 99.1 (38 FR 12836) from the Assistant Administrator for Program and Management Services of the Agency for International Development, I hereby redelegate to the principal AID Officer in India, Indonesia, Korea, Nepal, Pakistan, Philippines, Sri Lanka, and Thailand, authority to execute Operational Program Grants (OPG's), as defined in Appendix 7A, Chapter 7, of Handbook 3, Project Assistance, on the following basis:

1. OPG's up to the present level of grant authority held by the principal AID Officer under current redelegation

from the Director, Office of Contract Management.

2. OPG's up to \$250,000, where the services of an Area Contracting Officer or a contracting officer on TDY from AID/Washington are utilized.

3. OPG's up to \$100,000 where the services of an Area Legal Advisor are utilized.

This authority shall be exercised in accordance with the procedures of Chapter 4 of Handbook 13, Grants, and with other regulations, procedures, and policies now or hereafter established, modified, and promulgated within AID.

The authority herein redelegated may be exercised by the principal AID officer's chief deputy, or by duly authorized persons performing the functions of the principal AID officer in an acting capacity. The authority may not be further redelegated.

This redelegation of authority is effective upon signature, and shall continue in effect until one (1) year from the date of signature. It may be continued in effect if required, upon request by the principal AID officer.

Dated: March 9, 1976.

HUGH L. DWELLEY,  
Director, Office of  
Contract Management.

[FR Doc.76-8321 Filed 3-23-76;8:45 am]

[Public Notice CM-5/116]

## GOVERNMENT ADVISORY COMMITTEE ON INTERNATIONAL BOOK AND LIBRARY PROGRAMS

### Meeting

The Government Advisory Committee on International Book and Library Programs will meet on April 22, 1976. The meeting is open to the public and will be held in Room 1105 in the Department of State, 2201 C Street, N.W., Washington, D.C. from 9:00 a.m. to 5:00 p.m.

The agenda will include:

1. A discussion on the implementation of the Final Act of the Conference on Security and Cooperation in Europe.
2. U.S. Government participation at international book fairs.
3. Status report on Franklin Book Programs.
4. Library development in Iran.
5. U.S. information libraries abroad.
6. A report on the visit of Dr. El Sheniti of Egypt to the United States to discuss U.S.-Egypt cooperation in book and library programs.

Members of the public may submit written comments to the Chairman prior to April 15, 1976. 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: March 16, 1976.

CAROL M. OWENS,  
Executive Secretary.

[FR Doc.76-8258 Filed 3-23-76;8:45 am]

[Public Notice 484]

## CULTURALLY SIGNIFICANT WORKS OF ART

### Temporary Exhibition Within United States

Pursuant to the authority vested in me by PL 89-259 of October 19, 1965 (79 Stat. 985), Executive Order 11312 of October 14, 1966 (31 FR 13415, October 18, 1966) and Delegation of Authority No. 113 of December 23, 1966 (32 FR 58, January 5, 1967), Public Notice No. 455, published in the FEDERAL REGISTER on June 27, 1975 (40 FR 27270), is amended by adding to the places of exhibition or display: Fine Arts Museum of San Francisco, San Francisco, California, on or about March 25 to May 9, 1976.

Notice of this amendment of the determination is ordered to be published in the FEDERAL REGISTER.

Dated: March 22, 1976.

JOHN RICHARDSON, Jr.,  
Assistant Secretary for  
Educational and Cultural Affairs.

[FR Doc.76-8555 Filed 3-23-76;8:45 am]

## ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

### GENERAL ADVISORY COMMITTEE Meeting

MARCH 22, 1976.

Pursuant to provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) and in accordance with the purpose of Section 26 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2036) and Section 104.(d) of the Energy Reorganization Act of 1974 (42 U.S.C. 5814), notice is hereby given that the General Advisory Committee will hold a meeting on April 7-9, 1976, at Oak Ridge, Tennessee. The following constitutes that portion of the Committee's agenda for the above meeting which will be open to the public. These sessions will be held in the Conference Room of the Energy Building, Oak Ridge Associated Universities, Badger Avenue, Oak Ridge, Tennessee 37830.

#### APRIL 7

9:00-9:30 a.m.—Overview of programs of Oak Ridge Operations, ERDA, by R. J. Hart, Manager, Oak Ridge Operations Office

9:30-10:00 a.m.—Briefing on Clinch River Breeder Reactor Plant by Lochlin Caffey, Director, Clinch River Breeder Reactor Project

10:00-11:15 a.m.—Overview of United Carbide Corporation Nuclear Division Programs. Briefings on nonnuclear programs of Oak Ridge National Laboratory (conservation, solar, coal) by R. F. Hibbs, President, UCCND, Herman Postma, Director, Oak Ridge National Laboratory, and Murray Rosenthal, Associate Director, Oak Ridge National Laboratory

11:15-11:45 a.m.—Briefing on Safety and Environmental Aspects of Energy by C. R. Richmond, Associate Director, Oak Ridge National Laboratory

#### APRIL 8

9:00-9:30 a.m.—Briefing on the Enrichment Program as an Example of Management of Commercialization by E. B. Kiser, Assistant Manager for Development and Planning, Oak Ridge Operations

9:30-10:00 a.m.—Briefing on the Nuclear Waste Management Program by J. H. Hill, Deputy Manager, Oak Ridge Operations

In addition to the above agenda items, the Committee will meet with ERDA Headquarters, field, and contractor staffs, and hold executive sessions not open to the public under the authority of Section 10.(d) of Public Law 92-463 to discuss the National Security program which will involve information classified in the interest of national defense and therefore, exempt from disclosure under 5 U.S.C. 552(b) (1) and (3) and to exchange opinions and formulate recommendations on the above agenda topics and other agenda matters. I have determined that it is necessary to close these portions of the meeting to exchange opinions and formulate recommendations, the discussion of which, if written would fall within exemptions (1), (3), and (5) of 5 U.S.C. 552(b). Any non-exempt material that may be discussed at these sessions will be inextricably intertwined with the discussion of exempt material and no further separation is practical. It is essential to close such portions of the meeting to protect such privileged information and to protect the free interchange of internal views and avoid undue interference with Administration and Committee operation.

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

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

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

(a) Persons wishing to submit written statements on agenda items may do so by mailing 12 copies thereof, post-marked no later than April 4, 1976, to the Secretary, General Advisory Committee, U.S. Energy Research and Development Administration, Washington, D.C. 20545. Comments shall be based on the above agenda items. Minutes of the meeting will be kept open for 30 days for the receipt of written statements for the record.

(b) Information as to whether the meeting has been rescheduled or relocated can be obtained by a prepaid telephone call on April 6, 1976, to the Office of the Secretary of the Committee on (202) 376-4678 between 8:30 a.m. and 5:00 p.m., eastern time.

(c) Questions at the meeting may be propounded only by members of the General Advisory Committee.

(d) Seating to the public will be made available on a first-come, first-served basis.

(e) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the course 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.

(f) Copies of minutes will be made available for copying, following their certification by the Chairman, in accordance with the Federal Advisory Committee Act, at the Energy Research and Development Administration's Public Document Room, 20 Massachusetts Avenue, N.W., Washington, D.C. 20545, upon payment of all charges required by law.

HARRY L. PEEBLES,  
Deputy Advisory Committee  
Management Officer.

[FR Doc. 76-8482 Filed 3-23-76; 8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 19882, 19884; File No. BP-19402,  
File No. BP-19430]

### JIMMIE H. HOWELL AND AARON J. WELLS Construction Permits

By the Review Board: Board Member Ohlbaum dissenting to the addition of the issues.

1. This proceeding involves the mutually exclusive applications of Jimmie H. Howell (Howell) and Aaron J. Wells (Wells) for a new standard broadcast facility in Milton, Florida. Presently before the Review Board are two petitions to enlarge issues, filed June 11, 1975,<sup>1</sup> and July 22, 1975,<sup>2</sup> in which Howell seeks the addition of financial, Rule 1.514,<sup>3</sup> Rule 1.65,<sup>4</sup> and misrepresentation issues against Wells.

#### BACKGROUND

2. Wells proposes to meet his estimated first year costs of \$122,329.55 with total available funds of \$144,213.57. According to his proposal, his available funds will consist of existing capital in the amount of \$7,348, loans in the amount of \$46,000, funds from the sale

<sup>1</sup> Also before the Board are the following related pleadings: (a) opposition, filed July 9, 1975, by Wells; (b) comments, filed July 9, 1975, by the Broadcast Bureau; (c) reply, filed July 17, 1975, by Howell; (d) motion to strike (c), filed July 18, 1975, by Wells; and (e) comments on (d), filed July 29, 1975, by the Broadcast Bureau. Wells' motion to strike will be denied since the Board ordinarily does not consider new and/or improperly supported allegations contained in a reply pleading.

<sup>2</sup> Also before the Board are the following related pleadings: (a) opposition, filed August 14, 1975, by Wells; (b) opposition, filed August 15, 1975, by the Broadcast Bureau; (c) reply, filed August 22, 1975, by Howell; (d) motion to accept supplement and supplement to (a), filed September 5, 1975, by Wells; and (e) opposition to (d), filed September 9, 1975, by Howell. Wells' supplement merely corrects a notary seal, and the motion to accept the supplement will therefore be granted.

<sup>3</sup> Rule 1.514 provides in pertinent part that each application shall include all information called for by the particular form upon which the application is required to be filed.

<sup>4</sup> Rule 1.65 provides that each applicant is responsible for the continuing accuracy and completeness of information furnished in a pending application.

or mortgage of real property in the amount of \$60,000, and net deferred credit from equipment suppliers in the amount of \$30,865.57. In order to demonstrate that his realty would support \$60,000 in available funds, Wells supplied an appraisal of ten tracts of land valued at a total of \$112,990. In his opposition pleading to the June 11, 1975 petition to enlarge issues, Wells informed the Board, inter alia, that two tracts of land valued at \$11,500 had been sold, that he had secured \$26,533.08 in loans with his realty, that his existing capital had been reduced to approximately \$4,000, and that he had incurred additional liabilities of approximately \$20,000. Wells also informed the Board that he had acquired five tracts of additional realty valued at \$211,600.<sup>5</sup> None of these recent developments has been the subject of an amendment to his application.

### JUNE 11, 1975 PETITION TO ENLARGE ISSUES

3. Howell alleges that newly discovered information requires reopening the record in this proceeding<sup>6</sup> to determine whether Wells is financially qualified, and further, in light of Wells' failure to report this same information, whether Wells has violated the provisions of Rules 1.65 and 1.514, and/or deliberately withheld pertinent facts from the Commission. Specifically, Howell asserts that as a result of a search of the County Clerk's files he has discovered that Wells has mortgaged certain of his realty in the amount of \$53,484.42, and that these encumbrances have not been reported to the Commission.<sup>7</sup> Moreover, Howell continues, two mortgage deeds had been executed prior to the October 1974 hearing before the Commission,<sup>8</sup> and Wells failed to inform the Commission of these matters. Thus, Howell concludes, Wells not only has failed to comply with Rules 1.65 and 1.514 as to keeping the Commission informed of its financial status, but also has apparently misrepresented his financial qualifications to the Commission by failing to disclose this information during the October 1974 hearing. The Broadcast Bureau supports this petition, noting that the description of property mortgaged to secure one loan does not appear to fit any of the property included in Wells' original appraisal report, that the \$28,693.75 mortgage appears to encumber a tract valued by Wells only at \$16,500, that these new encumbrances raise a question for the first time of Wells' equity in the realty he relies on, and that Wells' bank loan commitment

<sup>5</sup> Wells also submitted an appraisal of these properties which was stamped with the seal of a notary whose term of office had expired.

<sup>6</sup> The record in this proceeding was closed on March 11, 1975.

<sup>7</sup> Two of the mortgage deeds were executed subsequent to the closing the record, March 31 and April 4, 1975 and filed with the Circuit Court on April 14 and April 18, 1975.

<sup>8</sup> These mortgage deeds were executed on June 13 and July 11, 1974, and filed with the Circuit Court on July 10 and August 5, 1974.

has expired by its own terms and must be updated.

4. Wells, in opposition, asserts that the petition is untimely and fails on the merits to demonstrate any rule violation or to support the addition of financial or concealment issues. Wells alleges that only one of the mortgages referred to by Howell was filed on April 14, 1975, that the others were recorded on April 8, 1975, August 5, 1974, and July 10, 1974, respectively, and the fact that Howell "just discovered" them is irrelevant to demonstrating diligence on the part of Howell. Thus, Wells argues, these mortgages could have been discovered earlier and the instant petition must be denied as untimely filed.<sup>9</sup> As a related matter, Wells contends that Howell's petition is insufficient to establish any likelihood of proving such allegations and, inasmuch, as the record in this proceeding has been closed, the public interest requires a greater showing than that made by Howell to further delay restoration of the deleted radio service to Milton, Florida. Turning to the merits, Wells asserts that the financial showing relied upon reflects \$60,000 available from equity in real estate, and that upon advice of counsel, he was of the view there was no need to report mortgages on realty so long as his total equity was not depleted below this \$60,000 figure. More specifically, Wells asserts that he was advised by counsel that no amendment was necessary so long as the \$21,884 "cushion" shown in his amended financial proposal was not substantially affected. Wells asserts that this has not occurred, and, as a result, that neither a financial nor Rule 1.65 issue is warranted.<sup>10</sup> Further, Wells asserts that even if a technical violation of Rule 1.65 occurred, such a violation was unintentional, and the information not reported was of questionable significance. Finally, Wells contends that since he had no motive to conceal these facts and has remained financially qualified, addition of a misrepresentation issue is also not warranted.

#### JULY 22, 1975 PETITION TO ENLARGE ISSUES

5. Howell asserts that additional new evidence further demonstrates Wells' lack of candor before the Commission, as well as his lack of financial capability to effectuate his proposal. Specifically, based upon an affidavit of Jimmie Howell, petitioner asserts that Wells has

<sup>9</sup> Wells argues that, although the Board may consider the merits of late-filed petitions, the instant petition fails to merit the standard set forth in *The Edgefield-Saluda Radio Co. (WJES)*, 5 FCC 2d 148, 8 RR 2nd 611 (1966), for granting such petitions.

<sup>10</sup> Wells notes that Rule 1.65 only requires amendment when the information supplied is no longer substantially accurate and complete in all significant respects. Thus, Wells argues that there was no requirement to report his recently-acquired realty since its purchase did not serve to reduce his total equity in land holdings.

failed to reimburse Radio Santa Rosa, a prior party to this proceeding, in accordance with the terms of a dismissal agreement which approved the reimbursement of Radio Santa Rosa's expenses.<sup>11</sup> Howell alleges that the agreement requires Wells to pay Radio Santa Rosa \$12,500 within thirty days of approval of the agreement, that Wells has only paid \$2,500 to date, that Wells has deliberately violated his contractual agreements and failed to follow the Commission Order concerning this agreement. Howell also includes in the present petition an unverified letter from the Florida Department of Pollution Control which he claims demonstrates that Wells' newly-acquired real estate holdings are in a swamp, and cannot be developed at this time.

6. In opposition, Wells asserts that the allegation concerning reimbursement of Radio Santa Rosa is based on hearsay and thus does not comport with the requirements of Section 1.229 of the Commission's Rules. Moreover, Wells asserts that he was not ordered to pay the full amount within 30 days, and, relying upon an affidavit executed by a Radio Santa Rosa principal, contends that he has worked out an agreement to satisfy this obligation through regular payments. Wells also includes an appraisal report by W. B. Sutton purporting to demonstrate the value of his most-recently acquired tracts, and an updated bank loan commitment letter. The Bureau's opposition challenges the lack of adequate supporting data concerning the Radio Santa Rosa agreement. Further, the Bureau contends that Howell's remaining allegations must be disregarded since those concerning the value of Wells' real estate and mortgages are already the subject of the earlier petition and no specific and sufficient new allegations have been made.

7. The Review Board is of the view that Howell's allegations warrant the re-opening of the record since, in main part, they are supported by newly discovered evidence. The facts relied upon, *i.e.*, the recordation of some mortgage deeds, could not with due diligence have been known or discovered at the time of hearing and the new evidence, if found to be true, could affect the decision. *The News-Sun Broadcasting Co.*, 27 FCC 2d 61, 20 RR 2d 1084 (1971).<sup>12</sup> The pleadings before us reveal that there have been a number of substantial changes in Wells' holdings; the applicant has bought and sold various pieces of property and mortgaged others. Indeed, Wells reveals for the first time in his opposition that two of the ten properties originally relied upon for obtaining \$60,000 in necessary funds have been sold and that there are obligations against seven of the retained

<sup>11</sup> This settlement agreement was approved by the Presiding Judge by Order, FCC 74M-1227, released September 25, 1974.

<sup>12</sup> Moreover, although Howell's first petition is not timely, the delay in filing was not so extensive as to require denial.

tracts.<sup>13</sup> Although Wells claims that at no time has his equity in property been reduced to less than \$60,000, he has made no showing as to whether either the mortgaging or sale of his presently-unencumbered properties could produce such a sum. In the absence of a current and specific complete showing as to the value and marketability of these properties, the availability of his proposed loan commitment<sup>14</sup> and the extent of his current financial liabilities, a financial qualifications issue is clearly necessary. As a related matter, the Board is of the view that Wells may have been derelict in failing to report what appears to be significant fluctuations in its financial posture to the Commission as such changes occurred subsequent to the filing of his application.<sup>15</sup> We are aware that the Commission does not require the reporting of normal, foreseeable everyday changes;<sup>16</sup> however, the changes in Wells' financial position appear to be substantial and of potential decisional significance. Therefore, a Rule 1.65 issue will be added in addition to an issue inquiring into Wells' financial qualifications.<sup>17</sup> We will not specify a separate misrepresentation issue; however, any question as to motive to conceal or misrepresent information to the Commission may appropriately be considered under the Rule 1.65 issue added herein.

8. Accordingly, it is Ordered, That the motion to accept supplement, filed September 5, 1975, by Aaron J. Wells, IS GRANTED; and

9. It Is Further Ordered, That the motion to strike pleading, filed July 18, 1975, by Aaron J. Wells, IS DENIED; and

10. It Is Further Ordered, That the petitions to enlarge issues, filed June 11, 1975, and July 22, 1975, by Jimmie H. Howell seeking the addition of issues against Aaron J. Wells ARE GRANTED

<sup>13</sup> Of the five tracts subsequently acquired, which are not reflected in Wells' application since they have not been the subject of an amendment, it appears that four are encumbered.

<sup>14</sup> The Board notes that in an opposition pleading Wells has submitted a new loan commitment letter which requires realty as security.

<sup>15</sup> Howell has not substantiated its claim that Wells' application was inaccurate or incomplete at the time it was filed; as a consequence a Rule 1.514 issue is not warranted.

<sup>16</sup> *Reporting of Changed Circumstances*, FCC 64-1037, 3 RR 2d 1622 (1964).

<sup>17</sup> To the extent that Wells may have reached an agreement with Radio Santa Rosa with respect to its reimbursement obligations, this matter may appropriately be considered in assessing Wells' financial qualifications. No issue is warranted with respect to Wells' failure to report any such agreement to the Commission; rather, so long as there is no payment in excess of the amount approved, this is a contractual matter which would only be material to the Commission's consideration if it affected Wells' financial qualifications. Moreover, since the parties to the agreement have reached an accord regarding this matter, petitioner's contention that Wells is in default under the agreement does not appear accurate.

to the extent indicated herein, and ARE DENIED in all other respects; and

11. It Is Further Ordered, That the issues in this proceeding ARE ENLARGED to include the following issues:

(a) To determine whether Aaron J. Wells has failed to report substantial and significant changes in his assets and liabilities in violation of Section 1.65 of the Commission's Rules; and if so, the effect on his basic and/or comparative qualifications; and

(b) To determine whether Aaron J. Wells has available sufficient funds to construct and operate his proposed Milton, Florida station, and whether, in light of the evidence adduced, Aaron J. Wells is financially qualified.

12. It Is Further Ordered, That the burden of proceeding with the introduction of evidence under issue (a) SHALL BE on Jimmie H. Howell and the burden of proceeding under issue (b) and proof on both issues added herein SHALL BE on Aaron J. Wells.

Adopted: March 15, 1976.

Released: March 18, 1976.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc.76-8313 Filed 3-23-76; 8:45 am]

NONCOMMERCIAL EDUCATIONAL FM  
AND STANDARD BROADCAST

Applications

Notice is hereby given, pursuant to sections 1.571(c) and 1.573(d) of the Commission's rules, that on May 3, 1976, the noncommercial educational FM and standard broadcast applications listed in the attached Appendix, which are being processed expeditiously since they are potentially eligible for funding in this fiscal year from the Department of Health, Education, and Welfare or other governmental agencies, will be considered as ready and available for processing. Pursuant to section 1.227(b) (1) and section 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on April 30, 1976, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on April 30, 1976. The attention of prospective applicants is directed to the fact that some contemplated proposals may not be eligible for consideration with an application appearing in the attached Appendix by reason of conflicts between the listed applications and applications appearing in

previous notices published pursuant to sections 1.571(c) and 1.573(d) of the Commission's rules.

The attention of any party in interest desiring to file pleadings concerning any pending noncommercial educational FM or standard broadcast application, pursuant to section 309(d) (1) of the Communications Act of 1934, as amended, is directed to section 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: March 12, 1976.

Released: March 15, 1976.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

APPENDIX

- BP-20177 New, Honolulu, Hawaii.  
Hawaii Public Broadcasting Authority.  
Req: 1600 kHz, 5 kW, U.
- BPED-2154 WKGC-FM, Panama City, Fla.  
Gulf Coast Community College.  
Has: 90.7 mHz; channel No. 214D.  
TPO: .01 kW; HAAT: ft. (LIC).  
Req: 90.7 mHz; channel No. 214C.  
ERP: 9.21 kW; HAAT: 269 ft.
- BPED-2156 KUFM, Missoula, Mont.  
University of Montana.  
Has: 89.1 mHz; channel No. 206C.  
ERP: 7.4 kW; HAAT: 2510 ft. (LIC).  
Req: 89.1 mHz; channel No. 206C.  
ERP: 18.4 kW; HAAT: 2505 ft.
- BPED-2163 KICB, Fort Dodge, Iowa.  
Iowa Central Community College.  
Has: 88.1 mHz; channel No. 201D.  
TPO: .01 kW; HAAT: ft. (LIC).  
Req: 88.9 mHz; channel No. 205D.  
TPO: .01 kW; HAAT: ft.

- BPED-2164 New, Sioux City, Iowa.  
Western Iowa Tech Community College.  
Req: 88.1 mHz; channel No. 201C.  
ERP: 100 kW; HAAT: 922.4 ft.
- BPED-2166 New, Charleston, W. Va.  
West Virginia Educational Broadcasting Authority.  
Req: 88.5 mHz; channel No. 203B.  
ERP: 50 kW; HAAT: 230 ft.
- BPED-2169 New, Colchester, Vt.  
Vermont Public Radio.  
Req: 89.5 mHz; channel No. 208B.  
ERP: 1.26 kW; HAAT: 2,156 ft.
- BPED-2175 WFPK, Louisville, Ky.  
Louisville Free Public Library.  
Has: 91.9 mHz; channel No. 220C.  
ERP: 20 kW; HAAT: 245 ft. (LIC).  
Req: 91.9 mHz; channel No. 220C.  
ERP: 100 kW; HAAT: 235 ft.
- BPED-2200 KCBX, San Luis Obispo, Calif.  
Community Broadcasting, Inc.  
Has: 90.1 mHz; channel No. 211D.  
ERP: .076; HAAT: 1,440 ft. (LIC).  
Req: 90.1 mHz; channel No. 211B.  
ERP: 2.02 kW; HAAT: 1,440 ft.
- BPED-2209 New, Las Vegas, Nev.  
Nevada Public Radio Corp.  
Req: 89.7 mHz; channel No. 209C.  
ERP: 38.9 kW; HAAT: -8 ft.
- BPED-2212 New, Honolulu, Hawaii.  
Hawaii Public Broadcasting Authority.  
Req: 88.9 mHz; channel No. 205C.  
ERP: 100 kW; HAAT: -1,070 ft.
- BPED-2217 New, Baton Rouge, La.  
Public Radio, Inc.  
Req: 89.3 mHz; channel No. 207C.  
ERP: 100 kW; HAAT: 650 ft.

[FR Doc.76-8315 Filed 3-23-76; 8:45 am]

RULE MAKING PROCEEDINGS  
Petitions for Reconsideration of Actions

MARCH 18, 1976.

Docket or RM No.	Rule No.	Filed by—	Date received
20532	Sec. 73.202(b)	Ross K. Prescott, attorney for A-C Corp.	Mar. 11, 1976

NOTE.—Oppositions to petitions for reconsideration must be filed within 15 d after publication of this public notice in the FEDERAL REGISTER. Replies to an opposition must be filed within 10 d after time for filing oppositions has expired.

[SEAL]

FEDERAL COMMUNICATIONS  
COMMISSION,  
VINCENT J. MULLINS,  
Secretary.

[FR Doc.76-8316 Filed 3-23-76; 8:45 am]

[Report No. 797; 62162]

## COMMON CARRIER SERVICES

## Applications Accepted for Filing

MARCH 15, 1976.

The applications listed herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of these applications, if upon further examination, it is determined they are defective and not in conformance with the Commission's Rules and Regulations or its policies.

Final action will not be taken on any of these applications earlier than 31 days following the date of this notice, except for radio applications not requiring a 30 day notice period (see § 309(c) of the Communications Act of 1934) or as otherwise noted. Unless specified to the contrary, comments or petitions may be filed concerning any of these applications within 30 days of the date of this notice.

In order for an application filed under Part 21 of the Commission's Rules (Domestic Public Radio Services) to be considered mutually exclusive with any other such application appearing herein, it must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which the subsequent application is in conflict) as having been accepted for filing. In common carrier radio services other than those listed under Part 21, the cut-off date for filing a mutually exclusive application is the close of business one business day preceding the day on which the previously filed application is designated for hearing. With limited exceptions, an application which is subsequently amended by a major change will be considered as a newly filed application for purposes of the cut-off rule. [See § 1.227(b) (3) and 21.30(b) of the Commission's Rules.]

FEDERAL COMMUNICATIONS  
COMMISSION,

VINCENT J. MULLINS,  
Secretary.

APPLICATIONS ACCEPTED FOR FILING  
DOMESTIC PUBLIC LAND MOBILE RADIO  
SERVICE

- 21404-CD-ML-76—RCC of Virginia, Inc. (KIY394). Mod. License to change frequency of operation from 152.09 MHz at Loc. #2: 1801 Crump Street, Richmond, Va. to freq. 152.12 MHz (Base); and to change frequency of operation from 152.12 MHz at Loc. #3: 1013 Jacksonville Avenue, Mechanicsville, Virginia to frequency 152.09 MHz (Base).
- 21424-CD-ML-76—The Mountain States Telephone and Telegraph Company (KAA 811). Mod. License to add frequency 158.01 MHz (Test), and to change transmitter located at 931 14th Street, Denver, Colorado and 1101 Osage Street, Denver, Colorado, respectively.

21521-CD-P/L-76—Joplin Mobilfone Service, Inc. (KAH672). Construction Permit and License to reinstate authority to operate on frequency 152.03, 152.09 and 152.12 MHz (Base), located at 3801 East 20th Street, Joplin, Missouri.

21522-CD-TC-76—Lane Paging, Inc. (KUS 383). Consent to Transfer Control from J. Rob't. Kelly and Lee Andrews, Transferors, to Messrs. Kelly, Andrews and Arthur F. Steele, Transferees, Eugene, Oregon.

21523-CD-AL—Daniel F. Christopherson d/b/a Commercial Communications (KUS 258). Consent to Assignment of Radio Station License from Daniel F. Christopherson d/b/a Commercial Communications, Assignor, to Commercial Communications, Inc., Assignee.

21524-CD-AL-76—Ira Magod (KEC928). Consent to Assignment of Radio Station License from Ira Magod, Assignor, to Answering Service of Trenton, Inc., Assignee.

21525-CD-R-76—Bell Telephone Company of Nevada (KD9271). Renewal of Developmental Radio Station License expiring April 27, 1976. TERM: 4/27/76 through 4/27/77.

21526-CD-P-76—Northwestern Bell Telephone Company (KUO623). Construction Permit to change antenna system operating on 152.84 MHz (Base), located at 409 1st Avenue North, Fargo, North Dakota. (1-way-signaling.)

21527-CD-P-(2)-76—DPRS, Inc. t/a Zipcall (KCB890). C.P. to change antenna system operating on 43.58 MHz (Base and 35.58 MHz (Base), located at John Hancock Tower Building, Boston, Massachusetts. (1-way-signaling.)

21528-CD-P/L-76—General Telephone Company of the Southwest (KLF905). Construction Permit and License to change antenna system and relocate facilities

operating on 152.81 and 152.57 MHz (Base), located 2.9 miles NE of Guymon, Oklahoma.

21529-CD-P-76—Fleek's Telephone Answering Service, Inc. (KQZ705). C.P. for additional facilities to operate on 35.58 MHz (1-way-signaling), to be located at a new site described as Loc. #3: Green Mtn., 7 miles West of Bremerton, Washington.

21530-CD-P-76—Nebraska Radio Telephone Systems (KLF552). C.P. for additional facilities to operate on 152.06 MHz (Base), to be located at new site described as new site described as Loc. #2: 1 mile N. and 1/4 mile E. of Donaphan, Nebraska.

21531-CD-P-76—New Paris Telephone, Inc. (New). C.P. for new 1-way-signaling station to operate on 152.84 MHz (Base), to be located 1/2 block E of Intersection Main and Market, New Paris, Indiana.

21532-CD-P-76—Airsignal International of Pittsburgh, Pennsylvania, Inc. (KGA805). C.P. for additional facilities to operate on 35.22 MHz (Base) to be located at new site described as Loc. #6; Rts. 519 and I-79, 2 miles NE of Canonsburg, Pennsylvania. (1-way-signaling.)

21533-CD-P-76—Mobile Radio Telephone Service, Inc. (KRS693). C.P. for additional facilities to operate on 158.70 MHz (Base) to be located at new site described as Loc. #2: 80 West 2100 South, Salt Lake City, Utah.

21534-CD-P-76—Mobile Radio Telephone Service, Inc. (KRS691). C.P. for additional facilities to operate on 152.24 MHz (Base) to be located at new site described as Loc. #2: Coon Peak, Oquirrh Range 5.2 miles SSW of Garfield, Utah. (1-way-signaling.)

## Informative

It appears that the following applications are mutually exclusive based on electrical interference and subject to the Commission's Rules concerning Ex Parte presentations:

Washington frequency: 35.58 MHz	Call sign	File No.
Island Telepage Systems, Blyn, Wash.	New	20618-CD-P-75
Fleek's Telephone Answering Service, d.b.a. Mobile Dispatch Service, Seattle, Wash.	KQZ705	21304-CD-P-76

## RURAL RADIO SERVICE

60286-CR-AL-76—Commercial Communications. Consent to Assignment of Radio Station License from Daniel F. Christopherson d/b/a Commercial Communications, Assignor, to Commercial Communications, Inc., Assignee. Station: WBB846, Temp-Fixed.

60287-CR-P/L-76—Continental Telephone Company of the West (New). C.P. and License for a new Rural Subscriber-Fixed station to be operated on 158.04 MHz to be located at Dead Horse State Park, 12.4 miles SW of Moab, Utah.

60288-CR-P-76—The Mountain States Telephone and Telegraph Company (New). C.P. for a new Rural Subscriber-Fixed station to be operated on 158.01 MHz, 157.83 MHz, and 157.77 MHz to be located 42 miles SE of Farmington, Nageezi, New Mexico.

## POINT-TO-POINT MICROWAVE RADIO SERVICE

1987-CF-P-76—Wisconsin Telephone Company (KSP68), 1417 John Avenue, Superior, Wisconsin. Lat. 46°43'16" N., Long. 92°06'03" W. C.P. to increase antenna structure height and add a point of communication on frequency 6026.7V MHz toward a new station at Pattison Park, Wisconsin on azimuth 191.6°.

1988-CF-P-76—Same (New), Pattison Park, 3.5 Miles NE of Patzau, Wisconsin. Lat. 46°30'16" N., Long. 92°09'55" W. C.P. for a new station on frequencies 6297.4V MHz

toward Superior, Wisconsin, on azimuth 11.33°, and 6397.4V MHz toward Chaffey, Wisconsin, on azimuth 180.0°.

1989-CF-P-76—Same (KSP67), 1 Mile North of Chaffey, Wisconsin. Lat. 46°24'30" N., Long. 92°09'55" W. C.P. to add a point of communication on frequency 6026.7V MHz toward a new station at Pattison Park, Wisconsin, on azimuth 0.0°.

3012-CF-P-76—United Telephone Company of the Carolinas, Inc. (KJH37), Lobeck, South Carolina. Lat. 32°33'17" N., Long. 80°44'59" W. C.P. to change frequencies 6256.5V to 6197.2H MHz toward Walterboro, South Carolina, on azimuth 351°, and 6315.9H to 6375.2H MHz toward Beaufort, South Carolina, on azimuth 152.9°; change polarization from Vertical to Horizontal on 6375.2 MHz toward Walterboro; replace transmitters and increase power output.

3013-CF-P-76—Same (KJK32), 1413 Prince Street, Beaufort, South Carolina. Lat. 32°26'08" N., Long. 80°40'40" W. C.P. to change frequency 6063.8H MHz to 6123.1V MHz toward Lobeck, South Carolina, on azimuth 336°30°; change polarization from Horizontal to Vertical on 5945.2 MHz toward Lobeck; replace transmitters and increase power output.

3017-CF-P-76—The Lincoln County Telephone System, Inc. (WBA783), near Telephone Central Office, Ploche, Nevada. Lat. 37°55'43" N., Long. 114°27'08" W. C.P. to add a point of communication on fre-

- quency 2178.0V MHz toward a new station at Mt. Wilson, Nevada, on azimuth 8.1°.
- 3018-CF-P-76—Same (New), Mt. Wilson, 21.8 Miles NE of Pioche, Nevada, Lat. 38°14'29" N., Long. 114°23'46" W. C.P. for a new station on frequencies 2128.0V MHz toward Pioche, Nevada, on azimuth 188.1°, and 2121.6V MHz toward Willard Creek, Nevada, on azimuth 359.9°.
- 3019-CF-P-76—New England Telephone and Telegraph Company (WQR57), 66 Ash Street, Lewiston, Maine, Lat. 44°05'50" N., Long. 70°12'56" W. C.P. to construct a new tower with increased height and transfer existing antennas for frequencies 10,795.0V 10,995.0H MHz toward Durham, Maine.
- 3027-CF-P-76—General Telephone Company of Kentucky (WAU232), 2.3 Miles South of Intersection of Highways 90 and 163, Cyclone, Kentucky, Lat. 36°51'01" N., Long. 85°40'11" W. C.P. to add a point of communication on frequency 2126.8V MHz toward a new station at Cumberland Overlook, Kentucky, on azimuth 104.5°.
- 3028-CF-P-76—General Telephone Company of Kentucky (New), Cumberland Overlook, Jackson Hollow Road, Burkesville, Kentucky, Lat. 36°47'22" N., Long. 85°22'45" W. C.P. for a new station on frequency 2176.8V MHz toward Cyclone, Kentucky, on azimuth 284.7°.
- 3040-CF-P-76—Central Telephone Company of Florida (KIQ63), 218 East Park Avenue, Tallahassee, Florida, Lat. 30°26'32" N., Long. 84°16'47" W. C.P. to add frequency 4090.0H MHz toward Newport, Florida, on azimuth 155.3°.
- 3041-CF-P-76—The Bell Telephone Company of Pennsylvania (KLL58), 121 Adams Avenue, Scranton, Pennsylvania, Lat. 41°24'23" N., Long. 75°39'49" W. C.P. to add a point of communication on frequency 11,605V MHz toward a new station at Scranton WM, Pennsylvania, on azimuth 380.3°.
- 3042-CF-P-76—Same (New), Scranton WM, 3.9 Miles NW of Scranton, Pennsylvania, Lat. 41°27'26" N., Long. 75°42'08" W. C.P. for a new station on frequencies 11,075V MHz toward Scranton, Pennsylvania, on azimuth 150.2°, and 11,075V MHz toward a new station at Tunkhannock, Pennsylvania, on azimuth 295.4°.
- 3030-CF-P-76—General Telephone Company of the Southeast (KJK67), 0.6 Mile NE of Jewell Ridge, Virginia, Lat. 37°11'14" N., Long. 81°46'48" W. C.P. to replace transmitters and increase power output for frequencies 5937.8V, 6056.4V MHz toward Grundy Passive Reflector on azimuth 291°-02' and from passive reflector to Grundy, Virginia, on azimuth 176.6°.
- 3031-CF-P-76—Same (KJK68), Railroad Depot Road, Grundy, Virginia, Lat. 37°16'37" N., Long. 82°06'05" W. C.P. to correct coordinates, replace transmitters and increase power output for frequencies 6189.-8V, 6308.4V MHz toward Grundy Passive Reflector on azimuth 358.6°, and from passive reflector to Jewell Ridge, Virginia, on azimuth 111°48'.
- The following renewal applications for the term ending February 1, 1981 have been received:
- OFFSHORE TELEPHONE COMPANY
- 7882-CF-R-76: KTR41, Morgan City, La.
- 7883-CF-R-76: KTR42, Salt Point, La.
- 7884-CF-R-76: WAS415, Eugene Island 128
- 7885-CF-R-76: WAS418, Eugene Island 175
- 7886-CF-R-76: WAU307, South Marsh Is 281C
- 7887-CF-R-76: WAU308, South Marsh Is 6A
- 7888-CF-R-76: WAU309, South Marsh Is 268A
- 7889-CF-R-76: WAU310, South Marsh Is 269D
- 7890-CF-R-76: WOE71, South Marsh Is 49A
- 7891-CF-R-76: WOE72, South Marsh Is 33B
- 7892-CF-R-76: WAH397, West Cameron 513
- 7893-CF-R-76: WGH97, Eugene Island 32A
- 7894-CF-R-76: WGI33, Vermilion 67B
- 7895-CF-R-76: WGI34, Vermilion 164-1
- 7896-CF-R-76: WGI35, Vermilion 110D
- 7897-CF-R-76: WGI36, East Cameron 195A
- 7898-CF-R-76: WGI40, East Cameron 261A
- 7899-CF-R-76: WQR63, Eugene Island 250
- 7900-CF-R-76: WQR64, Eugene Island 306A
- 7901-CF-R-76: WQR65, Eugene Island 296A
- 7902-CF-R-76: WQR66, Eugene Island 306B
- 7903-CF-R-76: WQR67, Eugene Island 296B
- 7904-CF-R-76: KYC56, Temp Fixed
- 1251-CF-P-76—Pacific Telatronics, Inc. (KNM58), Garden Highway, Sacramento, California, Lat. 38°36'35" N., Long. 121°-33'15" W. C.P. to replace transmitter, change frequency to 6049.0V towards Red Hill, California on azimuth 246.34 degrees and to add 6049.0V towards Mt. Vaca on azimuth 65.99 degrees.
- 1643-CF-P-76—Microwave Communications Corp. (New), Vollmer Park, 1 mile SE of Orinda Village, California, Lat. 37°52'58" N., Long. 122°12'11" W. C.P. for a new station on 11,135V and 11,055V towards Mt. Vaca, California, on azimuth 09.2 degrees.
- 1742-CF-P-76—American Microwave & Communications, Inc. (KSJ60), 6.5 Miles ENE of Coleman, Wisconsin, Lat. 45°04'43" N., Long. 87°54'25" W. C.P. to replace transmitter, change station location to the foregoing, and to change frequency to 6234.3H, 6293.6H, and 6352.9H towards Talbot, Michigan, on azimuth 32.4 degrees. (Note: These frequencies replace all existing frequencies towards same point of communication.)
- 1743-CF-P-76—Same (KQN52), 3.5 Miles E.S.E. of Talbot, Michigan, Lat. 45°29'40" N., Long. 87°31'50" W. C.P. to replace transmitter, replace antenna system, and to change frequencies to 6011.9H, 6071.2H, 6130.5H and 6160.2V towards Escanaba, Michigan, on azimuth 46.7 degrees; frequencies 6011.9V, 6071.2V, and 6130.5V towards Iron Mountain, Michigan, on azimuth 213.5 degrees; 6160.2H towards Menominee, Michigan, on azimuth 185.2 degrees. (Note: These frequencies replace all existing frequencies towards same points of communication.)
- 1944-CF-P-76—Same (KQL44), Millie Hill, 1 Mile East of Iron Mountain, Michigan, Lat. 45°49'15" N., Long. 88°02'30" W. C.P. to replace transmitter, replace antenna system, to change frequencies to 6278.8V, 6338.1V, and 6397.4V towards Bates, Michigan, on azimuth 309.1 degrees; 6397.4H towards Talbot, Michigan, on azimuth 132.1 degrees and 6219.5H and 6338.1H towards Tilden Lake, Michigan, on azimuth 23.1 degrees.
- 1745-CF-P-76—Same (KQN57), Tilden Lake, 2.0 Mile S.E. of Ishpeming, Michigan, Lat. 46°27'46" N., Long. 87°38'40" W. C.P. to replace transmitter and to change frequencies to 6100.9V towards Iron Mountain on azimuth 203.4 degrees; 5967.4V, 6026.7V, 6100.9H towards Ishpeming, Michigan, on azimuth 356.0 degrees; 5967.4V, 6026.7V, 6100.9H towards Marquette, Michigan, on azimuth 73.3 degrees; 5967.4H and 6026.7H towards Munising, Michigan, on azimuth 93.7 degrees and 6026.7V and 6100.9H towards Sawyer AFB, Michigan, on azimuth 123.3 degrees. (Note: These frequencies replace all existing frequencies towards same points of communications.)
- 1746-CF-P-76—American Microwave & Communications, Inc. (KQA29), Mt. Mesnard, Marquette, Michigan, Lat. 46°30'48" N., Long. 87°23'58" W. C.P. to replace transmitter and to increase power.
- 1804-CF-MP-76—New Jersey Bell Telephone Co. (KOA46), WXTV, 703 Main Street, Paterson, New Jersey, Lat. 40°51'10" N., Long. 74°09'59" W. Mod. C.P. to correct coordinates to the above and to move antenna.
- 1971-CF-P-76—Alabama Microwave, Inc. (KJJ57), Capshaw Mountain, Alabama, Lat. 34°49'05" N., Long. 86°44'16" W. C.P. to add 6197.2V, via power split, towards Decatur, Alabama, on azimuth 220.4 degrees.
- 1993-CF-P-76—Eastern Microwave, Inc. (WDD77), Little Mountain, 0.7 Miles NW of Summerdale, Pennsylvania, Lat. 40°18'57" N., Long. 76°57'02" W. C.P. to add 6063.8V, via power split, towards Shade Mountain, Pennsylvania, on azimuth 337.8 degrees.
- 1994-CF-P-76—Same (WDD78), Shade Mountain Road, Beavertown, Pennsylvania, Lat. 40°42'40" N., Long. 77°09'52" W. C.P. to add 6286.2V towards Little Flat, Pennsylvania, on azimuth 275.5 degrees.
- 1995-CF-P-76—Same (WDD79), Little Singletown Road, Boalsburg, Pennsylvania, Lat. 40°45'11" N., Long. 77°45'18" W. C.P. to add 5974.8V, via power split, towards Lewistown, Pennsylvania, on azimuth 128.3 degrees and 5974.8H, via power split, towards Lock Haven, Pennsylvania, on azimuth 35.9 degrees.
- 1996-CF-P-76—Microwave Transmission Corp. (WAH469), Bald Butte, 2.4 Miles East of Johnson, Washington, Lat. 46°38'02" N., Long. 117°05'14" W. C.P. to replace transmitter and to add 6315.9H towards Tecoa, Washington, on azimuth 359.9 degrees.
- 1997-CF-P-76—Same (New), 2.2 Miles North of Tecoa, Washington, Lat. 47°15'12" N., Long. 117°05'23" W. C.P. for a new station on 6034.2V towards Indian Bluff, Washington, on azimuth 327.9 degrees.
- 1998-CF-P-76—Same (New), Indian Bluff, 2 Miles West of Spokane, Washington, Lat. 47°42'02" N., Long. 117°30'22" W. C.P. for a new station on 10,775V towards Spokane, Washington, on azimuth 118.0 degrees.
- 3014-CF-P/ML-76—RCA Global Communications, Inc. (WAS488), 624 S. Grand Ave., Los Angeles, California, Lat. 34°02'52" N., Long. 118°15'17" W. C.P. and Mod. License to add 10,975H towards Mt. Wilson, California, on azimuth 41.6 degrees.
- 3015-CF-P/ML-76—RCA Global Communications, Inc. (WAS489), 16 Miles NE of Los Angeles, California, Lat. 34°13'32" N., Long. 118°03'53" W. C.P. and Mod. License to add 6286.2V towards Santa Susana, California, on azimuth 270.5 degrees.
- 3016-CF-P/ML-76—Same (WAS490), 3.1 Mile South of Santa Susana, California, Lat. 34°13'43" N., Long. 118°41'25" W. C.P. and Mod. License to add 11,505V towards South Mountain, California, on azimuth 291.3 degrees.
- 3020-CF-P-76—N-TRIPLE-C, Inc. (WOI31), 3 Mile SSE of Blanchard, Oklahoma, Lat. 35°05'57" N., Long. 97°38'10" W. C.P. to add 6226.9V, via power split, towards Norman, Oklahoma, on azimuth 56.6 degrees and 6226.9V, via power split, Chickasha, Oklahoma, on azimuth 250.1 degrees.
- 3021-CF-P-76—Same (WOI30), 2 Miles East of Oklahoma City, Oklahoma, Lat. 35°30'58" N., Long. 97°25'43" W. C.P. to add 5989.7V, via power split, towards El Reno, Oklahoma, on azimuth 272.0 degrees.
- 3046-CF-P-76—Eastern Microwave, Inc. (WQP99), 3 Miles NE of Stokes atop Quaker Hill, Stokes, New York, Lat. 43°20'36" N., Long. 75°25'36" W. C.P. to add 6330.7V, via power split, towards Oneida, New York, on azimuth 212.5 degrees.
- 3053-CF-P-76—Same (WDD82), Rte. 819, 1 Mile SE of Bell Point, Pennsylvania, Lat. 40°32'03" N., Long. 79°31'59" W. C.P. to add 10,735V towards Vandergrift, Pennsylvania, on azimuth 324.4 degrees.
- 3054-CF-P-76—Same (WQR74), Brush Run Road, 2 Miles South of Bethel Park, Pennsylvania, Lat. 40°17'36" N., Long. 80°03'05" W. C.P. to add 11,015H toward Mt. Lebanon, Pennsylvania, on azimuth 3.0 degrees.

[FR Doc.76-8317 Filed 3-23-76;8:45 am]



**FEDERAL MARITIME COMMISSION**  
**EUROPE PACIFIC COAST RATE**  
**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, 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, within 20 days after publication of this notice in the FEDERAL REGISTER. 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.

H. G. Brandt, Secretary, P.O. Box 341, Westplein 14, Rotterdam, Netherlands.

Agreement No. 10023-6, among the North Europe-U.S. Pacific Coast Freight Conference (as one party); Sea-Land Service, Inc.; Seatrain International, S.A.; United States Lines, Inc., and Vassa Line Oy, is an application to extend the approval of the basic 48-hour rate agreement for a period of 18 months beyond its scheduled termination date of June 6, 1976.

By Order of the Federal Maritime Commission.

Dated: March 18, 1976.

FRANCIS C. HURNEY,  
*Secretary.*

[FR Doc. 76-8329 Filed 3-23-76; 8:45 am]

**IBERIAN/U.S. NORTH ATLANTIC**  
**WESTBOUND 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, within 20 days after publication of this notice in the FEDERAL REGISTER. 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.

Stanley O. Sher, Esquire, Billig, Sher & Jones, P.C., Suite 300, 1126 Sixteenth Street, N.W., Washington, D.C. 20036.

Agreement No. 9615-19 among the members of the above-named conference, modifies the basic agreement to specify the full range of inland/intermodal activities included in its inland/intermodal authority.

By Order of the Federal Maritime Commission.

Dated: March 19, 1976.

FRANCIS C. HURNEY,  
*Secretary.*

[FR Doc. 76-8330 Filed 3-23-76; 8:45 am]

**FEDERAL POWER COMMISSION**

[Docket No. CI76-288]

**AMERICAN PACIFIC INTERNATIONAL, INC.**  
**Amended Petition for Certificate of Public Convenience and Necessity**

MARCH 17, 1976.

Take notice that on March 8, 1976, American Pacific International, Inc. (Applicant), 700 Flower Building, 700 South Flower Street, Los Angeles, California 90017, filed an amended application for certificate of public convenience and necessity pursuant to § 1.11(a) of the Commission's Rules of Practice and Procedure and § 157.23, et seq., of the Regulations under the Natural Gas Act. Applicant hereby amends its application for a certificate of public convenience and necessity as partial successor in interest to Norris Oil Company and states that Applicant be granted a permanent certificate of public convenience and necessity authorizing the sale of gas to Southern Natural Gas Company under the terms of a Ratification and Amendment Agreement dated January 7, 1976,

with respect to all gas produced and delivered from deep wells commenced after July 1, 1975, in the Logansport Field, DeSoto Parish, Louisiana.

Any person desiring to be heard or to make any protest with reference to said petition should on or before March 31, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,  
*Secretary.*

[FR Doc. 76-8270 Filed 3-23-76; 8:45 am]

[Docket No. CP76-276]

**IOWA-ILLINOIS GAS AND ELECTRIC CO.**  
**Application**

MARCH 17, 1976.

Take notice that on February 12, 1976, Iowa-Illinois Gas and Electric Company (Applicant), P.O. Box 4350, Davenport, Iowa 52808, filed in Docket No. CP76-276 an application pursuant to Section 1(c) of the Natural Gas Act for a declaration that Applicant would continue to be exempt from the provisions of the Natural Gas Act with regard to those portions of Applicant's operations that are presently exempt from the jurisdiction of the Commission, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it would participate to the extent of 5 percent in the Mid-Continent Gas Storage Company (Mid-Continent) project as proposed in Docket No. CP76-208<sup>1</sup> by Mid-Continent Gas Storage Company (Mid-Continent). Applicant states that its participation in the rescheduling and storage arrangements would not require the construc-

<sup>1</sup> Notice of application published January 30, 1976 (41 FR 4658). The Mid-Continent Storage Project is proposed to be an aquifer-type storage reservoir, utilizing the Galesburg and Mt. Simon formations of the Media Field, Henderson County, Illinois, as a natural gas storage area. Mid-Continent would cause each customer to sell and deliver to Mid-Continent an amount of gas proportionate to such customer's share of participation as base gas as would be determined by Mid-Continent to be necessary. The title to all gas so delivered would be in Mid-Continent and the point of delivery for such gas would be an interconnection between Natural Gas Pipeline Company of America's (Natural) Amarillo line and Mid-Continent's proposed pipeline in Rock Island County, Illinois. Deliveries and redeliveries of natural gas to and from the storage project would be transported by Northern Illinois Gas Company (NIGAS) on a best-efforts basis from an interconnection between Natural and NIGAS in Rock Island County, Illinois.

tion of any facilities; the volumes of gas which would be injected, stored and withdrawn within the State of Illinois for Applicant would be transported by Natural Gas Pipe Line Company of America (Natural), Northern Illinois Gas Company (NIGas) and Mid-Continent. Applicant avers that the gas involved in the proposed storage project would not be sold to others for resale except in the case of Applicant's default or dissolution of Applicant's participation in the storage project. Applicant anticipates that the gas delivered to Mid-Continent as top storage gas would remain titled in Applicant through storage and that gas delivered to Mid-Continent for base gas and operational gas would be sold and delivered to Mid-Continent.

Applicant alleges that as a result of its participation in the storage project, it would not transport its natural gas to be stored and withdrawn and would not be making any sales for resales within the ordinary course of events. Applicant states that it is presently a natural gas company within the meaning of the Natural Gas Act by virtue of one of its lines crossing the Mississippi River and does not propose any change in status for that line. Applicant requests that the Commission issue a declaration that Applicant would remain partially exempt from the jurisdiction of the Commission notwithstanding the contemplated arrangements for the transportation, rescheduling and sale of natural gas.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 9, 1976, 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.

KENNETH F. PLUMB,  
*Secretary.*

[FR Doc.76-8273 Filed 3-23-76;8:45 am]

[Docket No. RI76-34]

#### CONTINENTAL OIL CO.

#### Postponement of Hearing Date

MARCH 16, 1976.

On March 12, 1976, Cascade Natural Gas Corporation (Cascade) filed a motion to postpone the hearing date fixed by order issued September 30, 1975, as most recently modified by notice issued January 9, 1976, in the above-designated proceeding. Cascade's motion states that Conoco, Resources, Mountain Fuel, and Staff Counsel do not object to the requested postponement.

Upon consideration, notice is hereby given that the hearing date in the above

matter is postponed from March 18, 1976 to April 13, 1976.

KENNETH F. PLUMB,  
*Secretary.*

[FR Doc.76-8274 Filed 3-23-76;8:45 am]

[Docket No. ES76-43]

#### IOWA PUBLIC SERVICE CO.

#### Notice of Application

MARCH 16, 1976.

Take notice that on March 12, 1976, Iowa Public Service Company (Applicant) filed an application seeking an order pursuant to Section 204 of the Federal Power Act authorizing the issuance of \$25,000,000 principal amount of First Mortgage Bonds. Applicant proposes to sell the New Bonds at competitive bidding in accordance with the applicable requirements of Section 34.1a of the Commission's regulations. The interest rate and the price to be paid for the New Bonds will be determined by the successful bidder.

Applicant is incorporated under the laws of the State of Iowa, with its principle business office in Sioux City, Iowa, and is engaged in the electric utility business in northwestern, north central and east central Iowa and a few small communities in South Dakota.

Applicant proposes to use the proceeds from the issuance of the securities (1) to reduce short-term loans incurred and to be incurred prior to the sale of the New Bonds to secure funds for construction purposes and to pay at maturity on June 1, 1976, \$13,750,000 principal amount of First Mortgage Bonds and (2) to meet expenditures for the construction program.

Any person desiring to be heard or to make any protest with reference to said application should, on or before April 16, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
*Secretary.*

[FR Doc.76-8271 Filed 3-23-76;8:45 am]

[Docket No. ER76-552]

#### KANSAS CITY POWER & LIGHT CO.

#### Filing of Change in Rate Schedule

MARCH 16, 1976.

Take notice that on March 8, 1976, Kansas City Power & Light Company ("KCPL") tendered for filing a Municipal

Participation Agreement dated December 19, 1975, between KCPL and the City of Garnett, Kansas. KCPL requests an effective date thirty (30) days after filing. The Agreement terminates the Municipal Interconnection Contract, dated December 22, 1969, KCPL Rate Schedule FPC No. 65, and provides for rates and charges for certain wholesale service by KCPL to the City of Garnett.

KCPL states that the proposed rates are KCPL's rates and charges for similar service under schedules previously filed by KCPL with the Federal Power Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with 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 April 1, 1976. 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.76-8275 Filed 3-23-76;8:45 am]

[Docket No. CP76-136]

#### TENNESSEE GAS PIPELINE CO.

#### Notice of Tariff Filing

MARCH 16, 1976.

Take notice that on March 2, 1976, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), tendered for filing proposed change to its PFC Gas Tariff, Sixth Revised Volume No. 2 consisting of the following tariff sheets:

Original Sheet Nos. 251 through 251C

Tennessee states that the sole purpose of these tariff sheets, proposed to be effective January 2, 1976, is to constitute its Rate Schedule T-30. According to Tennessee, Rate Schedule T-30 covers a transportation agreement among Tennessee, Natural Gas Pipeline Company of America, and Columbia Gas Transmission Corporation for which the Commission issued a temporary certificate of public convenience and necessity by its letter order of January 2, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protests with the Federal Power Commission, 825 North Capitol Street NE., 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 March 26, 1976. 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; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.76-8276 Filed 3-23-76; 8:45 am]

[Docket No. CP76-263]

**TEXAS EASTERN TRANSMISSION CORP.**  
**Notice of Application**

MARCH 17, 1976.

Take notice that on February 17, 1976, Texas Eastern Transmission Corporation (Applicant), Post Office Box 2521, Houston, Texas 77001, filed in Docket No. CP76-263 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon approximately 14.89 miles of the 8-inch Hastings Line 2-A-1 located in Brazoria and Harris Counties, Texas, all as more fully set forth in the application on file with the Commission and open to public inspection.

The pipeline proposed to be abandoned is said to extend for a distance of approximately 17.94 miles from the tailgate of Amoco Production Company's Hastings plant, where Applicant purchases 8,500 Mcf of natural gas per day, to a point approximately 7 miles from Products Division's Baytown Terminal. The line is said to intersect with Applicant's McAllen-Vidor pipeline at milepost 3.05, at which point gas from the Amoco Hastings plant is taken into Applicant's main transmission system. Applicant proposes to abandon the Hastings pipeline downstream from the milepost, 3.05 to milepost 17.94, approximately 14.89 miles, and states that the gas received from the Hastings plant could still be received into Applicant's McAllen-Vidor mainline.

Applicant states further that the pipeline proposed to be abandoned would be utilized as a common carrier products transportation pipeline after abandonment.

Applicant alleges that the Hastings 2-A-1 line traverses an area of diminishing gas reserves and its conversion into a common carrier line would eliminate the operating and maintenance costs of an essentially idle pipeline, would effect a reduction in Applicant's rate base, and would not affect Applicant's ability to secure gas supplies into Applicant's system.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 8, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act

(18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.76-8272 Filed 3-23-76; 8:45 am]

[Docket No. CP73-113]

**TRANSWESTERN PIPELINE CO.**

**Petition To Amend**

MARCH 16, 1976.

Take notice that on February 25, 1976, Transwestern Pipeline Company (Petitioner), P.O. Box 2521, Houston, Texas 77001, filed in Docket No. CP73-113 a petition to amend the order of the Commission of February 26, 1973 (49 FPC 482), issuing a certificate of public convenience and necessity in said docket pursuant to Section 7(c) of the Natural Gas Act to authorize the construction and operation of additional points of exchange of natural gas between Applicant and Phillips Petroleum Company (Phillips), all as more fully set forth in the petition on file with the Commission and open to public inspection.

Petitioner states that it is authorized to deliver natural gas at a point on Phillips' 6-inch lateral line in Roberts County, Texas, and at a point on Phillips' 10-inch lateral line in Sherman County, Texas, and to receive exchange natural gas from Phillips at the outlet of Phillips' Gray Plant, Gray County, Texas. Petitioner requests that the Commission authorize Petitioner to deliver natural gas for exchange with Phillips at three additional points and to construct and operate therefor a 2-inch tap and related equipment on Petitioner's 4-inch line in Beaver County, Oklahoma, and two 6-inch taps and related equipment on Petitioner's 8-inch line in Sherman County, Texas.

Petitioner states that it would install, own and operate the necessary taps and related facilities at the proposed points of exchange. Petitioner estimates that the cost of the proposed facilities would be approximately \$25,200, for which actual costs Phillips would reimburse Petitioner.

Petitioner states that the proposed exchange of natural gas would allow both Petitioner and Phillips increased flexibility and efficiency and would lower the line pressure for certain deliveries of natural gas by Petitioner, thereby facilitating the delivery of natural gas by Petitioner into Phillips' low pressure lines. It is stated that this would allow Petitioner to maintain production from declining wells attached to Petitioner's system without having to install compression facilities.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before April 8, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.76-8268 Filed 3-23-76; 8:45 am]

[Docket No. CP76-283]

**UNITED GAS PIPE LINE CO.**

**Notice of Application**

MARCH 17, 1976.

Take notice that on March 3, 1976, United Gas Pipe Line Company (Applicant), P.O. Box 1748, Houston, Texas 77001, filed in Docket No. CP76-283 an application pursuant to Section 7(c) of the Natural Gas Act, as implemented by Section 157.7(b) of the Regulations thereunder (18 CFR 157.7(b)), for a certificate of public convenience and necessity authorizing the construction, during the twelve-month period commencing March 1, 1976, and operation of certain natural gas purchase facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in connecting to its pipeline system supplies of natural gas, which it purchases which may become available from various producing areas generally coextensive with Applicant's pipeline system or other pipeline systems au-

thorized to transport for or exchange gas with Applicant.

The total cost of the proposed facilities would not exceed \$12,000,000, the cost of any single onshore project would not exceed \$1,500,000, and the cost of any single offshore project would not exceed \$2,500,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 9, 1976, 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 Procedures (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. 76-8269 Filed 3-23-76; 8:45 am]

[Docket No. E-9520]

**ILLINOIS POWER CO.**  
**Settlement Conference**

MARCH 19, 1976.

Take notice that on March 29, 1976, a conference of all parties to intervene in this proceeding, Illinois Power Commission and the Commission Staff will be held in the Commission's Conference Room No. 8402, at 825 North Capitol Street, Washington, D.C., at 9:00 a.m.

Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, attendance at the conference will not be deemed to authorize intervention as a party in the proceedings.

All parties will be expected to come fully prepared to discuss the merits of all

issues concerning the lawfulness of the proposed rate increase and any procedural matters preparatory to a full evidentiary hearing or to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference.

Copies of this notice are being mailed this date to all parties to the proceeding, all of the jurisdictional customers, and all affected State commissions.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 76-8559 Filed 3-23-76; 10:37 am]

**GENERAL SERVICES**  
**ADMINISTRATION**

**National Archives and Records Service**  
**ARCHIVES ADVISORY COUNCIL**  
**Meeting**

Notice is hereby given that the Archives Advisory Council shown below will meet at the times and places indicated. Anyone who is interested in attending or wants additional information should contact the person shown below.

**REGIONAL ARCHIVES ADVISORY COUNCIL—**  
**REGION 4**

Meeting dates and times: Tuesday, April 27, 1976, 1:00 PM-4:45 PM; Wednesday, April 28, 1976, 8:00 AM-12:00 Noon.

Place: Conference Room, Chicago Federal Archives and Records Center, 7358 South Pulaski Road, Chicago, Illinois 60629.

Agenda: What's Happening in the Regional Archives Branches and Where Do We Go From Here; Archival Security; the National Archives and the Bicentennial; reports of archives activities in Regions 4 and 5; Archives Intern programs; the role of the Advisory Council; deposited microfilm and interlibrary loan operations.

For further information contact:

Mr. E. L. Johnson, NARS Regional Commissioner (GSA), 1776 Peachtree Street, NW, Atlanta, GA 30309 (404) 526-3681.

Issued in Washington, D.C. on March 15, 1976.

JAMES B. RHOADS,  
Archivist of the United States.

[FR Doc. 76-8328 Filed 3-23-76; 8:45 am]

[FPMR Temp. Reg. E-42, Supp. 1]

**HEADS OF FEDERAL AGENCIES**  
**ADP and Telecommunications**  
**Requirements Checklist**

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation E-42 and clarifies agencies' responsibilities concerning the checklist.

2. *Effective date.* This regulation is effective upon publication in the FEDERAL REGISTER.

3. *Expiration date.* This regulation expires September 30, 1976, unless sooner superseded or canceled.

4. *Explanation of changes.*

a. The expiration date contained in paragraph 3 of FPMR Temporary Regulation E-42 is revised to September 30, 1976.

b. Agencies not covered by the Privacy Act or not subject to the directives and regulations of the Office of Management and Budget for budgetary or privacy purposes are not required to certify to Parts I and II of the checklist.

Dated: March 17, 1976.

JACK ECKERD,  
Administrator of General Services.

[FR Doc. 76-8327 Filed 3-23-76; 8:45 am]

**INTERNATIONAL TRADE**  
**COMMISSION**

**Liquid Propan. Heaters**

[Investigation No. 337-TA-13]

**NOTICE AND ORDER**

**Concerning Procedure for Commission**  
**Action**

Notice is hereby given that: 1. On February 23, 1976, Administrative Law Judge Myron R. Renick issued his Recommendation in this proceeding, recommending that the Commission grant the motions of complainant and respondent that the Commission terminate Investigation 337-TA-13. Copies of Judge Renick's Recommendation, which has been served on all parties of record, are available for inspection to the public during official working hours at the Office of the Secretary, United States, International Trade Commission, 701 E Street, NW., Washington, D.C. 20436.

2. Not later than the close of business March 30, 1976, any party to this proceeding, or any person with a substantial interest in the outcome of this proceeding, may file exceptions to Judge Renick's Recommendation and submit alternative recommendations. Documents setting forth such exceptions and alternatives shall be in form and number as set forth in section 201.8 of the Commission's Rules of Practice and Procedure, 19 CFR 201.8.

3. Briefs filed concerning exceptions to and alternatives for Judge Renick's Recommendation shall be in form and number as set forth in section 201.8 of the Commission's Rules of Practice and Procedure, 19 CFR 201.8, and in addition, be of no more than 25 pages. Such briefs shall be filed no later than March 30, 1976.

By order of the Commission.

Issued: March 19, 1976.

[SEAL] KENNETH R. MASON,  
Secretary.

[FR Doc. 76-8284 Filed 3-23-76; 8:45 am]

**LEGAL SERVICES CORPORATION**  
**GRANTS AND CONTRACTS**

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L.

93-355, 88 Stat. 378, 42 U.S.C. 2996-2996f. Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly, and shall notify the Governor and the State Bar Association of any State where legal assistance will thereby be initiated, of such grant, contract, or project \* \* \*"

The Legal Services Corporation hereby announces publicly that it is considering an application for a grant submitted by Howard University, Washington, D.C., for the Reginald Heber Smith Community Lawyers Fellowship Program.

Additional information may be obtained by writing the Legal Services Corporation, 733 Fifteenth Street, NW, Suite 700, Washington, D.C. 20005.

Dated: March 19, 1976.

THOMAS EHRLICH,  
President,

Legal Services Corporation.

[FR Doc. 76-8360 filed 3-23-76; 8:45 am]

### LEGAL SERVICES CORPORATION COMMITTEE ON REGULATIONS Open Meeting

The Committee on Regulations of the Board of Directors of the Legal Services Corporation will meet at 9:30 a.m. on Friday, April 2 and Saturday, April 3, 1976, in the Plaza Inn International, Kansas City International Airport, Kansas City, Missouri. The Committee will discuss proposed regulations.

The meeting is open to the public.

E. CLINTON BAMBERGER, Jr.,  
Executive Vice President.

MARCH 22, 1976.

[FR Doc. 76-8572 Filed 3-23-76; 11:09 am]

### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES SPECIAL PROJECTS ADVISORY PANEL Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Special Projects Advisory Panel to the National Council on the Arts will be held on April 9-10, 1976 from 9:00 a.m.-5:30 p.m. in the 13th floor conference room of the Columbia Plaza Building, 2401 E Street, N.W., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of June 16, 1975, this meeting, which involves matters exempt from the requirements of public dis-

closure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b), (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6377.

ROBERT M. SIMS,  
Administrative Officer, National  
Endowment for the Arts, National  
Foundation on the Arts  
and the Humanities.

[FR Doc. 76-8308 Filed 3-23-76; 8:45 am]

### RENEWAL OF SPECIAL PROJECTS PANEL

I hereby certify, in accordance with OMB Circular No. A-63 Transmittal No. 1, that renewal of the Special Projects Panel of the National Endowment for the Arts is in the public interest. Accordingly, notice is given that a new charter will be filed renewing the Special Projects Panel for a duration of two years.

#### COMMITTEE CHARTER—NATIONAL ENDOWMENT FOR THE ARTS

##### SPECIAL PROJECTS PANEL

In accordance with Section 9 of Public Law 92-463 (Federal Advisory Committee Act), this Charter is provided with respect to the above named Advisory Committee of the National Endowment for the Arts.

I. *Official Designation.* The Committee is officially designated as the Special Projects Panel to the National Council on the Arts.

II. *Objective and Scope of Activities.* The Committee's objective and scope of activities include the formulation of expert advice and recommendations to the Chairman, National Endowment for the Arts and the National Council on the Arts with respect to applications for Federal grant assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended.

III. *Duration.* The duration of this Advisory Committee will be for the period ending February 28, 1978, except as set forth in the following paragraph.

The Chairman of the National Endowment for the Arts, by formal determination, may either (a) terminate the Committee before the end of the stated duration period; or (b) by determination made within 60 days of the termination date, continue the Committee's existence for a subsequent period of two years or less, subject to further termination or renewal on the same terms.

IV. *Establishing Agency (Section 9(c)(D), (E)).* This Committee shall report to the National Endowment for the Arts, National Foundation on the Arts and the Humanities, and such Agency is responsible for providing the necessary support for the Committee.

V. *Duties (Section 9(c)(F)).* The Committee is responsible for reviewing, evaluating, and advising the National Council on the Arts with respect to the relative merit, based on artistic and cultural significance, of applications to the National Endowment for the Arts requesting Federal grant assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended.

VI. *Estimated Annual Operating Costs (Section 9(c)(G)).* It is estimated that the annual cost of operating the Committee will be \$39,000 and will require 0.4 man-years of staff support.

VIII. *Number and Frequency of Meetings (Section 9(c)(H)).* The Committee is expected to hold 4 meetings per year.

Dated: March 12, 1976

NANCY HANKS,  
Chairman,  
National Endowment for the Arts.

[FR Doc. 76-8324 Filed 3-23-76; 8:45 am]

### SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area #1218]

#### TEXAS

##### Declaration of Disaster Area

Brazoria County and adjacent counties within the State of Texas constitute a disaster area because of damage resulting from a tornado on March 9, 1976. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on May 17, 1976 and for economic injury until the close of business on December 17, 1976, at:

Small Business Administration, District Office, 500 Dallas Street, Suite 705, Houston, Texas 77002.

or other locally announced locations.

Dated: March 17, 1976.

MITCHELL P. KOBELINSKI,  
Administrator.

[FR Doc. 76-8319 Filed 3-23-76; 8:45 am]

### PITTSBURGH DISTRICT ADVISORY COUNCIL

#### Public Meeting

The Pittsburgh District Advisory Council will hold a public meeting at 9:00 a.m., Wednesday, April 21, 1976, in the Ohio Room in the William Penn Hotel, Pittsburgh, Pennsylvania, to discuss such matters as may be presented by members, staff of the Small Business Administration and others present.

For further information write or call Jack C. Forbes, 1401 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222, (412) 644-2784.

Dated: March 17, 1976.

MARY LOU GRIER,  
Deputy Advocate  
for Advisory Councils.

[FR Doc. 76-8320 Filed 3-23-76; 8:45 am]

### INTERSTATE COMMERCE COMMISSION

[Notice No. 8]

#### ASSIGNMENT OF HEARINGS

MARCH 19, 1976.

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 55896 (Sub 47), R-W Service System, Inc., and MC 106674 (Sub 157), Schilli Motor Lines, Inc., now being assigned April 27, 1976 (2 days), at Chicago, Illinois, in a hearing room to be later designated.

MC 124606 (Sub-No. 4), Ford Truck Line, Inc., now assigned March 30, 1976, at Memphis, Tennessee, is postponed to April 1, 1976 (2 days), at Memphis, Tenn., Room 978, Federal Building, 167 North Main Street.

MC 64832 (Sub 6), Magnolia Truck Line, Inc., now assigned April 26, 1976 (1 week), in Baton Rouge, Louisiana, is postponed indefinitely.

MC 113267 (Sub 323), Central & Southern Truck Lines, Inc., now being assigned July 7, 1976 (1 day), at Memphis, Tennessee, in a hearing room to be later designated.

MC 134922 (Sub 144), B. J. McAdams, Inc., now being assigned July 8, 1976 (2 days), at Memphis, Tennessee, in a hearing room to be later designated.

MC 82063 (Sub 59), Kilpsch Hauling Co., now being assigned July 12, 1976 (1 week), at Memphis, Tennessee, in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 76-8341 Filed 3-23-76; 8:45 am]

#### IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

##### Elimination of Gateway Applications

MARCH 19, 1976.

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 109632 (Sub-No. 28G), filed February 12, 1976. Applicant: LOPEZ TRUCKING, INC., 131 Linden Street, Waltham, Mass. 02154. Applicant's representative: Kenneth B. Williams, 84 State Street, Boston, Mass. 02109. Authority sought to operate as a common carrier, by motor vehicle, over irregular

routes, transporting: (1) *Building materials* (except commodities in bulk), (a) between points in New Jersey within twenty-five (25) miles of New York, N.Y., on the one hand, and, on the other, points in Massachusetts, Rhode Island, and Connecticut, and points in Maine to the extent that lumber, plywood, and millwork are included in building materials and (b) from points in New Jersey within twenty-five (25) miles of New York, N.Y., to points in New Hampshire. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Boston, Mass. (2) *building materials* (except commodities in bulk), between points in New Jersey within twenty-five (25) miles of New York, N.Y., on the one hand, and, on the other, points in Maryland, Delaware, Pennsylvania, New Jersey, New York, Rhode Island, Connecticut, and Massachusetts. The purpose of this filing is to eliminate the gateway of New York, N.Y. (3) *lumber*, to the extent it is included in building materials, between points in New Jersey within twenty-five (25) miles of New York, N.Y., on the one hand, and, on the other, points in Maine and New Hampshire. The purpose of this filing is to eliminate the gateways of New York, N.Y., Boston, Mass., and points in Norfolk County, Mass.

(4) *Building materials* (except commodities in bulk), between points in Massachusetts within thirty (30) miles of Boston, on the one hand, and, on the other, Burlington and Montpelier, Vt., Portland and Bangor, Maine, Hartford and Meriden, Conn., New York, N.Y., and points in Rhode Island and Massachusetts. The purpose of this filing is to eliminate the gateways of Boston, Mass., and points in Norfolk County, Mass. (5) *machinery and building material* (except commodities in bulk), from points in Massachusetts within thirty (30) miles of Boston, to points in Massachusetts and New Hampshire. The purpose of this filing is to eliminate the gateways of Boston, Mass., and points in Norfolk County, Mass. (6) *lumber, plywood, and millwork*, between points in Massachusetts within thirty (30) miles of Boston, on the one hand, and, on the other, points in Maine. The purpose of this filing is to eliminate the gateways of Boston, Mass., and points within fifteen (15) miles of Boston. (7) *building materials* (except commodities in bulk), from points in Massachusetts within thirty (30) miles of Boston, to points in Connecticut. The purpose of this filing is to eliminate the gateway of Boston, Mass. (8) *building materials* (except commodities in bulk), (a) between points in New Jersey, Pennsylvania, Delaware, Maryland, and New York, on the one hand, and, on the other, points in Massachusetts, Rhode Island, and Connecticut, and points in Maine to the extent lumber, plywood, and millwork are included in building materials, and (b) from points in New Jersey, Pennsylvania, Delaware, Maryland, and New York, to points in New Hampshire. The purpose of this filing is to eliminate the gateways of New York, N.Y., points in New Jersey within twenty-five (25) miles of New

York, N.Y., Boston, Mass., and points in Norfolk County, Mass.

(9) *Lumber*, to the extent it is included in building materials, between points in New Jersey, Pennsylvania, Delaware, Maryland, and New York, on the one hand, and, on the other, points in New Hampshire and Maine. The purpose of this filing is to eliminate the gateways of New York, N.Y., points in New Jersey within twenty-five (25) miles of New York, N.Y., and points in Massachusetts within thirty (30) miles of Boston, Mass. (10) *prefabricated buildings*, complete, knocked down, or in sections and when transported in connection with such buildings, component parts thereof, and equipment and materials incidental to the erection and completion of such buildings, from Boston, Mass., and points within thirty (30) miles of Boston, to points in Connecticut, Delaware, Maine, Maryland, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Acton, Sudbury, and Billerica, Mass. (11) *prefabricated structural beams, arches, and trusses*, from Boston, Mass., and points within thirty (30) miles of Boston, to points in Connecticut, Delaware, Maine, Maryland, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Acton, Sudbury, and Billerica, Mass. (12) *roofing materials* (except in bulk, in tank vehicles), from Boston, Mass., and points within thirty (30) miles of Boston, to points in Maine and Vermont. The purpose of this filing is to eliminate the gateway of Waltham, Mass.

No. MC 117574 (Sub-No. 272G), filed January 20, 1976. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Carlisle, Pa. 17013. Applicant's representative: James W. Hagar, 100 Pine St., P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) (a) *Commodities*, the transportation of which because of size or weight, require the use of special equipment, and *related materials, supplies, and parts* of such commodities when their transportation is incidental thereto and (b) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted to self-propelled articles transported on trailers, between points in Indiana, Illinois, Iowa, Kentucky, Michigan, Minnesota, Missouri, and Wisconsin, on the one hand, and, on the other, points in New York, Pennsylvania, and West Virginia. The purpose of this filing is to eliminate the gateway of points in Ohio within an 80-mile radius of Columbus, Ohio. (2) (a) *commodities*, the transportation of which because of size or weight, require the use of special equipment, and *related materials, supplies, and parts* of such commodities

when their transportation is incidental thereto (except boats), and (b) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, restricted to self-propelled articles transported on trailers, between points in Indiana, Illinois, Iowa, Kentucky, Michigan, Minnesota, Missouri, and Wisconsin, on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, North Carolina, New Jersey, Virginia, Rhode Island, and the District of Columbia. The purpose of this filing is to eliminate the gateways of points in Ohio within an 80-mile radius of Columbus, Ohio, and points in an area of Pennsylvania on an east of U.S. Highway 15, in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties.

(3) (a) *Commodities*, the transportation of which because of size or weight, require the use of special equipment, except machinery, equipment, materials, and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines and (b) *self-propelled articles*, weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith (except machinery, equipment, materials, and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines) restricted to the transportation of self-propelled articles transported on trailers, between points in Indiana, Illinois, Iowa, Kentucky, Michigan, Minnesota, Missouri, and Wisconsin, on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Florida, Georgia, and South Carolina. The purpose of this filing is to eliminate the gateways of points in Ohio within an 80-mile radius of Columbus, Ohio, and points in an area of Pennsylvania on and east of U.S. Highway 219, to the junction with U.S. Highway 322, thence on and north of a line beginning at Grampian, Pa., and extending along U.S. Highway 322 through Clearfield and State College, Pa., to Lewistown, Pa., thence along U.S. Highway 522, to Selinsgrove, Pa., and on and west of U.S. Highway 11 to the New York-Pennsylvania State line (except the site of the Curtiss Wright Corporation plant near Clearfield).

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. Pro-

tests 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 92983 (Sub-No. E46), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., 818 Grand Ave., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Acids and chemicals*, in bulk, in tank vehicles: (1) from points in New Mexico to points in Wisconsin; (2) from points in New Mexico located in and east of Rio Arriba, Santa Fe, San Miguel, Guadalupe, De Baca, Chaves, and Lea Counties to points in Iowa located in and east of Mitchell, Floyd, Butler, Grundy, Tama, Poweshiek, Mahaska, Wapello, and Davis Counties; (3) from points in New Mexico located in and west of San Juan, Sandoval, Los Alamos, Bernalillo, Torrance, Lincoln, Otero, and Eddy Counties to points in Iowa located in and east of Worth, Cerro Gordo, Franklin, Hardin, Marshall, Jasper, Marion, Monroe, and Appanoose Counties; (4) from points in New Mexico located in and east of Colfax, Mora, San Miguel, Torrance, Lincoln, and Otero Counties to points in Illinois located in and north of Jersey, Macoupin, Montgomery, Bond, Fayette, Marion, Clay, Richland, Edwards, and Wabash Counties and points in Indiana located on and south of a line extending from the Indiana-Illinois State line along Indiana Highway 64 to the junction of U.S. Highway 231, thence along U.S. Highway 231 to the junction of U.S. Highway 460, thence along U.S. Highway 460 to the junction of the Ohio River at Leavenworth, Ind.; (5) from points in New Mexico located in and west of Taos, Rio Arriba, Santa Fe, Bernalillo, Valencia, Socorro, Sierra, and Dona Ana Counties to points in Illinois located in and north of Randolph, Perry, Franklin, Williamson, Saline, and Gallatin Counties and points in Indiana; (6) from points in New Mexico to points in Missouri located in Scotland, Clark, Lewis, and Marion Counties and points in Ralls and Pike Counties located on and east of a line extending from the northern border of Ralls County along Missouri Highway H to the junction of Missouri Highway P, thence along Missouri Highway P to the junction of Missouri Highway 154, thence along Missouri Highway 154 to the junction of U.S. Highway 54, thence along U.S. Highway 54 to the junction of U.S. Highway 61, thence along U.S. Highway 61 to the southern border of Pike County.

(7) From points in New Mexico located on and west of a line extending from the New Mexico-Colorado State line along U.S. Highway 666 to the junction of U.S. Highway 66, thence along U.S. Highway 66 to the junction of New Mexico Highway 23, thence along New

Mexico Highway 23 to the junction of unnumbered highway, thence along unnumbered highway to the junction of U.S. Highway 60 about 3 miles west of New Mexico Highway 52, thence along U.S. Highway 60 to the junction of New Mexico Highway 107, thence along New Mexico Highway 107 to the junction of Interstate Highway 25, thence along Interstate Highway 25 to the United States-Mexico border to points in Missouri located on and east of a line extending from the Missouri-Iowa State line along U.S. Highway 63 to the junction of U.S. Highway 36, thence along U.S. Highway 36 to the junction of Missouri Highway 15, thence along Missouri Highway 15 to the junction of Missouri Highway 154, thence along Missouri Highway 154 to the junction of Missouri Highway 19, thence along Missouri Highway 19 to the junction of Interstate Highway 70, thence along Interstate Highway 70 to the Missouri-Illinois State line; (B) *liquid chemicals*, in bulk, in tank vehicles: (1) from points in New Mexico to points in Rhode Island; (2) from points in New Mexico to points in Michigan; (C) *Acids and chemicals*, in bulk, in tank vehicles, (1) from points in New Mexico to points in Ohio; (2) from points in New Mexico (except Colfax County) to points in Michigan; (3) from Colfax County, New Mexico, to points in Michigan (except Gogebic County); (4) from points in New Mexico located on and west of a line extending from the New Mexico-Colorado State line along Interstate Highway 25 to the junction of U.S. Highway 84, thence along U.S. Highway 84 to the junction of New Mexico Highway 219, thence along New Mexico Highway 219 to the junction of U.S. Highway 54, thence along U.S. Highway 54 to the United States-Mexico border to points in Kentucky located in and north of Daviess, Hancock, Meade, Bullitt, Spencer, Shelby, Franklin, Scott, Bourbon, Bath, Rowan, Elliott, and Lawrence Counties and points in Breckinridge county located on and north of a line extending from the western border along Kentucky Highway 261 to the junction of U.S. Highway 60, thence along U.S. Highway to the eastern border.

(D) *Acids and chemicals* (except petroleum chemicals), in bulk, in tank vehicles: (1) from points in New Mexico located in and north of San Juan, Sandoval, Santa Fe, San Miguel, and Quay counties to points in Minnesota located in Wabasha, Olmsted, Winona, Fillmore, and Houston Counties; (2) from points in New Mexico located south of San Juan, Sandoval, Santa Fe, San Miguel, and Quay Counties to points in Minnesota located in and east of Kooching, Itasca, Aitkin, Kanarec, Isanti, Anoka, Hennepin, Scott, Rice, Steele, and Freeborn Counties; (E) *Liquid chemicals*, in bulk, in tank vehicles: (1) from points in New Mexico to points in Minnesota located in Winona and Houston Counties; (2) from points in New Mexico located in and south of Catron, Socorro, Sierra, Otero, Eddy, and Lea Counties to points in Minnesota located in Fillmore, Mower, Dodge, Olmsted, Goodhue, Wa-

basha, Dakota, Ramsey, Washington, Chisago, Pine, Carlton, St. Louis, Lake, and Cook Counties; (F) *Chemicals*, in bulk, in tank vehicles (1) from points in New Mexico located in and east of Colfax, Mora, San Miguel, Guadalupe, Lincoln, Chaves, and Eddy Counties to points in Pennsylvania located in Northampton, Bucks, Montgomery, Chester, Philadelphia, and Delaware Counties; (2) from points in New Mexico located in and west of Taos, Rio Arriba, Santa Fe, Torrance, Socorro, Sierra and Otero Counties to points in Pennsylvania; (G) *Acids and chemicals*, in bulk, in tank vehicles; from points in Hidalgo County, New Mexico, to points in Connecticut located on, north, and east of a line extending from the Connecticut-New York State line along U.S. Highway 6 to the junction of Connecticut Highway 34, thence along Connecticut Highway 34 to New Haven, on the Long Island Sound, including the Danbury and New Haven commercial zones; (H) *chemicals*, in bulk, in tank vehicles; from points in New Mexico to points in New York; (I) *Anhydrous ammonia*, in bulk, in tank vehicles: (1) from points in New Mexico to points in Alabama and Florida located within 400 miles of Woodstock, Tenn.; (2) from points in New Mexico to points in Arkansas located in and east of Randolph, Lawrence, Jackson, and Phillips counties and points on and east of a line extending from the southern border of Jackson County along U.S. Highway 67 to the junction of Arkansas Highway 36, thence along Arkansas Highway 36 to the junction of Arkansas Highway 323, thence along Arkansas Highway 323 to the junction of Arkansas Highway 11, thence along Arkansas Highway 11 to the junction of Arkansas Highway 130, thence along Arkansas Highway 130 to the junction of Arkansas Highway 1, thence along Arkansas Highway 1 to the Western border of Phillips County.

(J) *Anhydrous ammonia*, in bulk, in tank vehicles, *Agricultural insecticide*, in bulk, in hopper vehicles, and *arsenic acid*, in bulk, in tank vehicles: (1) from points in New Mexico located in Curry, Roosevelt, De Baca, Chaves, Lea, Eddy, and Otero Counties to points in Mississippi located in and north of Coahoma, Tallahatchie, Le Flore, Carroll, Attala, Neshoba, Lauderdale, and Clarke Counties; (2) from points in New Mexico located in and north and west of Quay, Guadalupe, Lincoln, Sierra, and Dona Ana Counties to points in Mississippi located in and north of Washington, Humphreys, Yazoo, Madison, Rankin, Smith, Covington, Forrest, Perry, George, and Jackson Counties; (K) *Acetic acid*, in bulk, in tank vehicles: (1) from points in New Mexico to points in Alabama and Georgia; (2) from points in New Mexico located in and north and east of Quay, Guadalupe, Lincoln, Sierra, and Dona Ana Counties to points in Mississippi located on and south of U.S. Highway 80 and located in and east of Rankin, Simpson, Jefferson Davis, Lamar, Stone, and Harrison Counties, including points in

the Jackson commercial zone located on and south of U.S. Highway 80; (3) from points in New Mexico located in and west of Colfax, Taos, Santa Fe, Bernalillo, and Valencia Counties to points in Mississippi located on and south of U.S. Highway 80 and located in Warren, Hinds, Coplan, Lincoln, Lawrence, Pike, Walthall, Marion, Pearl River, and Hancock Counties; (L) *Acetic acid and fertilizer* (except anhydrous ammonia) and *agricultural insecticide*, in bulk, in hopper vehicles, and *arsenic acid*, in bulk, in tank vehicles; from points in New Mexico to points in Arkansas located in and east of Phillips, Arkansas, and Prairie counties and points in Sharp, Independence, and White counties located on and east of a line extending from the Arkansas-Missouri State line along U.S. Highway 63 to the junction of U.S. Highway 167, thence along U.S. Highway 167 to the junction of Arkansas Highway 11, thence along Arkansas Highway 11 to the southern border of White county.

(M) *Fertilizer* (except anhydrous ammonia), in bulk, in tank vehicles; from points in New Mexico located in Curry, Roosevelt, De Baca, Chaves, Lea, Eddy, and Otero counties to points in Mississippi located in, north, and east of Bolivar, Le Flore, and Holmes counties and points in Sunflower county located on, north, and east of a line extending from the western border along Mississippi Highway 442 to the junction of Mississippi Highway 448, thence along Mississippi Highway 448 to the junction of U.S. Highway 49W, thence along U.S. Highway 49W to the southern border within 150 miles of Memphis, Tenn.; (N) *Arsenic Acid*, in bulk, in tank vehicles, and *agricultural insecticides*, in bulk, in hopper vehicles; from points in New Mexico to points in Alabama (except Bay Minette) and points in Georgia; (O) *Acids and chemicals* (except cryogenic liquids), in bulk, from points in New Mexico to points in Kentucky, North Carolina, and Ohio and South Carolina; *Trichloromonofluoromethane*, *Dichlorodifluoromethane*, *Monochlorodifluoromethane*, *Trichlorotrifluoroethane*, *Dichlorotetrafluoroethane* and *Mixtures thereof*, in bulk, in tank vehicles: (1) from points in New Mexico (except Quay, Curry, Roosevelt, De Baca, Chaves, Lea, Eddy, and Otero Counties) to points in Alabama located in Lauderdale, Limestone, Morgan, Madison, Marshall, Jackson, De Kalb, Etowah, and Cherokee Counties (except Fox); (2) from points in New Mexico located in and west of Catron, Valencia, Bernalillo, Santa Fe, Rio Arriba, Taos, and Colfax Counties to points in Alabama located in Colbert, Franklin, Marion, Lawrence, Winston, Walker, Culman, Blount, Jefferson, Saint Clair, Calhoun, Talladega, Cleburne, Clay, Randolph, and Chambers Counties; (Q) *Chemicals* (except cryogenic liquids), in bulk; from points in New Mexico to points in Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Virginia, and West Virginia; (R) *Phosphoric acid* in bulk, in tank vehicles; from points in New Mexico located in and west of Cat-

ron, Valencia, Bernalillo, Santa Fe, Rio Arriba, Taos, and Colfax Counties to points in Alabama located in and east of Lauderdale, Limestone, Morgan, Marshall, Etowah, Calhoun, Cleburne, and Randolph counties.

(S) *Acetic acid and Anhydrous ammonia*, in bulk, in tank vehicles; from points in New Mexico located in and west of Union, Colfax, Mora, Santa Fe, Bernalillo, Valencia, and Catron counties to points in Alabama located in and north of Marion, Walker, Jefferson, St. Clair, Talladega, Clay, Tallapoosa, Lee, and Russell counties; (T) *Acids and chemicals* (except cryogenic liquids), in bulk: (1) from points in New Mexico located north of McKinley, Valencia, Socorro, Lincoln, Chaves, and Lea counties to points in North Dakota located on and east of U.S. Highway 81, including the Fargo and Grand Forks commercial zone; (2) from points in New Mexico located in and south of McKinley, Valencia, Socorro, Lincoln, Chaves, and Lea Counties to points in North Dakota located in and east of Cavalier, Walsh, Nelson, Griggs, Barnes, Ransom, and Sargent counties and to points in South Dakota located in and east of Marshall, Day, Clark, Kingsbury, Miner, McCook, Turner, and Yankton counties; (3) from points in New Mexico to points in Illinois; (4) from points in New Mexico located in and north of San Juan, Sandoval, Bernalillo, Torrance, Guadalupe, De Baca, and Roosevelt Counties to points in Nebraska located on and east of U.S. Highway 73 in Douglas, Sarpy, Cass, Otoe, Nemaha, and Richardson counties, including the Omaha and Nebraska City commercial zones; (5) from points in New Mexico located in and south of McKinley, Valencia, Socorro, Lincoln, Chaves, and Lea counties to points in Nebraska located in and east of Gage, Lancaster, Saunders, Colfax, Stanton, Wayne, and Cedar counties; (6) from points in New Mexico to points in Missouri (except those located in Jasper, Newton, McDonald, Lawrence, Barry, Christian, Stone, Taney, and Ozark Counties); (7) from points in New Mexico located in and west of Colfax, Mora, Santa Fe, Torrance, Socorro, Sierra, and Dona Ana Counties to points in Missouri located in Jasper, Newton, McDonald, Lawrence, Barry, Christian, Stone, Taney, and Ozark counties; (8) from points in New Mexico located east of San Juan, McKinley, Valencia, Bernalillo, Torrance, Lincoln, Otero, and Eddy counties to points in Kansas located in and east of Brown, Jackson, Shawnee, Douglas, Franklin, Anderson, and Bourbon counties; (9) from points in New Mexico located in and west of San Juan, McKinley, Valencia, Bernalillo, Torrance, Lincoln, Otero, and Eddy counties to points in Kansas located in and east of Crawford, Bourbon, Allen, Anderson, and Coffey counties and points on and east of a line extending from the eastern border of Lyon county along U.S. Highway 50 to the junction of Kansas Highway 99, thence along Kansas Highway 99 to the Kansas-Nebraska State



line, including the Emporia commercial zone; (10) from points in and west of Colfax, Mora, Santa Fe, Torrance, Socorro, Sierra, and Dona Ana counties to points in Arkansas located in and east of Carroll, Boone, Marion, Baxter, Stone, Independence, Jackson, Cross, and Crittenden Counties.

(U) *Liquid chemicals* (except cryogenic liquids), in bulk, in tank vehicles: from points in New Mexico to points in Rhode Island; (V) *Such fats and greases* as are embraced within chemicals, in bulk, in tank vehicles: from points in New Mexico to points in Maine, New Hampshire, and Vermont; (W) *Such fats, oils, blends and products thereof* as are embraced within chemicals (except fats, oils, blends and products thereof derived from petroleum, soap products, and paint), in bulk, in tank vehicles: from points in New Mexico located in and north of Catron, Valencia, Torrance, Guadalupe, and Quay counties to points in Florida located in and east and south of Leon and Wakulla counties; (X) *Acids and chemicals* (except cryogenic liquids), in bulk, in tank or hopper vehicles: (1) from points in New Mexico to points in Michigan; (2) from points in New Mexico to points in Massachusetts; (3) from points in New Mexico to points in Wisconsin; (Y) *Arsenic acid*, in bulk, in tank vehicles, and *agricultural insecticides*, in bulk, in hopper vehicles: (1) from points in New Mexico (except Curry, Roosevelt, Chaves, Lea, Eddy, and Otero counties) to points in Alabama located in and north of Marion, Walker, Jefferson, St. Clair, Talladega, Clay, Randolph, and Chamber counties; (2) from points in New Mexico located in and north of Catron, Valencia, Torrance, Guadalupe, and Quay counties to points in Alabama located in Lamar, Fayette, Tuscaloosa, Bibb, Shelby, Chilton, Autauga, Coosa, Elmore, Montgomery, Bullock, Macon, Tallapoosa, Lee, Russell, and Barbour counties; (Z) (a) *acids and chemicals* (except cryogenic liquids), in bulk, in tank or hopper vehicles or (b) *acids and chemicals* (except those derived from petroleum, petroleum products, synthetic resins and varnishes and except cryogenic liquids), in bulk, in tank or hopper vehicles: (1) from points in New Mexico located in Rio Arriba, Taos, Colfax, Mora, Harding, and Union counties to points in Iowa (except those located in Lyon, Sioux, Plymouth, Woodbury, and Monona Counties and points in Harrison county west of a line extending from the northern border of Harrison county along U.S. Highway 30 to the junction of Iowa Highway 183, thence along Iowa Highway 183 to the southern border of Harrison county); (2) from points in New Mexico (except those located in Rio Arriba, Taos, Colfax, Mora, Harding, and Union Counties) to points in Iowa.

(AA) *Acids and chemicals* (except cryogenic liquids), in bulk, in tank or hopper vehicles: (1) from points in New Mexico located in Rio Arriba, Taos, Colfax, Mora, Harding, and Union Counties to points in Wisconsin (except those located in Douglas, Burnett, Washburn,

Polk, Barron, St. Croix, Dunn, Pierce, and Pepin Counties); (2) from points in New Mexico (except those located in Rio Arriba, Taos, Colfax, Mora, Harding, and Union Counties) to points in Wisconsin; (3) from points in New Mexico to points in Minnesota; (4) from points in New Mexico located in and west of Colfax, Mora, Santa Fe, Torrance, Socorro, Sierra, and Dona Ana Counties to points in Mississippi located on and north of a line extending from the Mississippi-Tennessee State line along Mississippi Highway 7 to the junction of U.S. Highway 78, thence along U.S. Highway 78 to the Mississippi-Alabama State line, including the Tupelo commercial zone; (5) from points in New Mexico located in and west of Colfax, Mora, Santa Fe, Bernalillo, Valencia, Catron, Grant, and Hidalgo counties to points in Tennessee; (6) from points in New Mexico located in and east of Union, Harding, San Miguel, Torrance, Socorro, Sierra, and Luna Counties (except Lea and Eddy Counties) to points in Tennessee located in and east of Montgomery, Cheatham, Williamson, Rutherford, Bedford, Coffee, Grady, and Marion Counties; (7) from points in New Mexico to points in Connecticut and Indiana; (8) from points in New Mexico located in and north of Catron, Valencia, Torrance, Guadalupe, and Quay counties to points in Georgia located in and south of Harralson, Carroll, Coweta, Meriwether, Pike, Upson, Crawford, Peach, Houston, Pulaski, Dodge, Telfair, Jeff Davis, Bacon, Pierce, Brantley, and Camden Counties; (9) from points in New Mexico (except Roosevelt, Lea, Chaves, Eddy, and Otero Counties) to points in Georgia located in and north of Polk, Paulding, Douglas, Fulton, Fayette, Spalding, Lamar, Monroe Bibb Twigg, Bleckley Laurens, Wheeler, Montgomery, Toomes, Appling, Wayne, and Glynn Counties.

The purpose of this filing is to eliminate the gateways of: (A) Burlington, Iowa; (B) Burlington, Iowa, and Muscatine, Iowa; (C) (1)-(3) Burlington, Iowa, and the plantsite of Blockson Chemical Co., at or near Joliet, Ill.; (C) (4) Burlington, Iowa, and the plantsite of Olin Mathieson Chemical Corp., at or near Ordill, Ill.; (D) Burlington, Iowa, and Windham, Iowa, and points within 15 miles thereof; (E) Burlington, Iowa, and the plantsite of Hawkeye Chemical Co., at or near Clinton, Iowa; (F) Burlington, Iowa, and Des Moines, Iowa; (G) Burlington, Iowa, and Kansas City, Mo.; (H) Burlington, Iowa, and Des Moines, Iowa; (I), (J) Woodstock, Tenn., a point in the Memphis, Tenn., commercial zone; (K), (L), (M), (N) Memphis, Tenn.; (O) Kansas City, Mo.; (P) Kansas City, Mo., and Marshall Co., Ky.; (Q) Kansas City, Mo.; (R) Kansas City, Mo., Saginaw, Mo., and points within 15 miles thereof and Columbia, Tenn.; (S) Kansas City, Mo., Saginaw, Mo., and points within 15 miles thereof, and Woodstock, Tenn.; (T) (1)-(2) Kansas City, Mo.-Kansas City, Kans., commercial zone; (T) (3)-(10) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo.,

commercial zones; (U) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., commercial zones and Muscatine, Iowa; (V) points that are in both the Olathe, Kans., and Kansas City, Kans.-Kansas City, Mo., commercial zones, and Dubuque, Iowa; (W) points that are in both the Olathe, Kans., and Kansas City, Kans.-Kansas City, Mo., commercial zones and points in Arkansas that are in the Memphis, Tenn., commercial zone; (X) (1) points that are in both the Olathe, Kans., and Kansas City, Kans.-Kansas City, Mo., commercial zones, and the plantsite of Blockson Chemical Co., at or near Joliet, Ill.; (X) (2) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., commercial zones and Tulsa, Okla.; (X) (3) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., commercial zones, and Muscatine, Iowa; (Y) points that are in both the Olathe, Kans., and Kansas City, Kans.-Kansas City, Mo., commercial zones, and points in Arkansas that are in the Memphis, Tenn., commercial zone; (Z) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., commercial zones; (AA) (1)-(2) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., commercial zones and Burlington, Iowa; (AA) (3) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., commercial zones, and Fremont, Nebr.; (AA) (4)-(6) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., commercial zones and Saginaw, Mo., and points within 15 miles thereof; and (AA) (7) Kansas City, Mo.

No. MC 92983 (Sub-No. E47), filed June 4, 1974. APPLICANT: AMERICAN BULK TRANSPORT CO., 818 Grand Avenue, P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *acids and chemicals* (except synthetic resins, varnish and derivatives of petroleum or petroleum products), in bulk, in tank vehicles: from Institute and South Charleston, West Virginia to points in Minnesota located in Big Stone, Lac Qui Parle, Yellow Medicine, Lincoln, Lyon, Pipestone, Murray, Rock, and Nobles Counties; (B) *Acids and chemicals*, in bulk, in tank vehicles: (1) from Institute and South Charleston, West Virginia to points in North Dakota located in and west of Dickey, La Moure, Barnes, Griggs, Nelson, Ramsey, and Cavalier Counties; (2) from Institute and South Charleston, West Virginia, to points in Iowa located in and west of Ringgold, Adams, Cass, Audubon, Crawford, Ida, Cherokee, O'Brien, and Osceola Counties; (C) *Liquid Chemicals*, in bulk, in tank vehicles: from Institute and South Charleston, West Virginia, to points in Texas located in, north and west of Wichita, Baylor, Knox, Stonewall, Kent, Scurry, Mitchell, Sterling, Regan, Iron, Crockett, and Val Verde Counties, (ex-

cept Brazoria, Chambers, Ft. Bend, Galveston, Harris, Liberty, and Montgomery Counties); (D) *Cottonseed Oil, Soybean Oil and Blends thereof, Cottonseed Oil products and soybean oil products* (except soap products and paints), in bulk, in tank vehicles; from points in West Virginia to Evadale and Wilson, Arkansas; (E) *Cottonseed Oil, soybean oil and blends thereof*, (1) from points in West Virginia to points in Idaho located in Cassia, Twin Falls, Owyhee, Ada, Canyon, Gem, Payette, and Washington Counties, points in Oregon (except Wallowa County) and points in Washington located in and west of Benton, Yakima, Pierce, King, Snohomish, Skagit, and Whatcom Counties; (2) from points in West Virginia located in Mingo, Logan, Wyoming, McDowell, Mercer, Raleigh, Fayette, Summers, Monroe, Greenbrier, and Pocahontas Counties to points in Idaho (except those points in Idaho described in (1) above) points in Oregon located in Wallowa County, points in Washington (except those points in Washington described in (1) above) and points in Wyoming located on and west of U.S. Highway 87.

(F) *Cottonseed oil, soybean oil and blends thereof, cottonseed oil products and soybean oil products* (except soap products and paints), in bulk, in tank vehicles: (1) From points in West Virginia to Dallas, Texas; (2) from points in West Virginia to Osceola, Ark.; (3) from points in West Virginia to Jackson, Miss.; (G) *vegetable oils and vegetable oil products* (except soap products and paint) in bulk, in tank vehicles: (1) from points in West Virginia to points in Louisiana; (2) from points in West Virginia located in McDowell, Wyoming, Raleigh, Mercer, Summers, Monroe, Greenbrier, and Pocahontas counties to points in Mississippi located in and west of Alcorn, Tippah, Union, Pontotoc, Calhoun, Webster, Choctaw, Attala, Leake, Scott, Smith, Covington, Lamar, Pearl River, Stone, and Harrison Counties (except Jackson); (3) from points in West Virginia (except McDowell, Wyoming, Raleigh, Mercer, Summers, Monroe, Greenbrier and Pocahontas counties) to points in Mississippi (except Jackson); (4) from points in West Virginia located in Cabell, Putnam, Jackson, Roane, Calhoun, Gilmer, Lewis, Upshur, Barbour, and Tucker Counties to points in Alabama located in Mobile County; (5) from points in West Virginia located in and north of Wood, Ritchie, Doddridge, Harrison, Taylor, and Preston counties to points in Alabama located in Choctaw, Clarke, Washington, and Baldwin Counties; (6) from points in West Virginia located in Ohio, Brooke, and Hancock counties to points in Alabama located in and west of Marion, Fayette, Tuscaloosa, Hale, Marengo, Wilcox, Monroe, Conecuh, and Escambia counties (except Choctaw, Clarke, Washington, Baldwin, and Mobile Counties); (H) *Vinegar*, in bulk, in tank vehicles; from points in West Virginia to points in Arkansas; (I) *Fats and oils* intended for use as animal and poultry feed or ingredients, in bulk, in tank vehicles: From points in West Virginia to points in Arkansas.

(J) *Acids and chemicals*, in bulk, in tank vehicles: From points in West Virginia (except McDowell and Mercer counties) to Dallas, Texas; (K) *Polyvinyl Acetate, linseed oil and blends and products thereof and paint materials*, in bulk, in tank vehicles: From points in West Virginia located in and north of Wood, Ritchie, Doddridge, Harrison, Barbour, Tucker, Grant, and Hardy Counties to Houston, Texas; (L) *chemicals* (except petroleum chemicals, synthetic resins and varnish) in bulk, in tank vehicles: from points in West Virginia located in and south and east of Cabell, Putnam, Kanawha, Clay, Braxton, Webster, Randolph, and Grant Counties to points in Minnesota located in Nobles, Rock, Pipestone, Murray, Lyon, Lincoln, Yellow, Medicine, Lac Qui Parle, and Big Stone Counties; (M) *acids and chemicals*, in bulk, in tank vehicles: (1) from points in West Virginia to points in South Dakota (except Grant, Roberts, Day, and Marshall Counties); (2) from points in West Virginia (except Mason, Jackson, Wood, Wirt, Ritchie, Pleasants, Doddridge, Tyler, Wetzel, Marshall, Ohio, Brooke, and Hancock Counties) to points in South Dakota located in Grant, Roberts, Day, and Marshall Counties; (3) from points in West Virginia to points in North Dakota located in and west of McIntoch, Logan, Kidder, Wells, Pierce, and Rollette counties; (4) from points in West Virginia located in and south of Cabell, Putnam, Kanawha, Clay, Nicholas, Greenbrier, and Pocahontas Counties to points in North Dakota located in and east of Towner, Vincent, Eddie, Foster, Stutsman, Lamoure, Dickey Counties; (5) from points in West Virginia to points in Wyoming, Idaho, and Montana; (N) *Acids and chemicals*, in bulk, in tank vehicles: From points in West Virginia to points in Arizona, California, Nevada, New Mexico, Oregon, and Utah.

(O) *Acids and chemicals*, in bulk, in tank vehicles: (1) From points in West Virginia to points in Kansas, Colorado, and Nebraska; (2) from points in West Virginia to points in Iowa located in and west of Ringgold, Union, Adams, Cass, Audubon, Crawford, Ida, Cherokee, and Sioux Counties; (3) from points in West Virginia located in and south of Cabell, Putnam, Kanawha, Clay, Nicholas, Greenbrier, and Pocahontas counties to points in Iowa located in Adair, Guthrie, Carroll, Sac, Buena Vista, Clay, Dickinson, O'Brien, Osceola, and Lyon Counties; (4) from points in West Virginia to points in Missouri located in and west of Harrison, Grundy, Livingston, Carroll, Lafayette, Johnson, Henry, St. Clair, Cedar, Barton, Jasper, and Newton Counties; (5) from points in West Virginia located in Hancock, Brooke, and Ohio Counties to points in Arkansas located in Benton, Washington, Crawford, Sebastian, Scott, Polk, Sevier, and Little River Counties; (6) from points in West Virginia to points in Oklahoma (except McCurtain, Le Flore, Sequoyah, Adair, and Delaware Counties); (7) from points in West Virginia located in Hancock, Brooke, Ohio, and Marshall Counties to points in Oklahoma; (P) *acids and liquid chemicals* (except petroleum

chemicals), in bulk, in tank vehicles: (1) From points in West Virginia located in and south of Wayne, Lincoln, Kanawha, Clay, Nicholas, Greenbrier, Pocahontas, and Pendleton Counties to points in Texas located in and west of Wichita, Archer, Throckmorton, Haskell, Jones, Taylor, Rennells, Tom Green, Schleicher, Sutton, and Val Verde Counties; (2) from points in West Virginia located in Cabell, Mason, Putnam, Jackson, Wirt, Roane, Calhoun, Gilmer, Braxton, Lewis, Webster, Upshur, Randolph, Barbour, Tucker, Grant, Hardy, Mineral, Hampshire, Morgan, Berkeley and Jefferson Counties to points in Texas located in and west of Grayson, Collin, Dallas, Ellis, Hill, McLennan, Falls, Milam, Lee, Bastrop, Gonzales, De Witt, Goliad, Bee and San Patricio Counties; (3) from points in West Virginia located in Wood, Ritchie, Pleasants, Tyler, Doddridge, Harrison, Taylor, Preston, Monongalia, Marion, Wetzel, and Marshall Counties to points in Texas located in and west of Lamar, Hopkins, Rains, Van Zandt, Henderson, Freestone, Limestone, Robertson, Brazos, Washington, Austin, Colorado, and Jackson Counties; (4) from points in West Virginia located in Ohio, Brooke, and Hancock Counties to points in Texas located in and west of Red River, Titus, Camp, Upshur, Smith, Cherokee, Houston, Trinity, San Jacinto, Montgomery, Waller, Ft. Bend, Brazoria, and Galveston Counties.

(Q) *Caustic soda*, in bulk, in tank vehicles: From points in West Virginia located in and north of Pleasant, Doddridge, Harrison, Barbour, Preston, Mineral, Hampshire, Morgan, Berkeley, and Jefferson Counties to Houston, Texas; (R) *acids and chemicals*, in bulk, in tank vehicles: From points in West Virginia to points in Washington; and (S) *liquid petroleum chemicals*, in bulk, in tank vehicles: (1) From points in West Virginia located in and south of Wayne, Lincoln, Ben, Raleigh, Summers, and Monroe Counties to points in Texas located in and north and west of Presidio, Jeff Davis, Reeves, Ward, Winkler, Andrews, Dawson, Lynn, Crosby, Motley, Hall, and Childress Counties; (2) from points in West Virginia located in Cabell, Putnam, Kanawha, Fayette, Greenbrier, Pocahontas, Pendleton, Randolph, Upshur, Lewis, Gilmer, Calhoun, Wirt, Jackson, Mason, Roane, Braxton, Webster, Nicholas, and Clay Counties to points in Texas located in and west of Wichita, Baylor, Haskell, Stonewall, Fisher, Mitchell, Sterling, Reagan, Crockett, and Val Verde Counties; (3) from points in West Virginia located in and north of Wood, Ritchie, Doddridge, Harrison, Barbour, Tucker, Grant, and Hardy Counties (except Ohio, Brooke, and Hancock Counties) to points in Texas located in and west of Grayson, Collin, Dallas, Johnson, Bosque, Coryell, Bell, Williamson, Bastrop, Gonzales, De Witt, Goliad, Bee, and San Patricio Counties; and (4) from points in West Virginia located in Ohio, Brooke, and Hancock Counties to points in Texas located in and west of Lamar, Hopkins, Rains, Van Zandt, Henderson, Freestone, Limestone, Robertson, Brazos, Washing-

ton, Austin, Colorado, and Jackson Counties.

The purpose of this filing is to eliminate the gateways of: (A) Kansas City, Mo.; (B) (1) points in Missouri that are in the Kansas City, Mo.-Kansas City, Kans., commercial zone; (B) (2) points in Missouri that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., commercial zones; (C) points in Missouri that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., commercial zones, and Springfield, Mo.; (D) Memphis, Tenn.; (E) Memphis, Tenn., Evadale, Ark., and points in Kansas that are in the Kansas City, Kans.-Kansas City, Mo., commercial zone; (F), (G), (H) Memphis, Tenn.; (I) points in Arkansas that are within the Memphis, Tenn., commercial zone; (J), (K), (L) Kansas City, Mo.-Kansas City, Kans., commercial zone (a point formerly known as Turner, Kans.); (M) Kansas City, Kans., (a point formerly known as Turner, Kans.); (N) Kansas City, Mo.-Kansas City, Kans., commercial zone (a point formerly known as Turner, Kans.); (O), (P) points that are in both the Olathe, Kans., and Kansas City, Mo.-Kansas City, Mo., commercial zones (a point formerly known as Turner, Kans.); (Q) points in Kansas that are in both the Olathe, Kans., and Kansas City, Mo.-Kansas City, Mo., commercial zone (a point formerly known as Turner, Kans.), and Tulsa, Okla.; (R) Kansas City, Mo.-Kansas City, Kans., commercial zone (a point formerly known as Turner, Kans.); and (S) points that are in both the Olathe, Kans., and Kansas City, Mo.-Kansas City, Mo., commercial zones (a point formerly known as Turner, Kans.), and Springfield, Mo.

No. MC 92983 (Sub-No. E50), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., 818 Grand Ave., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) vegetable oils, in bulk, in tank vehicles: (1) From points in New York located in and west of Steuben, Schuyler, Seneca, and Wayne Counties to points in Iowa located in and south of Lee, Van Buren, Wapello, Monroe, Lucas, Clarke, Union, Adair, Cass, and Pottawattamie counties; (2) from points in New York located in and west of Chemung, Tompkins, and Cayuga counties (except points in and south and east of Rockland and Westchester Counties) to points in and south and west of Des Moines, Henry, Jefferson, Keokuk, Mahaska, Jasper, Story, Boone, Webster, Pocahontas, Clay, and Dickinson Counties; (3) from points in New York located in and south and east of Rockland and Westchester counties to points in Iowa located in and south and west of Muscatine, Johnson, Linn, Benton, Black Hawk, Bremer, Floyd, and Mitchell counties; (4) from points in New York located in Sullivan, Ulster, Greene, Columbia, Dutchess, Orange, Putnam, Westchester, and

Rockland Counties to points in Minnesota located in and west of Freeborn, Waseca, Blue Earth, Nicollet, Renville, Kandiyohi, Pope, Douglas, Otter Tail, Becker, Mahome, Polk, Pennington, Marshall, and Kittson counties; (5) from points in New York located in and south and east of Bronx County to points in Minnesota located in and west of Fillmore, Olmsted, Dodge, Rice, Scott, Hennepin, Sherburne, Mille Lacs, Kanarec, Aitkin, Itasca and Koochiching Counties; (B) vegetable oils, in bulk, in tank vehicles, from points in New York to points in Kansas and Nebraska; (C) such vegetable oils, as are embraced within liquid mixtures of animal feed ingredients, in bulk, in tank vehicles: (1) from points in New York located in and west of Tioga, Tompkins, and Cayuga counties to points in South Dakota located in and south and west of Gregory, Tripp, Mellette, Jones, Haakon, Meade, and Butte counties; (2) from points in New York, located in Broome, Cortland, Onondaga, Oswego, Jefferson, Lewis, Herkimer, Oneida, Madison, Chenango, Otsego, Delaware, and Sullivan Counties to points in South Dakota located in and south and west of Yankton, Bon Homme, Douglas, Brule, Buffalo, Lyman, Hughes, Sully Dewey, Ziebach, and Perkins Counties; (3) from points in New York located in and east of Orange, Ulster, Greene, Schoharie, Montgomery, Fulton, Hamilton, and St. Lawrence Counties to points in South Dakota located in and south and west of Yankton, Hutchinson, Davison, Aurora, Jerauld, Hand, Hyde, Potter, Walworth, and Corson counties; (D) vegetable oils, in bulk, in tank vehicles.

(D) Vegetable oils, in bulk, in tank vehicles: (1) From points in New York to points in Idaho and Oregon; (2) from points in New York located in and north and west of Orange and Putnam counties to points in Missouri and points in Illinois located in and west of Hancock, Schuyler, Cass, Morgan, Macoupin, Montgomery, Bond, Clinton, Marion, Jefferson, Franklin, Williamson, Johnson, and Massac counties (except Jacksonville, Ill.); (3) from points in New York located in and east and south of Rockland and Westchester counties to points in Illinois located in and west and south of Mercer, Knox, Fulton, Mason, Logan, Macon, Shelby, Effingham, Clay, Wayne, and White counties and to points in Missouri; (4) from points in New York to points in Idaho Oregon, Washington, and Wyoming; (E) Petroleum chemicals, in bulk, in tank vehicles: (1) From points in New York located in and west of Jefferson, Lewis, Herkimer, Otsego, Delaware, and Sullivan Counties to points in Wisconsin located in La Crosse County on and south of a line extending from La Crosse along U.S. Highway 53 to Onalaska, thence along Wisconsin Highway 157 to junction with U.S. Highway 16, thence along U.S. Highway to the eastern border of Sauk County, and to points in Vernon, Crawford and Grant Counties; (2) from points in New York located in and east of Orange, Ulster, Greene, Schoharie, Montgomery, Fulton, Hamilton, and St. Lawrence Counties to points

in Wisconsin located in La Crosse, Monroe, Juneau, and Sauk Counties on and south of a line extending from La Crosse along U.S. Highway 16 to the Eastern border of Sauk County, and to points in Vernon, Crawford, Grant, Richland, Iowa, and Lafayette counties; (F) such petroleum chemicals, as are embraced within contractor materials and supplies, in bulk, from points in New York to points in Minnesota; (G) such inedible fats, tallow, and grease as are embraced within chemicals, in bulk, in tank vehicles: From points in New York to Fairbault, St. Paul, and Minneapolis, Minn.

(H) Acids and chemicals (except petroleum products) and such acids and chemicals as are embraced within contractor materials and supplies, in bulk: (1) From points in New York located in and south and west of Cayuga, Onondaga, Madison, Otsego, Schoharie, Greene, and Columbia counties to points in Missouri located in and north and west of Pike, Montgomery, Osage, Miller, Camden, Dallas, Greene, Lawrence, and Barry counties; (2) from points in New York located in and north of Oswego, Oneida, Herkimer, Montgomery, Schenectady, Albany, and Rensselaer counties to points in Missouri located in and north and west of St. Charles, Franklin, Crawford, Dent Counties and that portion of Howell County located on and west of Missouri Highway 17; (3) from points in New York to points in Illinois located on and west of a line extending from the Iowa-Illinois State line along Interstate Highway 80 to junction with Interstate Highway 74, thence along Interstate Highway 74 to junction with Illinois Highway 97, thence along Illinois Highway 97 to junction with U.S. Highway 24, thence along U.S. Highway 24 to junction with Illinois Highway 107, thence along Illinois Highway 107 to junction with U.S. Highway 36, thence along U.S. Highway 36 to junction with U.S. Highway 54, thence along U.S. Highway 54 to the Illinois-Missouri State line; (I) acids and chemicals (except petroleum and petroleum products) in bulk: (1) From points in New York to points in Iowa (except Clinton and Jackson Counties) (2) from points in New York located on and east of a line extending from the New York-Pennsylvania State line along U.S. Highway 219 to junction with New York Highway 319, thence along New York Highway 319 to junction with New York Highway 75, thence along New York Highway 75 to Lake Erie to points in Iowa located in Clinton and Jackson Counties; (3) from points in New York located in and south and west of Dutchess, Ulster, Greene, Schoharie, Otsego, Herkimer, Lewis, and Jefferson Counties to points in Wisconsin located in and west of Grant, Crawford, Vernon, La Crosse, Trempealeau, points in Eau Claire, Chippewa, Rusk, Sawyer, and Bayfield Counties, points in Minnesota and South Dakota; (4) from points in New York located in and north and east of Columbia, Albany, Schenectady, Montgomery, Fulton, Hamilton, and St. Lawrence counties to points in Wisconsin

sin located in and west of Lafayette, Iowa, Sauk, Adams, Wood, Marathon, Lincoln, that portion of Oneida county located on and west of Wisconsin Highway 17 and Vilas Counties.

(J) *Chemicals* (except petroleum chemicals), in bulk: From points in New York to points in North Dakota; (K) *acids and chemicals*, in bulk, in tank vehicles from points in New York to Dallas, Texas; (L) *such polyvinyl acetate, linseed oil, linseed oil blends, linseed oil products, and paint materials* which are embraced within chemicals, in bulk, in tank vehicles from points in New York to Houston, Texas; (M) *Chemicals*, in bulk, (1) from points in New York located in and west of Oswego, Madison, Chenango, and Broome Counties to points in South Dakota located in and south and west of Gregory, Tripp, Mellette, Jackson, Pennington, Meade, and Butte Counties; (2) from points in New York located in and east of Delaware, Otsego, Oneida, Lewis, and Jeffersons Counties to points in South Dakota located in and south and west of Minnehaha, McCook, Hanson, Davison, Aurora, Jerauld, Buffalo, Lyman, Hughes, Stanley, Ziebach, and Perkins Counties; (N) *Acids and chemicals*, in bulk: (1) From points in New York to points in Montana (except Fallon, Prairie, Wibaux, Dawson, McCone, Richland, Roosevelt, Daniels, and Sheridan Counties) and Wyoming; (2) from points in New York located in and east of Broome, Cortland, Onondaga, and Oswego to points in Montana located in Fallon, Prairie, Wibaux, Dawson, McCone, Richland, Roosevelt, Daniels, and Sheridan Counties; (3) from points in New York located in and south and east of Orange, Ulster, Greene, Albany, and Rensselaer Counties to points in North Dakota located in Divide, Williams, McKenzie, Golden Valley, Billings, Slope, and Bowman Counties and that portion of Adams, Hettinger, Stark, and Dunn Counties located on and west of North Dakota Highway 22.

(O) *Acids and chemicals*, in bulk, from points in New York to points in Arizona, California, Nevada, New Mexico, Oregon, and Utah; (P) *Chemicals*, in bulk, in tank or hopper vehicles: (1) From points in New York located in and west of Oswego, Madison, Chenango, and Broome Counties to points in Nebraska located on and south and west of a line extending from the Nebraska-Iowa State line along Nebraska Highway 2 to junction with U.S. Highway 77, thence along U.S. Highway 77 to junction with Interstate Highway 80, thence along Interstate Highway 80 to junction with U.S. Highway 281, thence along U.S. Highway 281 to junction with Nebraska Highway 2, thence along Nebraska Highway 2 to junction with U.S. Highway 385, thence along U.S. Highway 385 to the Nebraska-South Dakota State line; (2) from points in New York located in Orange, Sullivan, Ulster, Delaware, Greene, Albany, Schoharie, Otsego, Montgomery, Schenectady, Fulton, Hamilton, Herkimer, Oneida, Lewis, Jefferson, and St. Lawrence Counties to points in Nebraska located on and south of a line extending along Nebraska

Highway 92 to junction with U.S. Highway 81, thence along U.S. Highway 81 to junction with Nebraska Highway 22, thence along Nebraska Highway 22 to junction with Nebraska Highway 39, thence along Nebraska Highway 39 to junction with Nebraska Highway 91, thence along Nebraska Highway 91 to junction with U.S. Highway 183, thence along U.S. Highway 183 to junction with U.S. Highway 20, thence along U.S. Highway 20 to junction with U.S. Highway 83, thence along U.S. Highway 83 to the Nebraska-South Dakota State line; (3) from points in New York located in and east and south of Franklin, Essex, Warren, Saratoga, Rensselaer, Columbia, Dutchess, Putnam, and Rockland Counties to points in Nebraska located on and south of a line extending from the Iowa-Nebraska State line along U.S. Highway 30 to junction with Nebraska Highway 91, thence along Nebraska Highway 91 to junction with U.S. Highway 275, thence along U.S. Highway 275 to junction with U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-South Dakota State line.

(4) From points in New York to points in Kansas and points in Missouri located in and west of Nodaway, Andrew, De Kalb, Caldwell, Ray, Lafayette, Johnson, Henry, St. Clair, Cedar, Barton, Jasper, Newton and McDonald Counties and points in Colorado; (5) from points in New York located in and north and east of St. Lawrence, Hamilton, Fulton, Montgomery, Schenectady, Albany, and Columbia counties to points in Missouri located in Worth, Gentry, Harrison, Daviess, Livingston, Carroll, Saline, Pettis, Benton, Hickory, Polk, Dade, Greene, Lawrence, Christian, Taney, Stone, and Barry Counties; (6) from points in New York to points in Arkansas located in Benton, Washington, Crawford, Sebastian, Scott, Polk, Sevier, and Little River Counties and points in Oklahoma; (7) from points in New York located in and north and east of Columbia, Albany, Schenectady, Montgomery, Fulton, Hamilton, and St. Lawrence Counties to points in Arkansas located in Boone, Carroll, Madison, Newton, Johnson, Franklin, Logan, Yell, Montgomery, Pike, Howard, Hempstead, and Miller Counties; (8) from points in New York located in and north and east of St. Lawrence, Hamilton, Fulton, Montgomery, Schenectady, Albany, and Columbia counties to points in Iowa located in Taylor, Page, Fremont, Adams, Montgomery, and Mills Counties, that portion of Ringgold county located on and west of U.S. Highway 169 and that portion of Pottawattamie county located on and west of U.S. Highway 59; (Q) *Caustic soda*, in bulk, in tank vehicles, from points in New York located in and north and west of Orange and Putnam counties to Houston, Texas; (R) *Liquid chemicals*, in bulk, in tank or hopper vehicles, from points in New York to points in Texas located in and west of Lamar, Hopkins, Rains, Van Zandt, Henderson, Freestone, Limestone, Robertson, Burleson, Lee, Fayette, Lavaca, Victoria, and Calhoun counties;

(S) *Acids and chemicals*, in bulk, (1) from points in New York located in and north and east of Columbia, Albany, Schenectady, Montgomery, Fulton, Hamilton, and St. Lawrence counties to points in Louisiana located in Caddo, De Soto, and Sabine Parishes; (2) from points in New York to points in Washington; (T) *cottonseed oil and soybean oil and blends and products thereof*, in bulk, in tank vehicles (1) from points in New York to Jackson, Mississippi; (U) *vegetable oils and vegetable oil products* (except soap products and paint) in bulk, in tank vehicles: (1) From points in New York located in and west of Tioga, Cortland, Onondaga, Oswego, and Jefferson Counties to points in Kansas located in and south of Cowley, Sumner, Harper, Barber, Kiowa, Ford, Finney, Kearny, and Hamilton Counties; (2) from points in New York located in and east of Broome, Chenango, Madison, Oneida, Lewis, and St. Lawrence counties (except Bronx, New York, Richmond, Kings, Queens, Nassau, and Suffolk Counties) to points in Kansas located in and south of Bourbon, Allen, Woodson, Greenwood, Butler, Harvey, Reno, Stafford, Pawnee, Rush, Ness, Gove, Logan, and Wallace Counties; (3) from points in New York located in Bronx, New York, Richmond, Kings, Queens, Nassau, and Suffolk counties to points in Kansas located in and south of Bourbon, Allen, Coffey, Lyon, Chase, Marion, Saline, Lincoln, Osborne, Rooks, Graham, Sheridan, Thomas, and Cheyenne counties; (4) from points in New York located in and west of Tioga, Cortland, Onondaga, Oswego, and Jefferson Counties to points in Colorado located in and south of Prowers, Bent, Otero, Pueblo, Fremont, Chaffee, Gunnison, and Mesa Counties; (5) from points in New York located in and east of Broome, Chenango, Madison, Oneida, Lewis, and St. Lawrence counties (except Bronx, New York, Richmond, Kings, Queens, Nassau, and Suffolk counties) to points in Colorado located in and south and west of Cheyenne, Lincoln, Arapahoe, Denver, Jefferson, Gilpin, Grand, and Rout Counties.

(6) From points in New York located in Bronx, New York, Richmond, Bronx, Queens, Kings, Nassau, and Suffolk counties to points in Colorado (except Yuma, Phillips, and Sedgwick); (7) from points in New York located in and east of Chemung, Tompkins, Cortland, Onondago and Oswego Counties (except Bronx, New York, Richmond, Kings, Queens, Nassau, and Suffolk counties) to points in Missouri located in and south of Pemiscott, Dunklin, Butler, Carter, Oregon, Howell, Douglas, Christian, Greene, Lawrence, and Jasper counties; (8) from points in New York located in Bronx, New York, Richmond, Kings, Queens, Nassau, and Suffolk counties to points in Missouri located in and south of Scott, Stoddard, Wayne, Reynolds, Shannon, Texas, Laclede, Dallas, Polk, Cedar, and Vernon counties; (9) from points in New York to points in Arkansas, Oklahoma, and Texas; (V) *vegetable oils and blends thereof*, in bulk, in tank vehicles, (1) from points in New York to points in Nevada; (2) from points in New York

to points in California; (W) *wine*, in bulk, in tank vehicles: (1) From points in New York (except Canadaigua and New York city commercial zone) to points in Iowa, Kansas, Missouri, and Wisconsin to points in the Upper Peninsula of Michigan located in and west of Delta and Alger counties, to points in Indiana located in and west of La Porte, Starke, Pulaski, White, Tippecanoe, Montgomery, Putnam, Owen, Greene, Daviess, Pike, Gibson, and Vanderburgh counties and to points in Tennessee located in and west of Henry, Carroll, Madison, and Hardeman counties; (2) from points in New York located in and west of Broome, Cortland, Onondaga, and Oswego counties to points in Illinois located in and west of Winnebago, Ogle, Lee, Bureau, Putnam, Stark, Peoria, Fulton, Schuyler, Cass, Morgan, Scott, and Pike Counties.

(3) From points in New York in and east of Delaware, Chenango, Madison, Oneida, Lewis, and Jefferson counties (except Canadaigua and New York city commercial zone) to points in Illinois located in and west of a line extending from the Illinois-Wisconsin State line along Illinois Highway 47 to junction with Illinois Highway 176, thence along Illinois Highway 176 to junction with Illinois Highway 23, thence along Illinois Highway 23 to junction with Illinois Highway 17, thence along Illinois Highway 17 to junction with U.S. Highway 51, thence along U.S. Highway 51 to junction with Illinois Highway 16, thence along Illinois Highway 16 to junction with Illinois Highway 127, thence along Illinois Highway 127 to junction with Illinois Highway 154, thence along Illinois Highway 154 to junction with Illinois Highway 150, thence along Illinois Highway 150 to the Illinois-Missouri State line; (X) *Vinegar*, in bulk, in tank vehicles, (1) from points in New York to points in Mississippi, Louisiana, and Oklahoma; (2) from points in New York located in and east of Delaware, Chenango, Madison, and Oswego counties to points in Alabama located in Mobile counties; (3) from points in New York located on and west of a line extending from the Alabama-Tennessee State line along U.S. Highway 43 to junction with U.S. Highway 84, thence along U.S. Highway 84 to junction with Alabama Highway 21, thence along Alabama Highway 21 to the Alabama-Florida State line, including the cities on the line; and (Y) *cider, juices and wine*, in bulk, in tank vehicles, from points in New York to points in Colorado, Idaho, Montana, South Dakota, and Wyoming; (Z) *such liquid animal protein* as is embraced within fats and oils (except petroleum and petroleum products, and molasses) in bulk, in tank vehicles.

(1) From Pearl River, N.Y., to points in Kansas and Nebraska and points in Missouri located in and north and west of Pike, Audrain, Callaway, Cole, Miller, Camden, Laclede, Dallas, Greene, Lawrence, Newton, and McDonald Counties; (2) from Pearl River, N.Y. to points in Colorado (except Henderson) and points in South Dakota (except Roberts and

Marshall) and to points in North Dakota located in and west of Dickey, La Moure, Stutsman, Foster, Eddy, Ramsey, and Townier counties and points in Oklahoma located in and west of Kay, Noble, Logan, Oklahoma, Cleveland, McClain, Garvin, Murray, Carter, and Love Counties and to points in Texas located in and west of Cooke, Denton, Tarrant, Johnson, Bosque, Coryell, Lampasas, Burnet, Blanco, Comal, Bexar, Medina, Frio, La Salle, and Webb counties; (3) from Pearl River, N.Y., to points in California; (4) from Pearl River, N.Y., to points in Nevada; (5) from Pearl River, N.Y., to points in Idaho, Oregon, Washington, and Wyoming.

The purpose of this filing is to eliminate the gateways of: (A) St. Louis, Mo.; (B) Duplo, Ill., a point in the St. Louis, Mo., commercial zone; (C) Duplo, Ill., a point in the St. Louis, Mo., commercial zone and Crete, Nebr.; (D) (1), (4) Duplo, Ill., a point in the St. Louis, Mo., commercial zone and Kansas; (D) (2)-(3) Duplo, Ill., a point in the St. Louis, Mo., commercial zone; (E) Iowa City, Iowa, a point within 5 miles of Coralville, Iowa; (F), (G) Iowa City, Iowa; (H), (I) Iowa City, Iowa, a point within 15 miles of Windham, Iowa; (J) Iowa City, Iowa, a point within 15 miles of Windham, Iowa, and Des Moines, Iowa; (K) Iowa City, Iowa, and the Kansas City, Kans.-Kansas City, Mo., commercial zone; (L) Iowa City, Iowa and Kansas City, Mo.; (M), (N) Iowa City, Iowa and Kansas City, Kans.; (O) Iowa City, Iowa, and the Kansas City, Kans.-Kansas City, Mo., commercial zone; (P) Iowa City, Iowa, and points that are in both the Olathe, Kans., and Kansas City, Kans., commercial zones; (Q) Iowa City, Iowa, points that are in both the Olathe, Kans., and Kansas City, Kans., commercial zones and Tulsa, Okla.; (R) Iowa City, Iowa, points that are in both the Kansas City, Kans., and Olathe, Kans., commercial zones, and Springfield, Mo.; (S) Iowa City, Iowa, and Kansas City, Kans.-Kansas City, Mo., commercial zone (T), (U) Memphis, Tenn., (V) (1) Memphis, Tenn., and Nebraska; (V) (2) Memphis, Tenn., and Colorado; (W) (1) Chicago, Ill.; (W) (2) Chicago, Ill., and Clinton, Iowa; (X) points in Arkansas that are within the Memphis, Tenn., commercial zone; and (Y) Atchison, Kans. (Z) (1) Frytown, Iowa, (Z) (2) Frytown, Iowa, and Crete, Nebr.; (Z) (3) Frytown, Iowa, Crete, Nebr., and Colorado; (Z) (4) Frytown, Iowa and Nebraska, and (Z) (5) Frytown, Iowa and Kansas.

No. MC 92983 (Sub-No. E51), filed June 4, 1974. Applicant: AMERICAN BULK TRANSPORT CO., 818 Grand Ave., P.O. Box 2508, Kansas City, Mo. 64142. Applicant's representative: H. B. Foster (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Molasses*, when intended for use as animal or poultry feed or feed ingredients, in bulk, in tank vehicles; (1) from Fargo, N. Dak., to points in Iowa located on, south and east of a line extending from the Mississippi River along Iowa

Highway 64 to the northern border of the Cedar Rapids City limits, thence along the northern and western borders to the junction of Iowa Highway 149, thence along Iowa Highway 149 to the western border of Linn County and points in and east of Johnson, Washington, Keokuk, Wapello, and Davis Counties, to points in Missouri located in and east of Schuyler, Adair, Macon, Chariton, Saline, Pettis, Benton, Hickory, Polk, Greene, Christian, and Stone Counties, and to points in Arkansas (except Benton County); (2) from Fargo, N. Dak., to points in South Carolina located in and west of Spartanburg, Laurens, Greenwood, Edgefield, Aiken, Barnwell, Bamberg, and Colleton Counties, and to points in Florida; (3) from Fargo, N. Dak., to Memphis, Tenn.; (4) from Fargo, N. Dak., to points in Louisiana; (B) *acids and chemicals*, in bulk, in tank vehicles, from points in North Dakota to Dallas, Tex.; (C) *such polyvinyl acetate, linseed oil, blends, and products thereof* which may be included in chemicals, in bulk, in tank vehicles, and *paint materials*, in bulk, in tank vehicles, from points in North Dakota to Houston, Tex.; (D) *acids and chemicals*, in bulk, (1) from points in North Dakota to points in North Carolina and South Carolina, (2) from points in North Dakota located east of U.S. Highway 281, to points in Kentucky located in and south of Jefferson, Shelby, Franklin, Woodford, Fayette, Bourbon, Bath, Rowan, Carter, and Boyd Counties; (3) from points in North Dakota located on and west of U.S. Highway 281, including the Jamestown Commercial Zone to points in Kentucky; (4) from points in North Dakota located on and west of U.S. Highway 281, including the Jamestown Commercial Zone to points in Ohio located in Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, and Gallia Counties; (5) from points in North Dakota located on and west of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 6 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, including the Bismarck and Minot Commercial Zones, to points in Ohio located in Butler, Warren, Clinton, Highland, Ross, Pike, Jackson, Vinton, Meigs, and Athens Counties.

(E) *Trichloromonofluoromethane, dichlorodifluoromethane, monochlorodifluoromethane, trichlorotrifluoroethane, dichlorotetrafluoroethane and mixtures thereof*, in bulk, in tank vehicles, from points in North Dakota to points in Alabama (except Fox); (F) *chemicals*, in bulk; (1) from points in North Dakota located on and west of U.S. Highway 281, including the Jamestown Commercial Zone, to points in New Jersey; (2) from points in North Dakota located on and west of North Dakota Highway 32 to Philadelphia, Pa., and New York, N.Y., and Nassau and Suffolk Counties, N.Y.; (3) from points in North Dakota located on and west of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 6 to junction U.S. Highway 83, thence along

U.S. Highway 83 to the United States-Canada Border, including the Bismarck and Minot Commercial Zones, to points in New York (except those located in and west of Oswego, Oneida, Madison, Chenango, Broome, Nassau, and Suffolk Counties, and New York City), and to points in Pennsylvania (except those located in and north of Beaver, Allegheny, Butler, Armstrong, Jefferson, Clearfield, Clinton, Lycoming, Sullivan, Bradford, and Susquehanna Counties and Philadelphia); (4) from points in North Dakota located east of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 6 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, to points in Maryland located in St. Marys, Charles, and Calvert Counties, to points in Virginia located in and south of Green, Madison, and Stafford Counties, and points in Rockingham County located south of U.S. Highway 33, and points in Culpepper County located south of U.S. Highway 29, and to points in West Virginia located in Cabell, Putnam, Kanawha, Clay, Nicholas, Webster, and Pocahontas Counties; (5) from points in North Dakota located on and west of a line extending from the United States-Canada Border along North Dakota Highway 3 to junction unnumbered highway 7 miles north of Pillsbury, thence along unnumbered highways, through Luverne, to the junction of Interstate Highway 94, 4 miles east of Valley City, thence along Interstate Highway 94 to junction North Dakota Highway 1, thence along North Dakota Highway 1 to the North Dakota-South Dakota State line, to points in District of Columbia and Delaware; (6) from points in North Dakota located on and west of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 6 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, including the Bismarck and Minot Commercial Zones, to points in Maryland, Virginia, and points in West Virginia (except Hancock, Brooke, Ohio, Marshall, Wetzell, Tyler, and Pleasants Counties).

(G) *Anhydrous ammonia* (except those derived from petroleum or petroleum products), in bulk, in tank vehicles; from points in North Dakota to points in Alabama within 400 miles of Woodstock, Tenn.; (H) *phosphoric acid*, in bulk, in tank vehicles; from points in North Dakota to points in Alabama; (I) *acetic acid*, in bulk, in tank vehicles, from points in North Dakota to points in Alabama; (J) *acids and chemicals*, in bulk, in tank or hopper vehicles; (1) from points in North Dakota to points in Arkansas; (2) from points in North Dakota to points in Missouri located in and south of Pike, Audrain, Monroe, Randolph, Chariton, Livingston, Caldwell, Clinton, and Buchanan Counties (except St. Joseph); (3) from points in North Dakota to points in Oklahoma located in and east of Grant, Garfield,

Kingfisher, Canadian, Caddo, Comanche, and Cotton Counties; (4) from points in North Dakota located in and east of Cass, Barnes, Griggs, Foster, Wells, Pierce, McHenry, Ward, and Burke Counties, to points in Oklahoma located in Alfalfa, Woods, Major, Blaine, Dewey, Custer, Washita, Kiowa, Tillman, and Jackson Counties; (5) from points in North Dakota to points in Kansas located in and east of Atchison, Jefferson, Shawnee, Osage, Lyon, Greenwood, Butler, and Cowley Counties; (6) from points in North Dakota located in and north of Williams, Mountrail, Ward, McHenry, Pierce, Benson, Nelson, and Grand Forks Counties, to points in Kansas located in Harper, Sumner, Sedgwick, and Chase Counties; (K) *acids and liquid chemicals* (except chemicals derived from petroleum and petroleum products), in bulk, in tank vehicles; (1) from points in North Dakota located in and south of Divide, Williams, Mountrail, McLean, Burleigh, Kidder, Logan, La Moure, and Dickey Counties, to points in Texas located in and east of Webb, La Salle, Frio, Medina, Bandera, Kendall, Gillespie, Mason, San Saba, Brown, Eastland, Stephens, Young, and Archer Counties, and points in Wichita County located on and east of U.S. Highway 277, including the Wichita Falls Commercial Zone (except Harris, Jefferson, and Orange Counties); (2) from points in North Dakota located in and north of Burke, Ward, McHenry, Sheridan, Wells, Stutsman, Haskell, Jones, Taylor, Runnels, Tom Green, Schleicher, Sutton, and Val Verde Counties (except Harris, Jefferson, and Orange Counties).

(L) *Caustic soda*, in bulk, in tank vehicles; from points in North Dakota to Houston, Tex.; (M) *such fats and grease* as are embraced within chemicals, in bulk, in tank vehicles; from points in Bowman County, N. Dak., to points in Maine (except those located in York, Oxford, and Franklin Counties); (N) *such fats and oils, blends, and products* thereof as are embraced within chemical (except fats and oils, blends, and products thereof derived from petroleum, soap products, and paint), in bulk, in tank vehicles, from points in North Dakota to points in Florida; (O) *arsenic acid*, in bulk, in tank vehicles and *agricultural insecticides*, in bulk, in hopper vehicles; from points in North Dakota to points in Alabama (except Bay Minetta); (P) *acids and chemicals*, in bulk, in tank or hopper vehicles; (1) from points in North Dakota to points in Mississippi; (2) from points in North Dakota to points in Tennessee located in, west and south of Macon, Jackson, Overton, Fentress, Morgan, Anderson, Knox, and Sevier Counties; (3) from points in North Dakota located on and west of a line extending from the North Dakota-South Dakota State line along U.S. Highway 281 to junction North Dakota Highway 20, thence along North Dakota Highway 20 to the United States-Canada Border, including the Jamestown Commercial Zone, to points in Tennessee located in and east of

Clay, Pickett, Scott, Campbell, Union, Grainger, Jefferson, and Cocke Counties; (Q) *acids and chemicals*, in bulk, from points in North Dakota to points in Louisiana; (R) *acids and chemicals* (except liquid hydrogen, liquid oxygen and liquid nitrogen), in bulk, from points in North Dakota to points in Georgia; (S) *acids and chemicals*, in bulk; (1) from points in North Dakota to points in Connecticut located on and east of Interstate Highway 91, including the Hartford and New Haven Commercial Zones; (2) from points in North Dakota located on and west of North Dakota Highway 32 to points in Connecticut located west of Interstate Highway 91; (T) *acids and chemicals*, in bulk, (except in tank vehicles); (1) from points in North Dakota to points in Indiana located in and south of Sullivan, Greene, Lawrence, Washington, and Clark Counties; (2) from points in North Dakota located on and west of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 6 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, including the Bismarck and Minot Commercial Zones, to points in Indiana located in Vermillion, Vigo, Clay, Parke, Putnam, Owen, Morgan, Monroe, Brown, Bartholomew, Jackson, Jennings, Scott, Jefferson, Switzerland, Ohio, Hendricks, Marion, Johnson, Hancock, Shelby, Decatur, Rush, Riley, Dearborn, Franklin, Fayette, and Union Counties.

(U) *liquid chemicals*, in bulk, in tank or hopper vehicles; (1) from points in North Dakota located in and south of Williams, Mountrail, McLean, Sheridan, Wells, Stutsman, Barnes, Ransom, and Richland Counties, to points in Texas located in and east of Grayson, Denton, Tarrant, Johnson, Somervell, Bosque, Coryell, Lampass, Burnet, Blanco, Kendall, Bexar, Atascosa, Frio, La Salle, and Webb Counties (except Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, and Montgomery Counties); (2) from points in North Dakota located north of Williams, Mountrail, McLean, Sheridan, Wells, Stutsman, Barnes, Ransom, and Richland Counties, to points in Texas located in and east of Montague, Jack, Palo Pinto, Erath, Comanche, Mills, San Saba, Mason, Gillespie, Kerr, Real, Uvalde, and Maverick Counties (except Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, and Montgomery Counties); (V) *acids and chemicals*, in bulk, in tank vehicles; (1) from points in North Dakota located east of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 8 to junction North Dakota Highway 200, thence along U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, to points in Iowa located in and south of Scott, Muscatine, Louisa, and Washington Counties, and points on and east of a line extending from the northern border of Keokuk County along Iowa Highway 149 to junction U.S. Highway 63, thence along U.S. Highway 63 to the

Iowa-Missouri State line, including the Ottumwa Commercial Zone; (2) from points in North Dakota located on and west of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 8 to junction North Dakota Highway 200, thence along North Dakota Highway 200 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, including the Minot Commercial Zone, to points in Iowa located in and east of Appanoose, Monroe, Mahaska, Keokuk, Iowa, Johnson, Cedar, and Clinton Counties; (3) from points in North Dakota located east of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 22 to junction North Dakota Highway 200, thence along North Dakota Highway 200 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, to points in Illinois located in and south of Rock Island, Henry, Bureau, La Salle, Kendall, and Will Counties; (4) from points in North Dakota located on and west of a line extending from the North Dakota-South Dakota State line along North Dakota Highway 22 to junction North Dakota Highway 200, thence along North Dakota Highway 200 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, including the Minot and Dickinson Commercial Zones, to points in Illinois located in and south of Carroll, Ogle, DeKalb, Kane, and Cook Counties.

(5) From points in North Dakota located in Traill, Cass, Richland, Ransom, and Sargent Counties, to points in Indiana located on, east and south of a line extending from the Indiana-Illinois State line along Indiana Highway 2 to junction Indiana Highway 49, thence along Indiana Highway 49 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 421, thence along U.S. Highway 421 to Michigan City, on Lake Michigan, including the Valparaiso and Michigan City Commercial Zones; (6) from points in North Dakota (except those located in Traill, Cass, Richland, Ransom, and Sargent Counties), to points in Indiana; (7) from points in North Dakota (except those located on and north of a line extending from the North Dakota-Montana State line along North Dakota Highway 68 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction North Dakota Highway 23, thence along North Dakota Highway 23 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, including the Minot Commercial Zone), to points in Missouri located in and east of Stone, Christian, Greene, Polk, Hickory, Camden, Morgan, Cooper, Howard, and Randolph Counties, and points in Macon, Adair, and Schuyler Counties, located on and east of a line extending from the southern border of Macon County along Missouri Highway 3 to junction U.S. Highway 63, thence along U.S. Highway

63 to the Missouri-Iowa State line including the Kirksville Commercial Zone; (8) from points in North Dakota located on and north of a line extending from the North Dakota-Montana State line along North Dakota Highway 68 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction North Dakota Highway 23, thence along North Dakota Highway 23 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada Border, including the Minot Commercial Zone, to points in Missouri located in and east of Barry, Lawrence, Dade, Cedar, St. Clair, Henry, Carroll, Livingston, Grundy, and Mercer Counties, and points in Lafayette, and Johnson Counties located on and east of Missouri Highway 13; (W) *liquid chemicals*, in bulk, in tank vehicles, from points in North Dakota to points in Connecticut, New Jersey, and Rhode Island.

(X) *Acids and chemicals*, in bulk, in tank vehicles, (1) from points in North Dakota to points in Ohio; (2) from points in North Dakota located on and west of U.S. Highway 281, including the Jamestown Commercial Zone, to points in Michigan located in and south of Ottawa, Kent, Ionia, Clinton, Ingham, Livingston, Oakland, and Macomb Counties; (3) from points in North Dakota located on and west of U.S. Highway 83, including the Bismarck and Minot Commercial Zones, to points in Michigan located in Mason, Lake, Oceanna, Muskegon, Newaygo, Mecosta, Montcalm, Isabella, Midland, Gratiot, Saginaw, Shawassee, Genesee, Lapeer, and St. Clair Counties; and (Y) *dry or liquid chemicals*, in bulk, in tank vehicles, from points in North Dakota to points in Kentucky.

The purpose of this filing is to eliminate the gateways of (A) (1) Muscatine, Iowa; (A) (2) Muscatine, Iowa, and points in Arkansas that are within the Memphis, Tenn., Commercial Zone; (A) (3) Muscatine, Iowa, and Missouri; (A) (4) Muscatine, Iowa, and Kansas City, Kans.; (B) (C) and (D) Kansas City, Mo.; (E) Kansas City, Mo., and Marshall County, Ky.; (F) Kansas City, Mo.; (G) Kansas City, Mo., Saginaw, Mo., and points within 15 miles thereof, and Woodstock, Tenn.; (H) Kansas City, Mo.; Saginaw, Mo., and points within 15 miles thereof, and Columbia, Tenn.; (I) Kansas City, Mo.; Saginaw, Mo.; and points within 15 miles thereof, and Memphis, Tenn.; (J) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., Commercial Zones; (K) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., Commercial Zones, and Lawrence, Kans.; (L) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., Commercial Zones, and Tulsa, Okla.; (M) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., Commercial Zones, and Dubuque, Iowa; (N), (O) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., Commercial Zones and points in

Arkansas that are within the Memphis, Tenn., Commercial Zone; (P) points that are in both the Olathe, Kans., and the Kansas City, Kans.-Kansas City, Mo., Commercial Zones, and Saginaw, Mo., and points within 15 miles thereof; (Q), (R), (S), and (T) Kansas City, Mo.; (U) points that are in both the Olathe, Kans., and Kansas City, Kans.-Kansas City, Mo., Commercial Zones, and Verona, Mo.; (V) Burlington, Iowa; (W) Burlington, Iowa, and Muscatine, Iowa; (X) Burlington, Iowa, and the plant site of Blockson Chemical Co., at or near Joliet, Ill.; and (Y) Burlington, Iowa, and Wyoming, Ill.

No. MC 109637 (Sub-No. E30) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, as described in Appendix XIII, from Jefferson County, Ky., Clark and Floyd Counties, Ind., to points in Alabama, Arkansas, Georgia, Mississippi, and points in Barry, Barton, Carter, Christian, Dade, Douglas, Greene, Howell, Jasper, Lawrence, McDonald, Newton, Oregon, Ozark, Ripley, Stone, Shannon, Taney, Texas, Vernon, Webster, and Wright Counties, Mo. The purpose of this filing is to eliminate the gateway of Roberson County, Tenn. The purpose of this correction is to clarify the commodity description.

No. MC 109637 (Sub-No. E38) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, as described in Appendix XIII, from Covington, Ky., to points in Alabama, Georgia, Mississippi, and points in Tennessee on and west of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 231 to junction U.S. Highway 70S, thence along U.S. Highway 70S to junction Tennessee Highway 30, thence along Tennessee Highway 30 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Georgia-Tennessee State line. The purpose of this filing is to eliminate the gateways of Clark County, Ind., and Robertson County, Tenn. The purpose of this correction is to clarify the commodity description.

No. MC 109637 (Sub-No. E41) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, as described in Appendix XIII, from Cincinnati, Ohio, to points in Alabama, Arkansas, Georgia, Mississippi, Missouri, on and south of U.S. Highway 60 and points in Tennessee. The purpose of this filing is to eliminate the gateway of Robertson County, Tenn. The purpose of this correction is to clarify the commodity description.

No. MC 109637 (Sub-No. E42) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, as described in Appendix XIII (except benzol, toluol, and xylol), from Louisville and West Point, Ky., to points in Kansas, Louisiana, Minnesota, Nebraska, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateways of Troy, Ind., and Calvert City, Ky. The purpose of this correction is to clarify the commodity description.

No. MC 109637 (Sub-No. E43) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, as described in Appendix XIII (except benzol, toluol, and xylol), from Lucas County, Ohio, to points in Arkansas, points in Florida on and west of U.S. Highway 231, points in Kansas and Louisiana, points in Missouri on and south of U.S. Highway 60, and points in Oklahoma and Texas. The purpose of this filing is to eliminate the gateways of Jefferson County, Ky., Troy, Ind., and Calvert City, Ky. The purpose of this correction is to clarify the commodity description.

No. MC 109637 (Sub-No. E44) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, as described in Appendix XIII, from Lucas County, Ohio, to points in Alabama, Arkansas, Georgia, Mississippi, and points in Tennessee on and west of U.S. Highway 25E. The purpose of this filing is to eliminate the gateways of Jefferson County, Ky., and Robertson County, Tenn. The purpose of this correction is to clarify the commodity description.

No. MC 109637 (Sub-No. E46) (Correction), filed May 29, 1974, published in

the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, as described in Appendix XIII (except benzol, toluol, and xylol), from Owensboro, Ky., to points in Arkansas, Escambia and Santa Rosa Counties, Fla., and points in Florida on and south of Florida Highway 40, points in Kansas, Louisiana, and Missouri, on and south of U.S. Highway 60, and points in Oklahoma and Texas. The purpose of this filing is to eliminate the gateways of Troy, Ind., and Calvert City, Ky. The purpose of this correction is to clarify the commodity description.

No. MC 109637 (Sub-No. E47) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, as described in Appendix XIII, from the Petroleum Products Terminal of the LaGloria Oil & Gas Co., near Seymour, Ind., the Terminal site of the Texas Eastern Transmission Corp., at or near Lebanon, Warren County, Ohio, and Hamilton County, Ohio, to points in Arkansas, Florida, Louisiana, Oklahoma, Texas, and points in Kansas, on, west, and south, of a line beginning at the Nebraska-Kansas State line and extending along U.S. Highway 81 to junction State Highway 196, thence along State Highway 196 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Missouri State line. The purpose of this filing is to eliminate the gateway of Calvert City, Ky. The purpose of this correction is to clarify the commodity description.

No. MC 109637 (Sub-No. E51) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 3, 1975. Applicant: SOUTHERN TANK LINES, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, as described in Appendix XIII (except benzol, toluol, and xylol), from the Terminal site of the Texas Eastern Transmission Corp., at or near Princeton, Gibson County, Ind., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, points on and west of U.S. Highway 81, and points in Kansas on, west, and south, of a line beginning at the Nebraska-Kansas State line and extending along U.S. Highway 81 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Missouri State line. The pur-

pose of this filing is to eliminate the gateway of Calvert City, Ky. The purpose of this correction is to clarify the commodity description.

No. MC 112520 (Sub-No. E46), filed December 11, 1975. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (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 Florida (except points within Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Louisiana. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E47), filed December 11, 1975. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (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 Florida (except points Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Arkansas. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E48), filed December 11, 1975. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Missouri. The purpose of this filing is to eliminate the gateway of points in Escambia or Santa Rosa Counties, Fla.

No. MC 112520 (Sub-No. E49), filed December 11, 1975. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil* obtained by chemical means (except tall oil and naval stores) in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Kansas. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E50), filed December 11, 1975. Applicant: MCKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to



operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *vegetable oil* obtained by chemical means (except tall oil and naval stores) in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk and Manatee Counties, Fla.), and points northeast of a line beginning at the Florida-Georgia State line and extending over U.S. Highway 441 to Lake City, Fla., thence over Florida Highway 100 to Starke, Fla., thence over Florida Highway 16 to St. Augustine, Fla.) and from Wales and Eaton Park, Fla., to points in Illinois (except Jacksonville, IL). The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E51), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions and anhydrous ammonia*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Arkansas. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E52), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *vegetable oil* obtained by chemical means, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Maryland. The purpose of this filing is to eliminate the gateway of points in Lowndes County, Ga.

No. MC 112520 (Sub-No. E53), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil* obtained by chemical means, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in West Virginia. The purpose of this filing is to eliminate the gateway of points in Lowndes County, Ga.

No. MC 112520 (Sub-No. E54), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil* obtained by chemical

means, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in North Carolina. The purpose of this filing is to eliminate the gateway of points in Lowndes County, Ga.

No. MC 112520 (Sub-No. E55), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Louisiana. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E56), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.), and points northeast of a line beginning at the Florida-Georgia State line and extending over U.S. Highway 441 to Lake City, Fla., thence over Florida Highway 100 to Starke, Fla., thence over Florida Highway 16 to St. Augustine, Fla.) and from New Wales and Eaton Park, Fla., to points in Mississippi. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E57), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil* obtained by chemical means (except tall oil and naval stores), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Mississippi. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E58), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil* obtained by chemical means (except tall oil and naval stores), in bulk, in tank vehicles, from points in

Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Texas. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E59), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil* obtained by chemical means (except tall oil and naval stores), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Louisiana. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E60), filed December 11, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.), and points west of Florida Highway 79 and from New Wales and Eaton Park, Fla., to points in Alabama on and south of a line beginning at the Alabama-Mississippi State line near Isney, Ala., thence over U.S. Highway 84 to Opp, Ala., thence over Alabama Highway 52 to Samson, Ala., thence over Alabama Highway 87 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Panama City, Fla.

No. MC 112520 (Sub-No. E61), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Creosote oil*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk and Manatee County, Fla.) and from New Wales and Eaton Park, Fla., to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E62), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F.

Panebianco (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 Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E63), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions and anhydrous ammonia*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E64), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqueous ammonia*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E65), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *vegetable oil* obtained by chemical means (except tall oil and naval stores)

in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E66), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such petroleum products as are liquid chemicals* in bulk in tank vehicles from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E67), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molten sulphur*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and Eaton Park, Fla., to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of points in Santa Rosa or Escambia Counties, Fla.

No. MC 112520 (Sub-No. E68), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products* in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla.) and from New Wales and

Eaton Park, Fla., to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E69), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molten sulphur*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points northeast of a line beginning at the Florida-Georgia State line, extending over U.S. Highway 441 to Lake City, Fla., thence over Florida Highway 100 to Starke, Fla., thence over Florida Highway 16 to St. Augustine, Fla.) to points in Mississippi. The purpose of this filing is to eliminate the gateway of points in Santa Rosa or Escambia, Fla.

No. MC 112520 (Sub-No. E70), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions and anhydrous ammonia*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points southeast of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line) to points in Kentucky. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E71), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (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 Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points east of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line) to points in Kentucky. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E72), filed December 12, 1975. Applicant: McKEN-

ZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions and Anhydrous ammonia*, in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points east of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line) to points in Tennessee. The purpose of this filing is to eliminate the gateway of Pace, Florida.

No. MC 112520 (Sub-No. E73), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (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 Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points east of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line) to points in Tennessee. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E74), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil* obtained by chemical means (except tall oil products) in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and those on and north of a line beginning at Panama City, Fla., thence over U.S. Highway 231 to junction Florida Highway 20, thence over Florida Highway 20 to Tallahassee, Fla., thence over Interstate Highway 10 to junction Interstate Highway 75, thence over Interstate Highway 75 to Lake City, Fla., thence over Florida Highway 100 to Starke, Fla., thence over Florida Highway 16 to St. Augustine, Fla.) and from New Wales and Eaton Park, Fla., to points in South Carolina. The purpose of this filing is to eliminate the gateway of points in Lowndes County, Ga.

No. MC 112520 (Sub-No. E75), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Liquid chemicals* (except aluminum sulphate, vegetable oil, and naval stores), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points west of Florida Highway 79) and from New Wales and Eaton Park, Fla., to points in Arkansas. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E76), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except Aluminum sulphate, vegetable oil, and naval stores), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk and Manatee Counties, Fla., and points west of a line beginning at Gulf Resort Beach, Fla., thence over Florida Highway 79 to the Florida-Alabama State line near Noma, Fla., and points northeast of a line beginning at the Florida-Georgia State line, extending over U.S. Highway 441 to Lake City, Fla., thence over Florida Highway 100 to Starke, Fla., thence over Florida Highway 16 to St. Augustine, Fla.) and from New Wales and Eaton Park, Fla., to points in Mississippi (except points south of a line beginning at the Mississippi-Louisiana State line near Crossroads, Miss., thence over Mississippi Highway 26 to Lucedale, Miss., thence over U.S. Highway 98 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E77), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except aluminum sulphate, vegetable oil, and naval stores), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points on and north of a line beginning at Panama City, Fla., thence over U.S. Highway 231 to junction Florida Highway 20, thence over Florida Highway 20 to Tallahassee, Fla., thence over Interstate Highway 10 to junction Interstate Highway 75, thence over Interstate Highway 75 to Lake City, Fla., thence over Florida Highway 100 to Starke, Fla., thence over Florida Highway 16 to St. Augustine, Fla.) and from New Wales and Eaton Park, Fla., to points in Tennessee on and west of U.S. Highway 127. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E78), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco

(same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except Phosphatic feed supplements), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points on and north of a line beginning at Gulf Harbor, Fla., thence over U.S. Highway 19 to junction Florida Highway 52, thence over Florida Highway 52 to Dade City, Fla., thence over U.S. Highway 98 to Ridge Manor, Fla., thence over Florida Highway 50 to Orlando, Fla., thence over U.S. Highway 17 to Kissimmee, Fla., thence over U.S. Highway 192 to Indianland, Fla.) and from New Wales and Eaton Park, Fla., to points in Tennessee. The purpose of this filing is to eliminate the gateway of Tampa, Fla.

No. MC 112520 (Sub-No. E79), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except phosphatic feed supplements), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points on and north of a line beginning at Gulf Harbors, Fla., thence over U.S. Highway 19 to junction Florida Highway 52, thence over Florida Highway 52 to Dade City, Fla., thence over U.S. Highway 98 to Ridge Manor, Fla., thence over Florida Highway 50 to Orlando, Fla., thence over U.S. Highway 17 to Kissimmee, Fla., thence over U.S. Highway 192 to Indianland, Fla.) and from New Wales and Eaton Park, Fla., to Charleston, W. Va. The purpose of this filing is to eliminate the gateway of Tampa, Fla.

No. MC 112520 (Sub-No. E80), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except aluminum sulphate, vegetable oil, and naval stores), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points west of Florida Highway 79) and from New Wales and Eaton Park, Fla., to points in Louisiana. The purpose of this filing is to eliminate the gateway of Port St. Joe, Fla.

No. MC 112520 (Sub-No. E81), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil obtained by chemical means* (except tall oil and naval stores) in bulk, in tank vehicles, from points in

Florida on and west of Florida Highway 71 to points in Ohio. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E81), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil obtained by chemical means* (except tall oil and naval stores), in bulk, in tank vehicles, from points in Florida on and west of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line, to points in Tennessee. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E83), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except phosphatic feed supplements), in bulk, in tank vehicles, from points in Florida (except points in Hillsborough, Polk, and Manatee Counties, Fla., and points north of a line beginning at Gulf Harbor, Fla., thence over U.S. Highway 19 to junction Florida Highway 52, thence over Florida Highway 52 to Dade City, Fla., thence over U.S. Highway 98 to Ridge Manor, Fla., thence over Florida Highway 50 to Orlando, Fla., thence over U.S. Highway 17 to Kissimmee, Fla., thence over U.S. Highway 192 to Indialantic, Fla.), and from New Wales and Eaton Park, Fla., to points in Mississippi. The purpose of this filing is to eliminate the gateway of Tampa, Fla.

No. MC 112520 (Sub-No. E84), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Florida on and west of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line, to points in Kentucky. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E85), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin derivatives, and liquid tall oil products*, in bulk, in tank vehicles, from points in Florida on and west of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line, to points in Indiana. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E86), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds, liquid rosin, liquid rosin derivatives, liquid tall oil products, and liquid foundry core compounds*, from points in Florida on and west of Florida Highway 71 to points in Ohio. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E87), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resinous compounds*, in bulk, in tank vehicles, from points in Florida on and west of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line, to points in Tennessee. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E88), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil obtained by chemical means* (except tall oil and naval stores) in bulk, in tank vehicles, from points in Florida on and west of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line, to points in Kentucky. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E89), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Vegetable oil obtained by chemical means* (except tall oil and naval stores) in bulk, in tank vehicles, from points in Florida on and west of a line beginning at Port St. Joe, Fla., and extending over Florida Highway 71 to Blountstown, Fla., thence over Florida Highway 69 to Greenwood, Fla., thence over Florida Highway 71 to the Florida-Alabama State line, to points in Indiana. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E90), filed December 12, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (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 Georgia to points in Louisiana on and south of a line beginning near Many, La., on the Louisiana-Texas State line, thence over Louisiana Highway 6 to Natchitoches, La., thence over Louisiana Highway 1 to New Roads, La., thence over Louisiana Highway 10 to the Louisiana-Mississippi State line near Bogalusa, La. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E91), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid rosin soap, liquid rosin and toluene mixture, and liquid rosin and benzine mixtures*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Alabama State line near Columbus, Ga., thence over U.S. Highway 280 to Blitchton, Ga., thence over U.S. Highway 80 to Savannah, Ga., thence over U.S. Highway 17 to the Georgia-South Carolina State line to points in Oklahoma on and south of a line beginning at the Oklahoma-Texas State line near Sweetwater, Okla., thence over Oklahoma Highway 6 to junction Oklahoma Highway 152, thence over Oklahoma Highway 152 to Sayre, Okla., thence over U.S. Highway 66 to Clinton, Okla., thence over Interstate Highway 40 to the Oklahoma-Arkansas State line. The purpose of this filing is to eliminate the gateway of Panama City, Fla.

No. MC 112520 (Sub-No. E93), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicles, from points in Georgia to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line, thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. High-

way 31 to Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of points in Santa Rosa or Escambia Counties, Fla.

No. MC 112520 (Sub-No. E94), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rosin solutions*, in bulk, in tank vehicles, from points in Georgia on, south, and east, of a line beginning Savannah Beach, Ga., thence over U.S. Highway 80 to Blitchton, Ga., thence over U.S. Highway 280 to McRae, Ga., thence over U.S. Highway 23 to the Georgia-Florida State line to points in Ohio. The purpose of this filing is to eliminate the gateway of points in Appling County, Ga.

No. MC 112520 (Sub-No. E95), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rosin solutions*, in bulk, in tank vehicles, from points in Georgia on, south, and east, of a line beginning at Savannah Beach, Ga., thence over U.S. Highway 80 to Blitchton, Ga., thence over U.S. Highway 280 to McRae, Ga., thence over U.S. Highway 23 to the Georgia-Florida State line to points in Indiana. The purpose of this filing is to eliminate the gateway of points in Appling County, Ga.

No. MC 112520 (Sub-No. E96), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals* in bulk, in tank vehicles, from points in Georgia to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E97), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (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 Georgia to points in Alabama on and south of a line beginning

at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 112520 (Sub-No. E98), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Creosote oil*, in bulk, in tank vehicles, from points in Georgia to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC 112520 (Sub-No. E99), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions and anhydrous ammonia*, in bulk, in tank vehicles, from all points in Georgia to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E100), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqueous ammonia*, in bulk, in tank vehicles, from points in Georgia to points in Alabama on and south of a line beginning at the Mississippi-Alabama State line near Tanner Williams, Ala., thence over Alabama Highway 56 to Mobile, Ala., thence over U.S. Highway 31 to junction Interstate Highway 10 near Spanish Fort, Ala., thence over Interstate Highway 10 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E101), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's rep-

resentative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil, obtained by chemical means*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Alabama State line near Hilton, Ga., thence over Georgia Highway 62, to Albany, Ga., thence over U.S. Highway 82 to Waycross, Ga., thence over U.S. Highway 23 to the Georgia-Florida State line to points in Tennessee. The purpose of this filing is to eliminate the gateway of points in Colquitt County, Ga.

No. MC 112520 (Sub-No. E102), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Florida State line, thence over U.S. Highway 319 to Tifton, Ga., thence over U.S. Highway 82 to Waycross, Ga., thence over U.S. Highway 84 to Brunswick, Ga., thence over toll road to St. Simons Island, Ga., to points in Alabama. The purpose of this filing is to eliminate the gateway of points in Tift County, Ga.

No. MC 112520 (Sub-No. E104), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tall oil rosin*, in bulk, in tank vehicles, from points in Georgia on and east of a line beginning at the Georgia-Florida State line near Clyattville, Ga., thence over Georgia Highway 31 to Valdosta, Ga., thence over U.S. Highway 221 to Douglas, Ga., thence over U.S. Highway 441 to Dublin, Ga., thence over U.S. Highway 319 to Bartow, Ga., thence over U.S. Highway 221 to the Georgia-South Carolina State line, to Mobile, Ala. The purpose of this filing is to eliminate the gateway of Valdosta, Ga.

No. MC 112520 (Sub-No. E105), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tall oil rosin*, in bulk, in tank vehicles, from points in Georgia on and east of a line beginning at the Georgia-Florida State line, thence over Georgia Highway 97 to Camilla, Ga., thence over Georgia Highway 37 to Newton, Ga., thence over Georgia Highway 91 to Albany, Ga., thence over Georgia Highway 257 to Cordele, Ga., thence over Interstate Highway 75 to Macon, Ga., thence over U.S. Highway 129 to Athens, Ga., thence over U.S. Highway 29 to the Georgia-South Caro-

lina State line to Moss Point, Miss. The purpose of this filing is to eliminate the gateway of Panama City, Fla.

No. MC 112520 (Sub-No. E106), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tall oil and liquid tall oil products*, in bulk, in tank vehicles, from points in Florida west of the Apalachicola River (except Panama City and Port St. Joe) to points in North Carolina. The purpose of this filing is to eliminate the gateway of points in Florida east of the Apalachicola River (except Jacksonville).

No. MC 112520 (Sub-No. E107), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tall oil and liquid tall oil products*, in bulk, in tank vehicles, from points in Florida west of the Apalachicola River (except Panama City and Port St. Joe) to points in Virginia. The purpose of this filing is to eliminate the gateway of points in Florida east of the Apalachicola River (except Jacksonville).

No. MC 112520 (Sub-No. E108), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tall oil and liquid tall oil products*, in bulk, in tank vehicles, from points in Florida west of the Apalachicola River (except Panama City and Port St. Joe) to points in South Carolina. The purpose of this filing is to eliminate the gateway of points in Florida east of the Apalachicola River (except Jacksonville).

No. MC 112520 (Sub-No. E109), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqueous ammonia*, in bulk, in tank vehicles, from points in Georgia on and south of a line beginning at the Georgia-Alabama State line at Columbus, Ga., thence over U.S. Highway 80 to Macon, Ga., thence over Georgia Highway 49 to Milledgeville, Ga., thence over Georgia Highway 22 to Sparta, Ga., thence over Georgia Highway 16 to Warrenton, Ga., thence over U.S. Highway 278 to Augusta, Ga., thence over U.S. Highway 25 to the Georgia-South Carolina State line to points in Mississippi on and south of a line beginning at Natchez, Miss., thence over U.S. Highway 84 to Collins, Miss., thence over U.S. Highway 49 to junction U.S. Highway 98, thence over U.S. High-

way 98 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of Pace, Fla.

No. MC 112520 (Sub-No. E110), filed December 15, 1975. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Thomas F. Panebianco (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 Georgia on and south of a line beginning at the Georgia-Alabama State line at Columbus, Ga., thence over U.S. Highway 80 to Macon, Ga., thence over Georgia Highway 49 to Milledgeville, Ga., thence over Georgia Highway 22 to Sparta, Ga., thence over Georgia Highway 16 to Warrenton, Ga., thence over U.S. Highway 278 to Augusta, Ga., thence over U.S. Highway 25 to the Georgia-South Carolina State line to points in Mississippi on and south of a line beginning at the Natchez, Miss., thence over U.S. Highway 84 to Collins, Miss., thence over U.S. Highway 49 to junction U.S. Highway 98, thence over U.S. Highway 98 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of points in Santa Rosa County, Fla.

No. MC 113855 (Sub-No. E58) (Correction), filed May 30, 1974. Published in the FEDERAL REGISTER January 28, 1976. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts and supplies* moving in connection therewith (restricted to commodities transported on trailers), (A) between points in Kansas on and west of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 77 to junction Interstate Highway 70, to junction U.S. Highway 81 to the Kansas-Oklahoma State line, on the one hand, and, on the other, points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 6 to junction U.S. Highway 20 to junction U.S. Highway 13, to junction U.S. Highway 224 to the Ohio-Pennsylvania State line \* \* \* The purpose of this filing is to eliminate the gateway of South Dakota. The purpose of this correction is to reflect the correct highway in (2) (A) above. The remainder of the letter-notice remains as previously published.

No. MC 113855 (Sub-No. E144) (Correction), filed May 30, 1974. Published in the FEDERAL REGISTER January 28, 1976. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common*

*carrier*, by motor vehicle, over irregular routes, transporting: (1) *Irrigation sprinklers, and winches* designed for use with irrigation sprinklers, (2) *stump-cutting, cablelaying, trench-digging, trench-backfilling and tree-moving equipment*, (3) *parts and attachments* for the commodities named in (1) and (2) above, (4) *trailers* designed for the transportation of commodities named in (1) and (2) above, (5) *hay balers and parts* which because of size or weight require the use of special equipment, and (6) *self-propelled articles*, described in (2) and (5) above, each weighing 15,000 pounds or more and *related machinery, tools, parts and supplies* moving in connection therewith (restricted to commodities transported on trailers), \* \* \* (C) (1) from points in Minnesota on and west of a line beginning at the United States-Canada International Boundary line extending along U.S. Highway 71 to junction Minnesota Highway 6, thence along Minnesota Highway 6, thence along Minnesota Highway 6 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to junction Minnesota Highway 25, thence along Minnesota Highway 25 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Minnesota-Iowa State line and the port of entry on the United States-Canada International Boundary line located at Pigeon River, Minn., to points in Maine, Vermont, New Hampshire, South Carolina, points Tennessee north of Interstate Highway 40 and on and west of U.S. Highway 25W, and points in Arkansas north of Interstate Highway 40, \* \* \* The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this correction is to reflect the correct origin omitted in (C) (1) above. The remainder of the letter-notice remains as previously published.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.76-8340 Filed 3-23-76; 8:45 am]

[Notice No. 35]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 19, 1976.

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 40 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 18535 (Sub-No. 66TA), filed March 10, 1976. Applicant: KICKLIN MOTOR LINE, INC., P.O. Box 377, St. Matthews, S.C. 29135. Applicant's representative: Lawrence M. Gressette, Jr., P.O. Box 346, St. Matthews, S.C. 29135. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives), within the Commercial Zone of Charleston, S.C., and Savannah, Ga., for 180 days. Supporting shippers: Southeastern Maritime Company, P.O. Box 2088, Savannah, Ga. 31402; Wilkes Shipping Agency, Inc., P.O. Box 2167, Savannah, Ga. 31402; and Strachan Shipping Company, P.O. Box 9667, Savannah, Ga. 31402. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Room 302, 1400 Pickens St., Columbia, S.C. 29201.

No. MC 29079 (Sub-No. 86TA), filed February 25, 1976. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union St., P.O. Box 935, Kokomo, Ind. 46901. Applicant's representative: John Deremigio (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except liquid commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, and articles of unusual value), between Howard County, Ind., on the one hand, and, on the other, all points in Indiana, restricted to the transportation of traffic having a prior or subsequent movement by rail or water carrier, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Penn Dixie Corporation, 1109 South Main St., Kokomo, Ind. 46901. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 105272 (Sub-No. 10TA), filed March 12, 1976. Applicant: LOWELL SEURING, doing business as, LOWELL

SEURING TRANSFER CO., 1409 S. Armstrong Ave., Freeport, Ill. 61032. Applicant's representative: Donald S. Mullins, 4704 W. Irving Park Road, Chicago, Ill. 60641. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete burial vaults*, from the plantsite of Freeport Vault Company, at or near Freeport, Ill., to the facilities of Glen Haven Memorial Park, at or near Minneapolis, Minn., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Freeport Vault Company, Thomas L. Law, President, P.O. Box 744, Freeport, Ill. 61032. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 106674 (Sub-No. 188TA), filed March 1, 1976. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products* (except commodities in bulk), from Mounds, Ill., to points in and east of Minnesota, Iowa, Missouri, Arkansas and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Absorbent Clay Products, Inc., P.O. Box 120, 200 North Main, Anna, Ill. 62906. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 111401 (Sub-No. 461TA), filed March 12, 1976. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor Comstock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfuric acid*, in bulk, from Port of Entry between the United States and Mexico at Brownsville, Tex., to Brownsville, Tex.; San Benito, Tex.; Rio Hondo, Tex.; Mission, Tex.; Laredo, Tex.; McAllen, Tex., restricted to shipments originating in foreign commerce only, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Rio Grande Chemical Sales Co., P.O. Box 2484, Harlingen, Tex. 78550. Send protests to: Joe Green, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, Room 240 Old Post Office Bldg., 215 N.W. 3rd, Oklahoma City, Okla. 73102.

No. MC 113651 (Sub-No. 193TA), filed March 10, 1976. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. 47303. Applicant's representative: Daniel C. Sullivan, 327 South LaSalle St., Chicago, Ill. 60604. Authority sought to op-

erate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in container (except in bulk, in tank vehicles), and *advertising matter, display racks, and premiums* when moving at the same time and in the same vehicle with foodstuffs, from the facilities of American Home Foods, Division of American Home Products Corporation, at LaPort, Ind., to points in Alabama, Arkansas, Louisiana, Mississippi, Tennessee and Georgia, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: American Home Foods, Division of American Home Products Corporation, 686 Third Ave., New York, N.Y. 10017. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 114284 (Sub-No. 73TA), filed March 11, 1976. Applicant: FOX-SMYTHE TRANSPORTATION CO., P.O. Box 82307, Stockyards Station, Oklahoma City, Okla. 73108. 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: *Meats, meat products and meat by-products*, and articles distributed in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Arizona, Arkansas, California, Colorado, Iowa, Kansas, Missouri, Nebraska, Nevada, New Mexico, Oklahoma and South Dakota, for 180 days. Supporting shipper: Iowa Beef Processors, Inc., Dakota City, Nebr. 68731. Send protests to: Joe Green, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, Room 240 Old Post Office Bldg., 215 N.W. 3rd St., Oklahoma City, Okla. 73102.

No. MC 115601 (Sub-No. 24TA), filed March 11, 1976. Applicant: BROOKS ARMORED CAR SERVICE, INC., 13 East 35th St., Wilmington, Del. 19899. Applicant's representative: Charles Ephraim, Suite 600, 1250 Connecticut Ave., N.W., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coin, currency, negotiable and non-negotiable securities*, between Wilmington, Del., on the one hand, and, on the other, points in Berks, Bucks, Chester, Delaware, Lehigh, and Montgomery Counties, Pa. (except those points in the named Pennsylvania Counties which also fall within the Philadelphia Commercial Zone), under a continuing contract with Girard Bank, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Girard Bank, One Girard Plaza, Phila-

delphia, Pa. 19101. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 116947 (Sub-No. 49TA), filed March 11, 1976. Applicant: SCOTT TRANSFER CO., INC., 920 Ashby St., SW., Atlanta, Ga. 30310. Applicant's representative: William Addams, Suite 212, 5299 Roswell Road, NE., Atlanta, Ga. 30342. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fibre cans, SU, material and supplies* incidental to the manufacture of fibre cans; can ends (aluminum, steel or tin); and wooden pallets, platforms or skids, between Greenville, N.C., on the one hand, and, on the other, points in Tennessee, under a continuing contract with Container Corporation of America, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Container Corporation of America, P.O. Box 957, Atlanta, Ga. 30301. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, 1252 W. Peachtree St., NW., Room 546, Atlanta, Ga. 30309.

No. MC 119880 (Sub-No. 81TA), filed March 10, 1976. Applicant: DRUM TRANSPORT, INC., P.O. Box 2056, East Peoria, Ill. 61611. Applicant's representative: B. N. Drum (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, in bulk, in tank vehicles, from St. Louis, Mo., to Memphis, Tenn., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Bardenheier's Wine Cellars, John E. Bardenheier, Jr., Traffic Manager, 1019 Skinker Parkway, St. Louis, Mo. 63112. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 123379 (Sub-No. 9TA), filed March 10, 1976. Applicant: BRUBAKER TRANSFER, INC., 103 N. Major St., Eureka, Ill. 61530. Applicant's representative: Samuel G. Harrod, 107 E. Eureka Ave., Eureka, Ill. 61530. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Display cases and store fixtures*, from the plantsite of Cedar City Products Co., a subsidiary, of The Metamora Company, at Cedar City, Utah, to point in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, North Dakota, South Dakota, Nebraska, Oklahoma and Texas, under a continuing contract with Metamora Company, for 180 days. Supporting shipper: Metamora Company, Cedar City Products Co., J. R. Blachek, Vice-President, Metamora, Ill. 61548. Send protests to: Patricia A. Roscoe, Transportation Assistant, Inter-

state Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 125650 (Sub-No. 13TA), filed March 12, 1976. Applicant: MOUNTAIN PACIFIC TRUCKING, INCORPORATION, Route 2, Missoula, Mont. 59801. Applicant's representative: Michael D. Duppenhaler, 515 Lyon Bldg., 607 Third Ave., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic wood filler*, in drums, in vehicles equipped with mechanical refrigeration, from Eugene, Oreg., to Bonner, Columbia Falls, Kalispell and Missoula, Mont., for 180 days. Supporting shipper: Sandy Higinbotham, Sales & Trucking, Willamette Valley, Co., P.O. Box 2280, Eugene, Oreg. 97402. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, 2602 First Ave., North, Billings, Mont. 59101.

No. MC 129068 (Sub-No. 25TA), filed March 9, 1976. Applicant: GRIFFIN TRANSPORTATION, INC., 3002 S. Douglas Blvd., Oklahoma City, Okla. 73150. Applicant's representative: Jack L. Griffin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes and buildings*, complete, knocked down or in sections mounted on wheeled undercarriages with hitchball connectors in initial movements and all component parts used in the assembly thereof, from points in Tulsa County, Okla., to points in Kansas, Arkansas, Texas, New Mexico, Nebraska, Missouri and Louisiana, for 90 days. Applicant has also filed an underlying TA seeking up to 90 days of operating authority. Supporting shipper: Redman Mobile Homes, Inc., 12539 E. Skelly Drive, Tulsa, Okla. 74115. Send protests to: Joe Green Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 240 Post Office Bldg., 215 N.W. 3rd St., Oklahoma City, Okla. 73102.

No. MC 129410 (Sub-No. 5TA), filed March 11, 1976. Applicant: ROBERT BONCOSKY, INC., 4811 The Line Road, Crystal Lake, Ill. 60014. Applicant's representative: Robert Concosky (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural pneumatic conveyors and accessories*, from the plantsite of Dunbar Kapple Incorporated, in Batavia, Ill., to points in Houston, Tex.; Baltimore, Md.; New York City, N.Y.; New Orleans, La.; and Norfolk, Va., under a continuing contract with Dunbar Kapple, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Dunbar Kapple, Joseph Kinkade, Export Traffic Manager, 110 N. Island Ave., Batavia, Ill. 60510. Send protests to: Patricia A. Roscoe, Transportation Assistant, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Interstate Commerce Commission, Chicago, Ill. 60604.

No. MC 129600 (Sub-No. 22TA), filed March 12, 1976. Applicant: POLAR TRANSPORT, INC., 176 King St., P.O. Box 44, Hanover, Mass. 02339. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen donuts*, from Boston, Mass., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia and the District of Columbia. Restriction: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract or contracts with Boston Bonnie, Inc., of Boston, Mass., for 180 days. Supporting shipper: Boston Bonnie, Inc., Trilling Way, Boston, Mass. Send protests to: John B. Thomas, District Supervisor, Interstate Commerce Commission, 150 Causeway St., Room 501, Boston, Mass. 02114.

No. MC 133478 (Sub-No. 17TA), filed March 5, 1976. Applicant: HEARIN TRANSPORTATION, INC., 8565 S.W. Beaverton-Hillsdale Hwy., Portland, Oreg., 97225. Applicant's representative: Nick I. Goyak, 555 Benjamin Franklin Plaza, One S.W. Columbia, Portland, Oreg. 97258. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *plastic and wood mouldings, cabinet components*, from the plantsite of DG Shelter Products Co., at Harrisburg, Oreg., to points in California, Arizona, Idaho, Utah, Kansas, Iowa, Minnesota, Texas, Washington, New Mexico, Colorado, Oklahoma, Missouri, Nebraska, Nevada and Wyoming; and (2) *Mouldings*, from White Swan, Wash.; Sacramento, Calif., and Marysville, Calif., and Salt Lake City, Utah, to the plantsite of DG Shelter Products Co., at Harrisburg, Oreg., under a continuing contract with DG Shelter Products Co., for 180 days. Supporting shipper: DG Shelter Products Co., P.O. Box 246, Harrisburg, Oreg. 97446. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 133959 (Sub-No. 2TA), filed March 10, 1976. Applicant: LEWIS ALBAUGH AND MELVIN ALBAUGH, doing business as ALBAUGH TRUCK LINE, 2000 East Grand Ave., Des Moines, Iowa 50317. Applicant's representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Corrugated steel and aluminum pipe* and parts and accessories used in the installation thereof; (2) *Equipment, materials and supplies* used in the manufacture of corrugated steel and aluminum pipe, (1) from Des Moines, and Centerville, Iowa,



to points in Illinois, Nebraska, Missouri, Kansas, Wisconsin, and Minnesota. (2) from Lenexa, Kans., to Des Moines, Iowa, under a continuing contract with The Levine Company, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Levine Company, 4400 E. 14th St., Des Moines, Iowa 50317. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Bldg., Des Moines, Iowa 50309.

No. MC 134922 (Sub-No. 164TA), filed March 11, 1976. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and meats*, restricted to traffic in vehicles equipped with mechanical refrigeration, from Des Moines, Iowa, to points in Louisiana, Texas, Mississippi, Georgia, Tennessee, Alabama, North Carolina, South Carolina, Florida, Virginia, Utah, Arizona, California, Oregon and Washington, for 180 days. Supporting shipper: Des Moines Cold Storage, 800 New York St., Des Moines, Iowa 50303. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 135797 (Sub-No. 50TA), filed March 11, 1976. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, Lowell, Ark. 72745. Applicant's representative: L. C. Cypert, 204 Highway 71 North, Suite 3, Springdale, Ark. 72764. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood residuals*, from Gideon, Mo., and Savannah, Tenn., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas and Wisconsin, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Robert L. Ciufieri Sawdust Milling, Inc., 314 West Main St., Collinsville, Ill. 62234. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 141320 (Sub-No. 3TA), filed March 10, 1976. Applicant: UNITED STATES PRIORITY TRANSPORT CORPORATION, 6 Ray Court, Melville, N.Y. 11746. Applicant's representative: Martin D. Freidman (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Medical isotopes, radiopharmaceuticals and medical test kits*, between South Plainfield, N.J., on the one hand, and, on the other, points in Massachusetts, Rhode Island, Connecticut, Maine, New Hampshire, Vermont and New York, under a continuing contract with Medi-

Physics, Inc., for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Medi-Physics, Inc., 900 Durham Ave., South Plainfield, N.J. 07080. Send protests to: Anthony D. Glaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 141704 (Sub-No. 1TA), filed March 10, 1976. Applicant: ELMER VAN NEVEL, doing business as VAN NEVEL & CO., 23N591 Overhill Drive, P.O. Box 119, Lake Zurich, Ill. 60047. Applicant's representative: Donald S. Mullins, 4704 W. Irving Park Road, Chicago, Ill. 60641. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Industrial blowers, industrial blower parts, and fabricated metal products*, transported on drop-frame 40 foot trailer, from Gilberts, Ill., to Cedar Rapids, Iowa. Restriction: Operations limited to transportation service to be performed under a continuing contract, or contracts with Scott Industrial Blower Co., Gilberts, Ill.; (2) *Washing equipment and interior cleaning equipment* used in the bus, truck, and rail industries, transported on drop-frame 40 foot trailer, from Elk Grove Village, Gilberts, and Wheeling, Ill., to Los Angeles and San Francisco, Calif.; Colorado Springs and Denver, Colo.; Washington, D.C.; Miami, Orlando and St. Petersburg, Fla.; Hammond, Ind.; Louisville, Ky.; Baltimore, Md.; Boston, Mass.; Detroit, Mich.; Minneapolis, Minn.; Newark, N.J.; Rochester and New York, N.Y.; Columbus and Toledo, Ohio; Portland, Ore.; Philadelphia, and Pittsburgh, Pa.; Beaumont, Tex.; Seattle, Wash.; Huntington, W. Va.; and Eau Claire, Wis. Restriction: Operations limited to transportation service to be performed under a continuing contract or contracts with Ross and White Company, Wheeling, Ill., for 180 days. Supporting shippers: Ross and White Company, Roy A. Schuetz, Chief Engineer, 50 W. Dundee Rd., Wheeling, Ill. 60090. Scott Industrial Blower Co., Hermes Haralambous, President, P.O. Box 134, Rt. 72, Industrial Park, Gilberts, Ill. 60136. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 140763 (Sub-No. 5TA), filed March 11, 1976. Applicant: ONEIDA-COLUMBUS EXPRESS COMPANY, P.O. Box 356, Oneida, Tenn. 37841. Applicant's representative: Marshall Kragen, Suite 805, 666 Eleventh St., N.W., Washington, D.C. 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Carbon*, black in flo-bins, from North Bend, La., to Oneida, Tenn.; and (2) *Empty flo bins*, from Oneida, Tenn., to North Bend, La., under a continuing contract with The B. F. Goodrich Company, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Support-

ing shipper: The B. F. Goodrich Company, 500 South Main St., Akron, Ohio 44318. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite A-422 U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 141783 (Sub-No. 1TA), filed March 10, 1976. Applicant: HARRIGILL TRUCKING COMPANY, 203 Highway 51 North, Brookhaven, Miss. 39601. Applicant's representative: Jerry H. Blount, Suite L162, Capital Towers, 125 South Congress St., Jackson, Miss. 39201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Truck bodies, dump bodies, hydraulic hoists, lift tailgates, refuse bodies, refuse containers, compactors, and all related parts and components* used in the manufacture, repair and/or maintenance of the same, from the plantsite and/or storage facilities of Perfection-Cobey Co., Brookhaven, Miss., to points in Colorado, New Mexico, South Carolina, Mississippi, Georgia, Kentucky, Oklahoma, Kansas, Louisiana, Arkansas, Tennessee, Texas, Missouri, Alabama, North Carolina and Florida, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Perfection-Cobey Co., 301 West Industrial Park Road, Brookhaven, Miss. 39601. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39601.

No. MC 141860 TA, filed March 10, 1976. Applicant: CARL A. CARTER, INC., 239 Broadturn Road, West Scarborough, Maine 04074. Applicant's representative: Carl A. Carter (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap iron and scrap metals*, from Saco, Maine to points in New Hampshire, Massachusetts, and Rhode Island and the Port of Entry on the United States and Canada Boundary line at or near Rouses Point, N.Y., traversing Vermont for convenience, for 180 days. Supporting shipper: Saco Steel Company, 27-29 Water St., Saco, Maine 04072. Send protests to: Donald G. Weller, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl St., Portland, Maine 04111.

No. MC 141867 TA, filed March 8, 1976. Applicant: SPECIALIZED TRUCKING SERVICE, INC., 1523 18th N.E., Puyallup, Wash. 98317. Applicant's representative: George H. Hart, 1100 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Bottles, containers, cans, jars and (b) covers, stoppers and tops, closures, plugs and corks for bottles, containers, cans and jars*, and (c) *glassware, plastic articles and sprayers and dispensing devices for containers*, and (d) *cardboard and corrugated boxes, packaging materials and pallets*, and (e) *pallets and dunnage and returned and rejected ship-*

ments, for compensation on return; (2) Related equipment, materials and supplies, used in the manufacture of containers and packaging materials in mixed shipments with the commodities listed in (1) above when moving to, from or between the plants and warehouse facilities of Owens-Illinois, Inc., and returned and rejected shipments, of commodities described in (1) and (2) for compensation, between points in California on the one hand, and, on the other, points in Washington and Oregon, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 7 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: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 858 Federal Bldg., Seattle, Wash. 98174.

## PASSENGER APPLICATION

No. MC 102676 (Sub-No. 12TA), filed March 11, 1976. Applicant: WORCESTER BUS CO., INC., 287 Grove St., Worcester, Mass. 01605. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass. 02108. Authority

sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers, in special operations originating at Worcester, Oxford and Webster, Mass., to site of Yankee Greyhound Racing, Inc., Seabrook, N.H., and return, restricted to racing season, for 180 days. Supporting shippers: There are approximately 26 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: Mark A. Steetle, District Supervisor, 338 Federal Bldg. and U.S. Courthouse, 436 Dwight St., Springfield, Mass. 01103.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.76-8339 Filed 3-23-76;8:45 am]

[Notice No. 117]

## TEMPORARY AUTHORITY TERMINATION

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
Greyhound Lines, Inc., MC-1515 Sub-190TA	MC-1515 Sub-195	Mar. 15, 1976
E. Roscoe Willey, Inc., MC-44913 Sub-16TA	MC-44913 Sub-17	Mar. 16, 1976
Ehrlich-Newmark Trucking Co., Inc., MC-76065 Sub-27TA	MC-76065 Sub-28	Do.
Indianhead Truck Line, Inc., MC-108449 Sub-372TA	MC-108449 Sub-381	Do.
Poole Truck Line, Inc., MC-115162 Sub-311TA	MC-115162 Sub-294	Mar. 15, 1976
Truck Transport, Inc., MC-115331 Sub-361TA	MC-115331 Sub-353	Do.
Caravan Refrigerated Cargo, Inc., MC-119789 Sub-231TA	MC-119789 Sub-232	Feb. 2, 1976
Service Express, Inc., MC-120910 Sub-8TA	MC-120910 Sub-9	Mar. 16, 1976
Tri-Line Expressway, Ltd., MC-129480 Sub-11TA	MC-129480 Sub-14	Mar. 15, 1976
Overland Express, Inc., MC-133689 Sub-48TA	MC-133689 Sub-46	Mar. 16, 1976
Karl Emde d.b.a. Emde Trucking, MC-140068 Sub-1TA	MC-140068 Sub-2	Mar. 15, 1976
Mello Truck Lines, Inc., MC-140598 Sub-1TA	MC-140598 Sub-2	Do.

ROBERT L. OSWALD,  
Secretary.

[FR Doc.76-8338 Filed 3-22-76;8:45 am]

[No. 36288]

## COLORADO INTRASTATE FREIGHT RATES AND CHARGES—1976

Petition for Investigation of Intrastate Freight Rates and Charges Within the State of Colorado

MARCH 19, 1976.

By joint petition authorized under section 13(3) of the Interstate Commerce Act, filed January 7, 1976, petitioners, eleven common carriers by railroad<sup>1</sup> subject to Part I of the Interstate Commerce Act, and also operating in intra-

state commerce in the State of Colorado, request that this Commission institute an investigation of their Colorado intrastate freight rates and charges, under sections 13 and 15a of the Interstate Commerce Act, among others, wherein they will seek an order authorizing them to increase such rates and charges in the same amounts approved for interstate application by this Commission in Ex Parte No. 313, *Increased Freight Rates and Charges—Labor Costs—1975*;

By tariff filed with The Public Utilities Commission of the State of Colorado, petitioners sought to make the 5 percent and 2½ percent step increases in Ex Parte No. 313, *supra*, applicable on Colorado intrastate traffic, effective August 2, 1975, and October 1, 1975, respectively. Following suspension of said tariff, said Commission, by order entered October 24, 1975, denied the petition of the railroads for increased rates and charges. Exceptions to the Hearing Examiner's Statement and Findings of Fact were

duly filed, but on December 30, 1975, the Hearing Examiner's Recommended Decision because the final order of the Colorado Commission.

Petitioners contend that present interstate freight rates from, to, and within Colorado are just and reasonable and that the proposed intrastate rates will not exceed a just and reasonable level; that transportation conditions for intrastate traffic in Colorado are not more favorable than for interstate traffic; that traffic moving under present Colorado intrastate rail freight rates and charges fails to provide its fair share of earnings; and, that the present Colorado intrastate rail freight rates and charges create undue and unreasonable advantage, preference, and prejudice between persons and localities in intrastate commerce within Colorado and interstate and foreign commerce, and result in undue, unreasonable, and unjust discrimination against an undue burden on interstate commerce in violation of sections 13(4) and 15a of the Interstate Commerce Act, among others, to the extent that they do not include the increases authorized in Ex Parte No. 313, *supra*;

Under section 13 (4) of the Interstate Commerce Act and judicial authority,<sup>2</sup> this Commission is directed to institute an investigation, on the lawfulness of intrastate rail freight rates and charges, upon filing of a petition by the railroads pursuant to section 13 (3) of the Act, whether or not theretofore considered by any state agency or authority and without regard to the pendency of any such cases before any state agency or authority;

Wherefore, and good cause appearing therefor:

It is ordered, That the petition be, and it is hereby, granted; and that an investigation, under sections 13 and 15a of the Interstate Commerce Act, be, and it is hereby instituted to determine whether the Colorado intrastate rail freight rates in any respect cause any unjust discrimination against or any undue burden on interstate or foreign commerce, or cause undue or unreasonable advantage, preference, or prejudice as between persons and localities in intrastate commerce and those in interstate or foreign commerce, or are otherwise unlawful, by reason of the failure of such rates and charges to include the full increases authorized for interstate application by this Commission in Ex Parte No. 313, *supra*; and to determine if any rates or charges, or maximum or minimum charges, or

<sup>2</sup> See *Intrastate Freight Rates and Charges*, 1969, 339 I.C.C. 670 (1971), affirmed, *sub nom. State of N.C. ex rel North Carolina Utilities Com'n et al. v. I.C.C.*, 347 F. Supp. 103 (E.D. N.C., 1972), affirmed *sub nom. North Carolina Utilities Commission et al. v. Interstate Commerce Commission et al.*, 410 U.S. 919 (1973). The amendments to section 13 (4) of the Interstate Commerce Act contained in section 210 of Railroad Revitalization and Regulatory Reform Act of 1976 are not pertinent since this petition was filed prior to the latter act's effective date and because the State Commission has already acted on this matter.

<sup>1</sup> The Atchison, Topeka and Santa Fe Railway Company; Burlington Northern, Inc.; Chicago, Rock Island and Pacific Railroad Company; The Colorado and Southern Railway Company; The Colorado and Wyoming Railway Company; The Denver and Rio Grande Western Railroad Company; The Great Western Railway; Missouri Pacific Railroad Company; San Luis Central Railroad; Southern San Luis Valley Railroad Company; and Union Pacific Railroad Company.

both, shall be prescribed to remove any unlawful advantage, preference, discrimination, undue burden, or other violation of law, found to exist.

*It is further ordered.* That all common carriers by railroad operating in the State of Colorado, subject to the jurisdiction of this Commission, be, and they are hereby, made respondents in this proceeding.

*It is further ordered.* That all persons who wish to actively participate in this proceeding and to file and receive copies of pleadings shall make known that fact by notifying the Office of Proceedings, Room 5342, Interstate Commerce Commission, Washington, D.C., 20423, on or before 15 days from the Federal Register publication date. Although individual participation is not precluded, to conserve time and to avoid unnecessary expense, persons having common interests should

endeavor to consolidate their presentations to the greatest extent possible. The Commission desires participation of only those who intend to take an active part in the proceeding.

*It is further ordered.* That as soon as practicable after the date of indicating a desire to participate in the proceeding has passed, the Commission will serve a list of names and addresses of all persons upon whom service of all pleadings must be made and that thereafter this proceeding will be assigned for oral hearing or handling under modified procedure.

*And it is further ordered.* That a copy of this order be served upon each of the petitioners herein; that the State of Colorado be notified of the proceeding by sending copies of this order and of the instant petition by certified mail to the Governor of the State of Colorado and The Public Utilities Commission of the

State of Colorado, Denver, Colorado; and that further notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Interstate Commerce Commission, at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

Dated at Washington, D.C., this 15th day of March, 1976.

By the Commission, Commissioner Hardin.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.76-8337 Filed 3-23-76;8:45 am]

Just Released

## CODE OF FEDERAL REGULATIONS

(Revised as of January 1, 1976)

Title 7—Agriculture (Part 52).....	\$5.70
Title 7—Agriculture (Parts 700-749).....	3.80
Title 7—Agriculture (Parts 1060-1119).....	4.50
Title 14—Aeronautics and Space (Parts 60-199).....	5.60

*[A Cumulative checklist of CFR issuances for 1976 appears in the first issue of the Federal Register each month under Title 11]*

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