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Monday	Tuesday	Wednesday	Thursday	Friday
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Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

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 cil, Peabody, Mass. 4-19 and
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Control Disease Center—
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Education Office—
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Food and Drug Administration—
 Dialysis Subcommittee of the Gastroen-
 terology and Urology Device Classifica-
 tion Panel, Washington, D.C. (open),
 4-20-78 10625; 3-14-78

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 Advisory Committee, Hyattsville, Md.
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Occupational Safety and Health Adminis-
 tration—
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STATE DEPARTMENT

Study Group 8 of the U.S. Organization for the International Radio Consultative Committee (CCIR), Washington, D.C. (open), 4-21-78 12982; 3-28-78

Study Groups 10 and 11 of the U.S. Organization for the International Radio Con-

sultative Committee (open), Washington, D.C., 4-21-78 14369; 4-5-78

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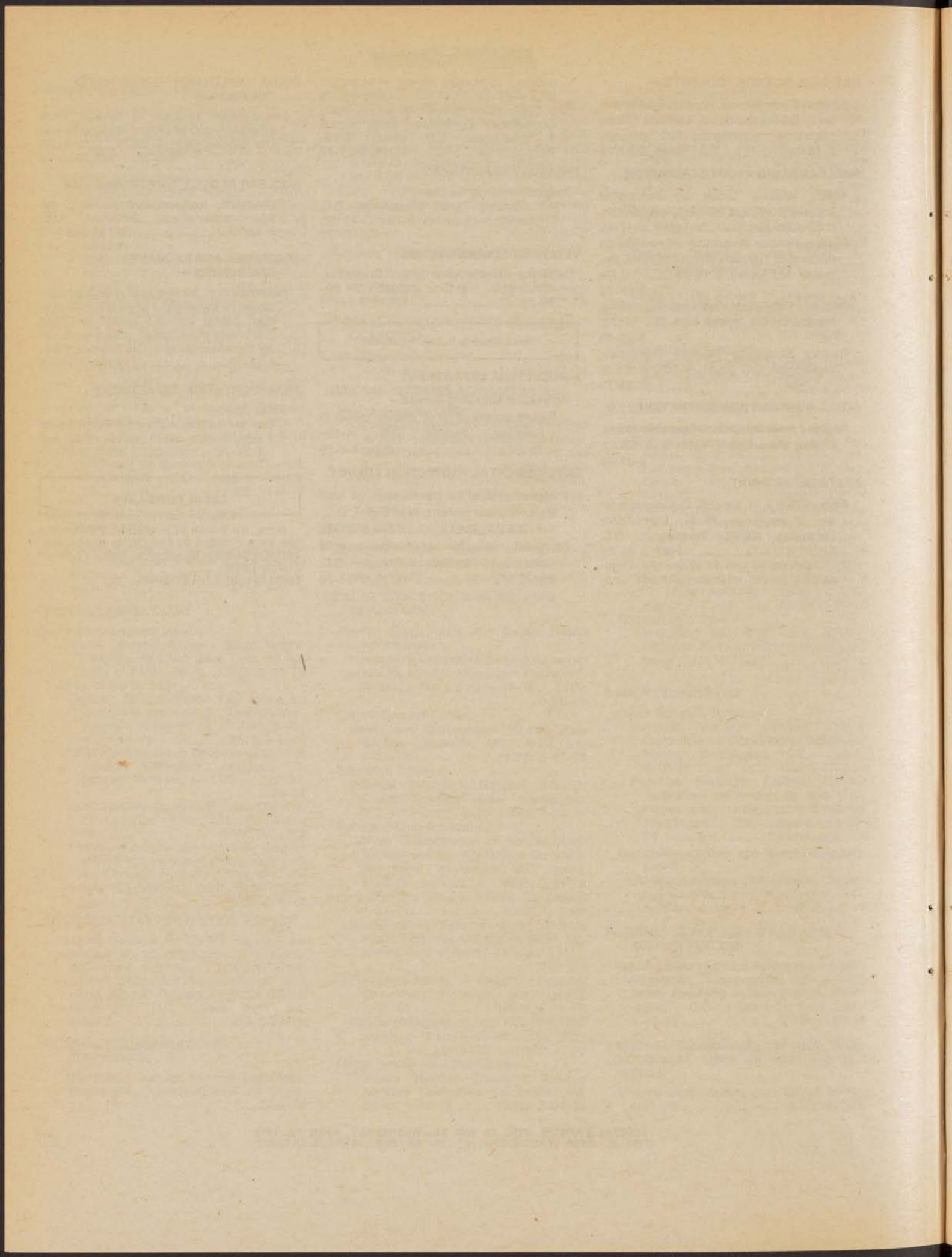
Examination of the effects of rules and regulations on the ability of small businesses to raise capital and the impact on small businesses of disclosure requirements under the securities acts; Los Angeles, Calif., 4-18-78 10876; 3-15-78

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List of Public Laws

NOTE: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of PUBLIC LAWS.
[Last listing: April 11, 1978]



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.

[3410-08]

Title 7—Agriculture

CHAPTER IV—FEDERAL CROP INSURANCE CORPORATION, DEPARTMENT OF AGRICULTURE

[Amdt. No. 93]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

CLOSING DATES

AGENCY: Federal Crop Insurance Corporation.

ACTION: Final rule.

SUMMARY: This rule changes the closing date of the Federal Crop Insurance Regulations for the 1969 and Succeeding Crop Years effective with the 1978 crop year to provide closing dates for accepting crop insurance applications on (1) new crops (forage production, potatoes, and canning and freezing sweet corn); (2) on an existing crop (corn, grain, and grain-silage) being added to California for the first time; and (3) on wheat in Brule County, S. Dak., a new county beginning with the 1978 crop year.

EFFECTIVE DATE: April 12, 1978.

FOR FURTHER INFORMATION CONTACT:

Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C. 20250, 202-447-3325.

SUPPLEMENTARY INFORMATION: Under the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 et seq.), the Federal Crop Insurance Corporation is amending its regulations found in 7 CFR § 401.103(a) (41 FR 51582, November 23, 1976), to provide closing dates for the acceptance of crop insurance applications for forage production, potatoes, and sweet corn crop insurance, being offered for the first time effective with the 1978 crop year; to add Brule County, S. Dak., a new county for the 1978 crop year, in that section of the closing date table titled "Wheat;" and to add California to that section of the closing date table titled "Corn," since this crop has been

added to existing counties in that state beginning with the 1978 crop year.

Inasmuch as forage, potatoes, and sweet corn are new crops upon which insurance is being offered for the first time, corn is newly added to California, and Brule County, S. Dak. is a new county where wheat crop insurance will be offered effective with the 1978 crop year, the Corporation will follow its normal policy of using direct mail and the media to advise all eligible policyholders in all counties where these crops are to be insured of the availability of such insurance and the closing date for the acceptance of applications.

In view of this, the Corporation has found and determined that compliance with the provisions for notice and public participation would be impracticable, unnecessary, and contrary to the public interest and that good cause exists for issuing this Amendment No. 93 as a final rule. Therefore, the said amendment is hereby issued without compliance with such procedure.

FINAL RULE

Accordingly, § 401.103 of the Federal Crop Insurance Regulations for the 1969 and Succeeding Crop Years (7 CFR Part 401, as amended), is hereby amended effective with the 1978 crop year in the following instance:

§ 401.103 [Amended].

1. By revising that portion of the table of closing dates found in § 401.103(a), titled "Corn" to read as follows:

CORN	
Florida, Georgia, and Louisiana	Mar. 31.
California, Mississippi, North Carolina, North Dakota, and Virginia	Apr. 15.
Illinois, Indiana, Michigan, New York, Ohio, and Pennsylvania	Apr. 30.
All other States	Apr. 25.

2. By inserting in the table of closing dates found in § 401.103(a), immediately after the listing for "Flax" and immediately before the listing for "Grain Sorghum" the following:

FORAGE PRODUCTION

All States	Sept. 15.
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3. By inserting in the table of closing dates found in § 401.103(a), immediately

after the listing for "Peanuts," and immediately before the listing for "Rice," the following:

POTATOES

North Dakota	Apr. 15.
All other States	Mar. 30.

4. By inserting in the table of closing dates found in § 401.103(a), immediately after the listing for "Sunflowers," and immediately before the listing for "Tobacco," the following:

CANNING AND FREEZING SWEET CORN

Minnesota and Wisconsin	Apr. 25.
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5. By inserting in the table of closing dates found in § 401.103(a), under the heading "Wheat," subheading "South Dakota," the word "Brule" immediately after the word "Bennett" and immediately before the word "Dewey."

(Secs. 506, 516 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.)

NOTE.—The Federal Crop Insurance Corporation has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive order 11821 and OMB Circular A-107.

Approved by the Board of Directors on February 14, 1978.

Effective: April 12, 1978.

Date: April 6, 1978.

PETER F. COLE,
Secretary, Federal Crop
Insurance Corporation.

Approved by:

BOB BERGLAND,
Secretary.

[FR Doc. 78-9715 Filed 4-11-78; 8:45 am]

[3410-08]

[Amdt. No. 96]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

WHEAT ENDORSEMENT

AGENCY: Federal Crop Insurance Corporation.

ACTION: Final rule.

SUMMARY: This rule changes the Wheat Endorsement to add Brule County, S. Dak. to the Cancellation

and Termination for Indebtedness Date Table. Brule County was added for wheat crop insurance effective with the 1978 crop year.

EFFECTIVE DATE: April 12, 1978.

FOR FURTHER INFORMATION CONTACT:

Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C. 20250, 202-447-3325.

SUPPLEMENTARY INFORMATION: Under the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 et seq.), the Federal Crop Insurance Corporation is amending its regulations found in 7 CFR § 401.126 The Wheat Endorsement (33 FR 2376, January 31, 1968), to list Brule County, S. Dak., in the table at the end thereof which lists the cancellation and termination for indebtedness dates.

Brule County was added as a new county for wheat crop insurance effective with the 1978 crop year. This Amendment No. 96 to the Federal Crop Insurance Regulations for the 1969 and Succeeding Crop Years is considered by the Corporation to be nonsubstantive in nature and merely adds the name of the county to the list as indicated above.

In view of the foregoing, the Corporation has found and determined that compliance with the procedure for notice and public participation would be impracticable, unnecessary, and contrary to the public interest.

Accordingly, this Amendment No. 96 is hereby issued without compliance with such procedure.

FINAL RULE

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 et seq.), Section 7 of the endorsement contained in § 401.126 of the Federal Crop Insurance Regulations contained in 7 CFR, Part 401, is amended effective with the 1978 crop year in the following respect:

§ 401.126 [Amended].

7. Cancellation and termination for indebtedness dates.

In the table at the end thereof, under the section listing counties in South Dakota, insert the word "Brule" immediately after the word "Bennett" and immediately before the word "Dewey."

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.)

Adopted by the Board of Directors on February 14, 1978.

Effective: April 12, 1978.

Dated: April 6, 1978.

PETER F. COLE,
Secretary, Federal Crop
Insurance Corporation.

Approved by:

BOB BERGLAND,
Secretary.

[FR Doc. 78-9714 Filed 4-11-78; 8:45 am]

[3410-05]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[Amdt. 5]

PART 1472—WOOL

Subpart—Payment Program for Shorn Wool and Unshorn Lambs (Pulled Wool) (1974-1977)

PAYMENT AND DEDUCTION RATES FOR 1977 MARKETING YEAR

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: The purpose of this rule is to announce the payment and deduction rates for shorn wool and unshorn lambs (pulled wool) marketed by producers during the 1977 marketing year. Such payments and deductions are authorized under Commodity Credit Corporation's payment program for shorn wool and unshorn lambs (pulled wool) for the 1974, 1975, 1976, and 1977 marketing years pursuant to the National Wool Act of 1954, as amended. The payment program is intended to encourage the continued domestic production of wool at prices fair to both producers and consumers.

EFFECTIVE DATE: April 12, 1978.

FOR FURTHER INFORMATION CONTACT:

Gerald Schiermeyer, Emergency and Indemnity Payments Division, ASCS, USDA, 4095 South Building, Washington, D.C. 20013, 202-447-4428.

SUPPLEMENTARY INFORMATION: For the 1977 marketing year, section 703 of the National Wool Act of 1954, as amended (7 U.S.C. 1782) and 7 CFR 1472.1403 and 1472.1421 provided that the support price for shorn wool shall be 85 percent of the amount calculated according to the formula set forth in section 703, and for pulled wool shall be at a level comparable to the support price of shorn wool which the

Secretary determines will maintain normal marketing practices for pulled wool. On December 1, 1977, the Secretary announced a price support rate of 99 cents per pound for 1977 marketings of shorn wool.

The payment rates for shorn wool and pulled wool are determined in accordance with section 704 of the Wool Act, as amended (7 U.S.C. 1783), and 7 CFR 1472.1405 and 1472.1421. The rate of payment for wool for each year is based on the difference between the annual national average price received for wool and the previously announced support price. The rate of payment for pulled wool is at a comparable rate to that of shorn wool.

Section 708 of the Wool Act, as amended (7 U.S.C. 1787), authorizes the Secretary of Agriculture to enter into agreements with marketing cooperatives, trade associations and others engaged or whose members are engaged in the handling of wool, mohair, sheep, or goats, or the products thereof. These agreements can provide for deductions from support payments to producers to conduct advertising and sales promotion programs for the development and dissemination of information for wool, mohair, sheep or goats or their products. Deductions for the 1974-1977 marketing years were authorized in the agreement between the American Sheep Producers Council Inc., and the Secretary of Agriculture approved by producers in a referendum held November 4 through 15, 1974.

Since there is no latitude for varying the payment rate and since the deduction rate is the rate authorized in the agreement between the American Sheep Producers Council Inc., and the Secretary, a delay in the effective date of this amendment would only delay payments to producers who completed marketings of shorn wool and unshorn lambs during 1977. It is, therefore, found upon good cause that compliance with the notice of proposed rule-making and public participation procedure is unnecessary, impracticable and contrary to the public interest. Therefore, this rule is issued without compliance with such procedure.

RULE

In consideration of the foregoing, Part 1472 is amended by adding a new paragraph (f) to § 1472.1405 and to § 1472.1421 and a new paragraph (e) to § 1472.1466 as follows:

1. Section 1472.1405 is amended by adding the following new paragraph (f):

§ 1472.1405 Price support payments

(f) 1977 marketing year. The national average price received by producers for shorn wool marketed during the

1977 marketing year was 72 cents a pound, grease basis, which was 27 cents a pound below the support price of 99 cents for that year. Therefore, the rate of payment for the 1977 marketing year is 37.5 percent.

2. Section 1472.1421 is amended by adding the following new paragraph (f):

§ 1472.1421 Price support payments

(f) 1977 marketing year. The rate of payment on unshorn lambs sold during the 1977 marketing year is 108 cents per hundredweight of live lambs based on a difference of 27 cents a pound between the price support level of 99 cents and the national average price of 72 cents a pound received by producers for shorn wool during the 1977 marketing year (§ 1472.1405(f)).

3. Section 1472.1446 is amended by adding the following new paragraph (e):

§ 1472.1446 Deductions for promotion.

(e) For the 1977 marketing year, a deduction will be made from each shorn wool payment at the rate of 1.5 cents a pound of wool, grease basis, and from each unshorn lamb payment at the rate of 7.5 cents per hundredweight of live lambs. Those funds will be used to finance the advertising and sales promotion program approved by the Department of Agriculture pursuant to section 708 of the National Wool Act of 1954, as amended.

(Secs. 4, 5, 62 Stat. 1070, as amended (15 U.S.C. 714 b and c); secs. 702-708, 68 Stat. 910-912, as amended (7 U.S.C. 1781-1787).)

Signed at Washington, D.C., on April 5, 1978.

RAY FITZGERALD,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc. 78-9725 Filed 4-11-78; 8:45 am]

[1505-01]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Y; Docket No. R-0083]

PART 225—BANK HOLDING COMPANIES

Correction

In FR Doc. 78-4053 appearing at page 6214 in the issue of Tuesday, February 14, 1978 the following correction should be made on page 6215:

1. Column one, line twelve, third complete word reading, "it" should read, "its".

2. Column two, line twelve, last word reading "of" should read, "or".

3. Column three, line twenty two should read, "disposition of a separate activ-".

4. Column three, line fifty eight, third word reading, "counsel" should be capitalized.

5. Column three, line two of footnote seven, the word "board" should be capitalized.

[4910-22]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER I—PUBLIC TRANSPORTATION

PART 810—MASS TRANSIT AND SPECIAL USE HIGHWAY PROJECTS

Final Rule; Amendment

AGENCY: Federal Highway Administration, DOT.

ACTION: Amendment to final rule.

SUMMARY: This document provides a technical correction to the regulations on mass transit and special use highway projects, by adding a section heading that was inadvertently omitted from the final rule.

DATE: This amendment is effective on April 5, 1978.

FOR FURTHER INFORMATION CONTACT:

Frank Calhoun, Attorney, Office of the Chief Counsel, 202-426-0762, Federal Highway Administration, 400 Seventh Street SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday.

The Federal Highway Administration is correcting chapter I of title 23, Code of Federal Regulations, part 810, subpart c, by adding a section heading to the main body of the regulation.

In FR Doc. 77-27226, appearing at page 47338 in the issue for Tuesday, September 20, 1977, make the following change:

On page 47341, in the middle column, after the first five lines of text, insert "§ 810.202 Applicability".

§ 810.202 Applicability.

- (a) * * *
- (b) * * *

(23 U.S.C. 315, 23 CFR 1.48(b).)

Issued on: April 6, 1978.

LORENZO CASANOVA,
Chief Counsel,
Federal Highway Administration.
[FR Doc. 78-9728 Filed 4-11-78; 8:45 am]

[6820-22]

Title 41—Public Contracts and Property Management Regulations

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

[FPMR Temp. Reg. E-49, Supp. 1]

Automatic Data Processing Equipment

Exchange/Sale

CROSS REFERENCE: For the text of a temporary regulation published by the General Services Administration on the subject of the acquisition of exchange/sale automatic data processing equipment (ADPE) through the ADP Fund see FR Doc. 78-9688 appearing in the Notices section of this issue. Refer to the table of contents under "General Services Administration" for the page number.

[6712-01]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 21480; RM-2915]

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Station in Leesville, La.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Report and order.

SUMMARY: Action herein assigns a second Class A FM channel to Leesville, La. The channel provides an opportunity to bring a needed additional aural broadcast service to the community.

EFFECTIVE DATE: May 16, 1978.

ADDRESS: Federal Communications Commission.

FOR FURTHER INFORMATION CONTACT:

Mildred B. Nesterak, Broadcast Bureau, 202-632-7792.

SUPPLEMENTARY INFORMATION:

REPORT AND ORDER—PROCEEDING TERMINATED

Adopted: March 31, 1978.

Released: April 7, 1978.

In the matter of Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Leesville, La.), Docket No. 21480, RM-2915.

1. The Commission has before it the Notice of proposed rulemaking, 42 FR 60179, released November 14, 1977, proposing the assignment of Channel 221A to Leesville, La., as its second FM assignment. Petitioner, Pene Broadcasting Co., Inc., has filed supporting comments. Reply comments in opposition were filed by Stannard Broadcasting Co., Inc. ("Stannard"), licensee of FM broadcast Station KVVP, Leesville, La. A motion to strike Stannard's reply comments and a response to Stannard's reply comments were filed by petitioner.

2. As a preliminary matter, we note that petitioner argues that Stannard's reply comments should be stricken as a late-filed opposition to the notice, contending that Stannard discusses matters about which it did not have an opportunity to respond. In the alternative, petitioner urges acceptance of its late-filed reply to the opposition. Although Stannard could have submitted timely comments in opposition to the notice on the issue of the need for a second channel assignment to Leesville, there were other points which did not arise until the filing of petitioner's comments. We do not think that this portion of the reply could properly be rejected since these issues could not have been discussed by Stannard until the information was made part of the proceeding by petitioner's comments. Even though the balance was not appropriate for filing in this manner, we believe it would be easier and more beneficial to our consideration of the case to accept the pleading in its entirety. Having decided to accept the reply, we think it proper to accept petitioner's response as well.

3. Leesville (pop. 8,928), seat of Vernon Parish (pop. 53,794), is located in east central Louisiana, 328 kilometers (205 miles) northwest of New Orleans. It presently receives service from daytime-only AM Station KLLA, licensed to petitioner, and Station KVVP (Channel 288A), licensed to Stannard Broadcasting Co., Inc.

4. Petitioner states that the population of Leesville has almost doubled between 1960 and 1970, with the Department of Agriculture fixing the Vernon Parish population at 58,200 in 1975. In support of its proposal, petitioner has submitted sufficient information regarding social, governmental, and economic factors which indicate its need for a second Class A channel.

5. In opposing comments, Stannard states that, since petitioner has indicated no specific transmitter site and has used the center of Leesville as a reference point, the first and second services it claims it would provide are

just assumptions. Stannard notes that if the reference point were moved eastward, the first and second service areas would be diminished or eliminated entirely. Stannard also expresses concern about the preclusionary effect on otherwise possible assignments in the area if Channel 221A were assigned to Leesville. In light of the availability of an alternate channel which does not raise a preclusion question, no further discussion of this issue will be made.

6. Petitioner, in its response, states that it agrees that a Channel 221A station located east of Leesville would serve smaller first and second service areas than shown, but it points out that it is equally true that a station located west of Leesville would serve larger areas. It asserts that the site of its AM station (KLLA) is not only a logical potential site for a Channel 221A operation, but it is also located west of Leesville. However, in view of a recent siting of Channel 226, Alexandria, La., petitioner notes that Channel 224A has now become available and could be assigned to Leesville. It points out that Channel 224A would cause preclusion only on the co-channel and only in a small area west of Leesville which contains no communities. It adds that, if Channel 224A is assigned to Leesville, Channel 221A would be available for assignment to one of the communities which would have been precluded under the Channel 221A assignment. Petitioner states that it has no preference as to Channel 221A or Channel 224A.

7. Upon careful consideration of the comments filed by petitioner and Stannard, we believe it would be in the public interest to assign Channel 224A to Leesville, La. The channel would provide for an FM station which could render first and second FM service as well as second nighttime service to the area. Even without reliance on this service, the assignment is warranted, as it would provide the community with an opportunity to develop a needed second local FM broadcast service. By assigning Channel 224A to Leesville, Channel 221A would be available for assignment elsewhere.

8. Accordingly, pursuant to authority contained in sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and section 0.281 of the Commission's rules: *It is ordered*, That effective May 16, 1978, the FM Table of Assignments (§ 73.202(b) of the rules) is amended with respect to the community listed below:

City and Channel No.

Leesville, La., 224A, 288A.

9. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; (47 U.S.C. 154, 155, 303).)

FEDERAL COMMUNICATIONS
COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc. 78-9718 Filed 4-11-78; 8:45 am]

[6712-01]

[Docket No. 21489; FCC 78-245]

**PART 73—RADIO BROADCAST
SERVICES**

**Repeal of Programming Restrictions
on Subscription Television**

AGENCY: Federal Communications Commission.

ACTION: Report and Order.

SUMMARY: This action deletes FCC rules which (1) restrict those sports events which may be offered on subscription television ("STV"), (2) prohibit commercial advertising on STV and (3) limit sports and movies combined to 90% of an STV station's programming. The rules being deleted are identical to pay cable rules which were vacated by the U.S. Court of Appeals (D.C. Cir.), in a case which the U.S. Supreme Court decided not to review. These rules rested on a similar foundation so that there appeared to be no justification for applying the parallel regulations on programming aired on STV when such do not apply to pay cable.

EFFECTIVE DATE: May 22, 1978.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Freda Lippert Thyden, Broadcast Bureau, 202-632-7792.

SUPPLEMENTARY INFORMATION:

REPORT AND ORDER—PROCEEDING
TERMINATED

Adopted: April 5, 1978.

Released: April 7, 1978.

By the Commission: Commissioner Lee concurring in the result.

In the matter of repeal of programming restrictions on subscription television, Docket No. 21489.

1. The Commission has before it for consideration its Notice of Proposed Rulemaking, released December 7, 1977 (see 42 FR 62396, Dec. 12, 1977), which proposes repeal of what are presently paragraphs (a), (b) and (c) of 47 CFR 73.643.¹ These provisions, respectively, (1) restrict those sports

¹The notice proposed repeal or paragraphs (b), (c), and (d) of Rule 73.643. However, paragraph (a) of that rule has since been deleted thus causing paragraphs (b), (c), and (d) to have been renumbered as paragraphs (a), (b), and (c). See paragraph 2, infra.

events which may be offered on subscription television ("STV"), (2) prohibit commercial advertising on STV and (3) limit the combined amount of sports and movies to 90 percent of an STV station's programming.²

2. Until fairly recently, the Commission's rules and regulations contained provisions imposing the above restrictions on both STV and pay cable.³ Both sets of rules were adopted to prevent the loss of popular television programs to the general viewing audience through being siphoned away from free television to services available to only those who would pay directly for the programming. On March 25, 1977, the U.S. Court of Appeals, D.C. Circuit, vacated the pay cable restrictions but not the parallel STV restrictions. *Home Box Office v. FCC*, Case Nos. 75-1280 et al. Several parties, including the Commission, petitioned for a writ of certiorari to obtain Supreme Court review of various aspects of the judgment. The Commission, however, did not seek review of the part of the decision which vacated the cable television movie restrictions.⁴ In line with this view, the Commission instituted a rulemaking proceeding in Docket No. 21311, and on November 22, 1977, adopted a Report and Order, 42 FR 62372, 41 R.R. 2d 1491, which deleted the restrictions (contained in the original paragraph (a) of § 73.643 of the rules) concerning which feature films could be aired on STV. In so doing, the Commission held that STV and pay cable are two communications activities in direct competition and as a result should be given equal treatment insofar as program availability is concerned.

3. With this history in mind, the Commission decided to consider whether there was a justification for applying other restrictions on STV programming even though these restrictions no longer apply to pay cable. Therefore, the Notice was adopted proposing repeal of what is presently § 73.643 (a), (b) and (c) of the Commission's Rules and inviting comments on any justification for retention of the rules in question.

4. Comments supporting the proposal to delete the restrictions were filed by American Broadcasting Co., Inc., American Subscription Television, Inc., et al., Blonder-Tongue Laborato-

ries, Inc., Bowie Kuhn, Commissioner of Baseball, Gordon and Healy on behalf of certain clients interested in the grant of STV service, Lincoln Television, Inc., Motion Picture Association of America, Inc., National Hockey League, National Subscription Television and Oak Broadcasting Systems, Inc., Radio Broadcasting Co., and STV of America, Inc., Only one submission opposing the proposal was filed, that being the comments of the National Association of Broadcasters. Reply comments were filed by American Subscription Television, Inc.

5. Those parties favoring deletion of the restrictions contend that there is no reason to differentiate STV from pay cable. They argue that if the STV restrictions are not repealed, STV will be at a significant disadvantage in competing with pay cable for an audience. Unequal treatment, they submit, is contrary to the public interest in fostering new, competitive communications outlets offering the widest possible choice of programming. Supporters assert that failure to treat STV and pay cable equally will have a devastating impact on the development of the nascent STV industry and they contrast an embryonic STV industry with a more firmly established pay cable industry. Further they assert that failure to remove the program prohibitions would not only be a disservice to STV, but also to the public which would not be able to obtain the benefits from multiple communications systems.

6. The National Association of Broadcasters ("NAB"), the one party opposing the proposal, submits that consistency for consistency's sake hardly justifies deletion of the rules in the absence of a change in the circumstances which originally called for adoption of the rules. It argues that the courts have affirmed the Commission, finding the STV program restrictions legally and constitutionally sound. Deletion of the programming restrictions, asserts NAB, might serve the interests of STV operators who compete with cable television, but they would work to the detriment of the public who should continue to have highly attractive sports programming available to it on free television.

7. In reply, American Subscription Television, Inc., contends that since the Court in *Home Box Office* found that there was an insufficient record basis for the pay cable programming restrictions and the Commission has held that the factual support for the programming restrictions on pay cable and STV was the same, the Commission must now conclude that the inadequacy in the factual support for the one attaches with equal force to the other. Overall, it argues that there is no rational basis for believing that significant siphoning would occur by

virtue of STV operations, and thus, there is no need to retain the rules.

8. As noted by many of the parties commenting in this proceeding, it has been our consistent position, since 1970 when we first adopted pay cable rules, that in regard to anti-siphoning regulations, STV and pay cable should be treated similarly. See Amendment of Part 74, Subpart K, of the Commission's Rules, 23 FCC 2d, 825, 827-28 (1970); In the Matter of Amendment of Part 76, Subpart G, of the Commission's Rules, 48 FCC 2d 453, 461 (1974); In the Matter of Amendment of Part 76, Subpart G, of the Commission's Rules, 52 FCC 2d 1, 46-47 (1974); and In the Matter of Repeal of Movie Restrictions on Subscription Television, 41 R.R. 2d 1491, 1493 (1977). Nothing offered in the filings provides a basis for different treatment now. As noted in the STV feature film proceeding, while the Commission's regulatory postures toward STV and pay cable are not identical, it is clear that the two communications activities may be viewed as directly competitive and that, as far as program availability is concerned, equal treatment is appropriate. If only STV must comply with programming restrictions, its ability to compete with pay cable is limited and thus the viability of the STV systems are put into question. While the STV anti-siphoning rules, like the pay cable restrictions, were enacted to protect the continued presentation of free programming which otherwise might be siphoned away, the Commission cannot ignore the fact that these restrictions as applied to pay cable have been invalidated by the courts. Thus, STV is left in the vulnerable position of being the only pay television system with program restrictions. It has been argued that if the STV limitations are deleted, the public might lose certain free sports programs, but we have no more evidence for this proposition than we had in HBO. On the other hand, if STV's early growth is negatively affected, the public might lose what could be of greater magnitude, an entire communications system. As we have noted in numerous instances, the public interest is best served by diverse media forms. We believe that the circumstances demand that equal treatment be given STV. Furthermore, since the STV restrictions on movies have already been deleted, it would be inconsistent to retain the remainder of the STV program rules unless a clear justification were presented. That has not been the case. Therefore, we will delete 47 CFR 73.643 (a), (b) and (c) as proposed.⁵

⁵ We note that these rules were sustained by the United States Court of Appeals in *National Association of Theatre Owners v. FCC*, 420 F. 2d 194 (D.C. Cir. 1969), cert. denied, 397 U.S. 922 (1970). As that decision

Footnotes continued on next page

² A request for issuance of a Notice of Proposed Rulemaking contemplating the repeal of the sports programming restrictions, filed by Blonder-Tongue Laboratories Inc., was mooted by the issuance of the above notice on the Commission's own motion pursuant to Rule 1.411.

³ There also was a restriction on the presentation of certain feature films.

⁴ The petition for certiorari was denied, and the petition for rehearing of the denial of certiorari was denied by the Supreme Court on December 5, 1977.

9. *It is ordered*, That § 73.643 of the Commission's rules and regulations, 47 CFR 73.643 be amended by deletion of paragraphs (a), (b) and (c) and by relettering paragraphs (d) and (e) as paragraphs (a) and (b), effective May 22, 1978.

10. Authority for the actions taken herein is contained in Sections 2, 4(i), 301 and 303 of the Communications Act of 1934, as amended.

11. *It is further ordered*, That this proceeding is terminated.

(Secs. 2, 4, 301, 303, 48 Stat., as amended, 1064, 1066, 1081, 1082; (47 U.S.C. 152, 154, 301, 303).)

FEDERAL COMMUNICATIONS
COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

[FR Doc. 78-9719 Filed 4-11-78; 8:45 am]

[6712-01]

PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

Editorial amendments concerning deletion of the requirement that electric lights be a minimum of 10 watts

AGENCY: Federal Communications Commission.

ACTION: Order.

SUMMARY: The Commission is editorially amending Part 83 of its rules to delete the ten watt minimum requirement for lighting of radio stations aboard certain vessels subject to the Communications Act. The 10 watt requirement has existed since at least 1939 and many advances in lighting have occurred since then. This action will permit the use of more efficient lighting and simplify enforcement of the rules.

EFFECTIVE DATE: April 19, 1978.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Kemp J. Beaty, Safety and Special Radio Services Bureau, 202-632-7197.

SUPPLEMENTARY INFORMATION:

Adopted: April 3, 1978.

Released: April 4, 1978.

Order. In the matter of editorial amendment of §§ 83.446(a)(6),

Footnotes continued from last page was not overruled by the Court in *Home Box Office*, the Commission has the authority to, and may at some future time, revisit the subject of program restrictions for subscription television.

83.496(a) and 83.527(a) of the Commission's rules.

1. Sections 83.446(a)(6), 83.496(a) and 83.527(a) of the rules require that on vessels provided with radiotelephone or radiotelegraph stations in compliance with the Communications Act of 1934, as amended, a reliable electric light of not less than ten watts per unit shall be installed and permanently arranged so as to provide satisfactory illumination of the operating controls at the principal operating position.

2. The ten watt requirement has been in the rules since at least 1939. Since 1939 there have been vast improvements in the light output of electric lamps. The ten watt requirement is unnecessarily restrictive and serves no useful purpose.

3. Accordingly, the Commission's rules are being amended to delete the requirement that electric lights be a minimum of ten watts. Authority for this amendment is contained in Sections 4(i) and 303(c) and (r) of the Communications Act of 1934, as amended, and § 0.231(d) of the Commission's rules. Since the amendment is essentially editorial in nature the public notice, procedure and effective date provisions of 5 U.S.C. 553 do not apply.

4. In view of the above, *it is ordered*, That the rule amendment set forth below is adopted effective April 19, 1978.

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

FEDERAL COMMUNICATIONS
COMMISSION,
R. D. LICHTWARDT,
Executive Director.

Part 83 of Chapter I of Title 47 of the Code of Federal Regulations is amended to read as follows:

Part 83—Stations on Shipboard in the Maritime Services;

1. In § 83.446, paragraph (a)(6) is amended to read as follows:

§ 83.446 Requirements of reserve installation.

(a) * * *

(6) Emergency electric lights shall be provided, capable of being energized solely by the reserve power supply and connected thereto through individual fuses. The emergency electric lights shall be arranged so as to provide satisfactory illumination of the operating controls of the main and reserve radiotelegraph installations and of the radio station clock. The emergency lighting electrical circuits shall be arranged so as to avoid the application of excessive voltage to the emergency lights during the charging of any batteries forming part of the reserve installation. The provisions of this subparagraph shall not preclude the use of any other power supply for

energizing these lights solely as an additional provision. If a separate emergency radiotelegraph operating room is provided, the requirements of this subparagraph shall apply to it.

2. In § 83.527, paragraph (a) is amended to read as follows:

§ 83.527 Electric light.

(a) If the vessel is navigated during hours of darkness, a reliable electric light shall be installed and permanently arranged so as to provide satisfactory illumination confined as far as practicable to the operating controls at the principal operating position.

3. In § 83.496, paragraph (a) is amended to read as follows:

§ 83.496 Emergency electric lights.

(a) Reliable emergency electric light(s) shall be installed and permanently arranged so as to provide satisfactory illumination confined as far as practicable to the operating controls of the radiotelephone installation at the principal operating position, the card of instructions, and the radiotelephone stations clock if the latter is not self-illuminated.

[FR Doc. 78-9597 Filed 4-11-78; 8:45 am]

[6712-01]

[Docket No. 20282; RM's 1016, 1363, etc.]

PART 97—AMATEUR RADIO SERVICE

Operator Classes, Privileges, and Requirements in the Amateur Radio Service

AGENCY: Federal Communications Commission.

ACTION: Final rules.

SUMMARY: The FCC is amending its Amateur Radio Service rules to make all amateur frequencies above 50 MHz available to Technician Class amateur operators and to make the Novice Class amateur operator license renewable and valid for five years. We are taking this action to give Technician Class operators more flexibility in their operations and to make it easier for Novice Class operators to remain licensed amateur operators. We expect our action will result in both more efficient use of the spectrum above 50 MHz by amateur operators and an increase in the number of Novice Class amateur operators.

EFFECTIVE DATE: May 15, 1978.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Joseph M. Johnson, Personal Radio Division, Safety and Special Radio Services Bureau, 202-632-7250 (This is not a toll-free telephone number.)

SUPPLEMENTARY INFORMATION:

Adopted: March 22, 1978.

Released: April 6, 1978.

By the Commission: Commissioner White dissenting.

In the matter of amendment of Part 97 of the Commission's Rules concerning operator classes, privileges, and requirements in the Amateur Radio Service (41 FR 25013).

Docket No. 20282; RM-1016, 1363, 1454, 1456, 1516, 1521, 1526, 1535, 1568, 1572, 1602, 1615, 1629, 1633, 1656, 1724, 1793, 1805, 1841, 1920, 1947, 1976, 1991, 2030, 2043, 2053, 2149, 2150, 2162, 2166, 2216, 2219, 2256, 2284, 2449; FC 78-212.

1. On December 16, 1974, the Commission released a Notice of Proposed Rulemaking in this proceeding which was published in the FEDERAL REGISTER on December 20, 1974 (39 FR 44042). A First Report and Order was released on June 15, 1976 (41 FR 25013). This Second Report and Order is a further step in the resolution of the very complex and far reaching proposals of the Notice.

2. In the Notice, the Commission proposed to expand the frequencies available to Technician Class licensees. Presently, Technicians may operate in the bands 50.1-54.0 MHz, 145-148 MHz, and on all amateur frequencies above 220 MHz. The proposed rules would have permitted operation on all amateur frequencies above 50 MHz. This proposal was supported by the American Radio Relay League (ARRL) in its comments, and by numerous individual amateurs.

3. In light of actions now being taken in Docket 21033 concerning frequencies available for repeater station use, we believe the time has come to grant expanded frequency privileges to Technicians. Specifically, we will amend Section 97.7(d) of the Amateur Radio Service Rules to permit Technician Class licensees to operate on all frequencies above 50 MHz. We believe this action will give greater flexibility to such licensees who wish to do experimental and weak-signal work in the 50 MHz and 144 MHz bands.

4. In Docket 20282 the Commission also proposed to make the Novice Class operator license, which is currently a two year non-renewable license, a five year renewable license. There was strong support for this proposal in the comments, and we are adopting it as proposed. We are amending Section 97.13 of the Rules accordingly. Licensees now holding Novice Class licenses may renew them upon proper application.

5. In view of the foregoing, we believe that the amended rules, as discussed above, are in the public interest. Accordingly, pursuant to authority contained in Sections 4(i) and 303 of the Communications Act of 1934, as amended, it is ordered that Part 97 of the Commission's Rules is amended as set forth in the attached Appendix. It is further ordered that this proceeding is continued. The rule amendments adopted herein become effective May 15, 1978.

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

FEDERAL COMMUNICATIONS COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

Part 97 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended, as follows:

1. § 97.7(d) is amended to read, as follows:

§ 97.7 Privileges of operator licenses.

* * * * *

(d) *Technician Class.* All authorized amateur privileges on the frequencies 50.0 MHz and above. Technician Class licenses also convey the full privileges of Novice Class licenses.

* * * * *

2. In § 97.13, paragraph (b) is deleted, paragraphs (c) through (f) are redesignated paragraphs (b) through (e), and paragraph (a) is amended, as follows:

§ 97.13 Renewal or modification of operator license.

(a) An amateur radio operator license may be renewed upon proper application.

* * * * *

[FR Doc. 78-9722 Filed 4-11-78; 8:45 am]

[6712-01]

[Docket No. 21135; FCC 78-211]

PART 97—AMATEUR RADIO SERVICE

Simplification of the Licensing and Call Sign Assignment Systems in the Amateur Radio Service

AGENCY: Federal Communications Commission.

ACTION: Final rules.

SUMMARY: The FCC is eliminating the availability of special call signs prefixed by the letters "WR" for stations in repeater operation in the Amateur Radio Service. We think each amateur radio operator should have one station license and one call sign. "WR" call signs are unnecessary. We

expect the elimination of "WR" call signs for stations in repeater operation will have no significant effect on operations conducted in the Amateur Radio Service.

EFFECTIVE DATE: Non-Applicable.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Gregory M. Jones, Personal Radio Division, Safety and Special Radio Services Bureau, 202-634-6619. (This is not a toll-free telephone number.)

SUPPLEMENTARY INFORMATION:

Adopted: March 22, 1978.

Released: April 6, 1978.

By the Commission: Commissioner White dissenting.

In the matter of the simplification of the licensing and call sign assignment systems in the Amateur Radio Service (43 FR 7332).

WHAT IS THE BACKGROUND OF THIS PROCEEDING?

1. In a Notice of Proposed Rulemaking in Docket 21135, released March 11, 1977, 42 FR 15438 (1977), the Commission acted on its own initiative and proposed several major revisions of its Amateur Radio Service regulations, 47 CFR § 97.1, et seq. Comments on our proposals were due no later than June 2, 1977. Reply comments were due no later than June 30, 1977. The American Radio Relay League, Incorporated (ARRL) petitioned for an additional thirty days in which to submit comments and reply comments. On May 19, 1977 the Chief, Safety and Special Radio Services Bureau, acting under delegated authority, denied the ARRL's petition, stating that the eighty-three day comment period the Commission provided was adequate, and that rapid resolution of the issues raised in the Notice of Proposed Rulemaking in Docket 21135 was essential.

2. In the Notice of Proposed Rulemaking in Docket 21135 we proposed to simplify greatly the licensing and call sign assignment systems in the Amateur Radio Service. We proposed to discontinue the issuance of all amateur station licenses, except primary station licenses and space station licenses. Specifically, we proposed to eliminate Radio Amateur Civil Emergency Service (RACES) stations, special event stations, club stations, military recreation stations, secondary stations, repeater stations, auxiliary link stations and control stations. We also proposed to amend the Amateur Service rules to state that all amateur station call signs would be assigned on a systematic basis. As part of our call sign proposal, we proposed to eliminate the availability of distinctive call

signs for repeater stations (call signs prefixed by the letters "WR") and RACES stations (call signs prefixed by the letters "WC").

3. The Commission adopted a First Report and Order in Docket 21135 on February 8, 1978. In the First Report and Order the Commission eliminated the availability of secondary stations and special event stations. We also amended the amateur rules to eliminate existing special call sign programs. We did not adopt our proposal to eliminate separate club, military recreation and RACES station licenses. Instead, we proposed to adopt new rules restricting the eligibility for such licenses. We did not act at all on our proposals to eliminate repeater, auxiliary link and control stations licenses or to eliminate the availability of distinctive call signs for repeater stations.

4. Our proposals to eliminate separate repeater, auxiliary link and control station licenses duplicated a proposal we made in a Notice of Inquiry and Notice of Proposed Rulemaking in Docket 21033, 42 FR 2089 (1977). In a Report and Order in Docket 21033, released September 27, 1977, FCC 77-651, the Commission amended its rules to eliminate the availability of repeater, auxiliary link and control station licenses. On November 4, 1977 these regulations were stayed pending disposition of several petitions requesting reconsideration of our action in Docket 21033. In a Memorandum Opinion and Order in Docket 21033, also adopted today, we are affirming our original decision to delete the availability of repeater, auxiliary link and control station licenses. Further discussion of these issues in connection with this proceeding is therefore not necessary. Rather, we will consider the one remaining unaddressed issue in Docket 21135, namely, "WR" call signs for stations in repeater operation.

WHAT WERE OUR SPECIFIC PROPOSALS AND WHY DID WE MAKE THEM?

5. In our Notice of Proposed Rulemaking in Docket 21135 we proposed to eliminate the availability of station call signs prefixed by the letters "WR" for stations in repeater operation. We made this proposal, which involves a change in Commission policy rather than an amendment to a specific rule, to bring our regulatory programs into closer alignment with our existing resources. We said we could discern no compelling reason to continue our complex system of call sign assignment in the Amateur Service, a system which requires an allocation of our limited resources sufficient to degrade significantly the services we offer to amateur licensees in other areas. We indicated that we were aware that our proposal in Docket 21135 to eliminate the availability of "WR" call signs en-

tirely conflicted with a proposal we made in Docket 21033 to make "WR" call signs available in certain instances to stations in repeater operation.¹ We concluded that our proposal to eliminate "WR" call signs, when taken with our other call sign proposals, would, if adopted, "result in a simpler and fairer call sign assignment system and would permit us to concentrate our *** resources on areas more productive for the Amateur Radio Service."

WHAT DID THE COMMENTS SAY?

6. The majority of those commenting on our proposed simplification of the amateur station call sign system did not address the question of the elimination of "WR" call signs for stations in repeater operation. Rather, most respondents focused their comments on other aspects of the call sign proposals, such as the proposals to eliminate the provisions of the rules which permitted former holders of specific call signs to reacquire those call signs and which permitted licensees holding so-called "preferred" call signs (i.e., call signs consisting of one or two letters, followed by one digit, followed by two letters, or call signs consisting of one letter, followed by one digit, followed by three letters) to retain preferred call signs when changing their station locations from one call sign region to another call sign region.

7. The comments about the proposed elimination of "WR" call signs were, for the most part, negative. Although we cannot discuss each comment individually, because of the number we received, the following were representative of the arguments advanced against the elimination of "WR" call signs:

a. Programming of automatic identification equipment to transmit the call sign of a station in repeater operation would be difficult, particularly if the call signs of more than one amateur stations are to be used for identifying the station placed in repeater operation.

b. No one would be willing to "lend" his primary station call sign to a station in repeater operation, since to do so would make the person "lending" his call sign responsible for the transmissions of all users of the station in repeater operation, including those transmissions which violate the Commission's rules.

¹In both our Notice of Proposed Rulemaking and Report and Order in Docket 21033 we recognized the desirability, both from the user's standpoint and the enforcement standpoint, of providing a mechanism by which one monitoring a frequency knows whether or not he is listening to a station in repeater operation. We adopted a rule requiring a station in repeater operation to transmit either the letters "RPT" or the word "repeater" after the station call sign when identifying.

c. Many amateur licensees travel extensively around the United States. In order to make effective use of existing repeater stations, amateur licensees who travel must use published directories listing repeater stations in operation. Elimination of "WR" call signs would diminish the utility of such directories and make operation away from home more difficult for amateur licensees.

d. The call signs of existing repeater stations are well known. To eliminate distinctive call signs for repeater stations would unnecessarily complicate repeater operation.

e. It is important in situations involving interference to or from a station in repeater operation that the station in repeater operation be readily identifiable. To eliminate "WR" call signs should make identification and location of stations in repeater operation more difficult than it is today.

WHAT ACTION ARE WE TAKING AND WHY?

8. We have carefully reviewed all the comments we received addressing the issue of "WR" call signs for stations in repeater operation, and have concluded that the arguments against elimination of "WR" call signs, although far from frivolous, are outweighed by other, more compelling considerations, namely, the extension of the principle adopted in the First Report and Order that each amateur operator should have one station license and one station call sign. Accordingly, we will no longer issue "WR" call signs to stations in repeater operations.² Licensees of stations with "WR" call signs will not be permitted to retain those call signs after the expiration of their station licenses.

9. In eliminating the availability of "WR" call signs for stations in repeater operation, we emphasize our firm belief that our action will not adversely affect operations conducted in the Amateur Service. The elimination of "WR" call signs, taken in connection with our simultaneous elimination of separate licenses for repeater stations in Docket 21033, means that any station may be placed in repeater operation, using its existing call sign, without prior Commission authorization. Amateur stations were operated as repeater stations for many years before the Commission adopted regulations governing the licensing and operation of repeater and associated stations in Docket 18803, 37 FCC 2d 225 (1972). Thus, until little more than five years ago, the Commission had issued no "WR" call signs whatsoever. Moreover, the Commission's decision in

²The processing of repeater station licenses has been "frozen" since September 21, 1977. The last "WR" call sign has, therefore, already been issued.

1972 to require separate licenses and call signs for stations in repeater operation was not particularly well received by the amateur community at that time. We found it odd, to say the least, that there is now so much opposition to action which just five years ago would have been overwhelmingly approved by amateur licensees. In sum, what we are doing in this proceeding and in Docket 21033 is to relieve unnecessary restrictions on amateur licensees, to make it easier for amateurs to place stations in repeater operation, and to relieve the Commission of an administrative burden which has proven to be unnecessary.³

10. We do not think the arguments against eliminating the availability of "WR" call signs are persuasive.

a. Programming of automatic identification equipment to transmit primary, secondary or club station call signs, instead of "WR" call signs, should not present licensees with a significant problem. Indeed, after the Commission adopted new repeater operations regulations on September 1977, but before those regulations were stayed in November 1977, many amateurs prepared to place new stations in repeater operation. We are not aware of such substantial difficulty encountered by the licensees of such stations in programming their automatic identifiers to transmit non-"WR" call signs, although it has been brought to our attention that some automatic programming equipment cannot retain all the characters (e.g., WB6XXX/RPT) our rules require to be transmitted as station identifying by stations in repeater operation.⁴

b. We believe the contention that no one would be willing to permit his primary station call sign to be used by a station in repeater operation has no merit. It is true that the licensee of such a station would be responsible for all transmissions of the station, including those in violation of our rules; however, the licensee is always responsible for the proper operation of his station, whether or not it has a "WR" call sign. If an existing repeater station is affiliated with a club, the station trustee is legally responsible for the station's transmissions. If a repeater station is licensed to an individual amateur, he is as responsible for the proper operation of the repeater station as he is for the proper operation

of his primary station. In this regard, whether a station is assigned a "WR" call sign or not makes no legal difference whatsoever. The licensee is always responsible for the proper operation of his station.

c. We are aware that many amateurs travelling around the United States make use of open-access repeater stations when they are away from home. We are also aware that amateurs who are away from home rely frequently on published repeater directories to determine the frequencies and call signs of repeater stations in various parts of the country. We do not believe, however, that elimination of the availability of "WR" call signs will significantly affect the utility or reliability of repeater directories. Nor do we believe that elimination of "WR" call signs will make it more difficult for amateurs travelling away from home to make use of stations in repeater operation. We presume that the frequencies used by new stations placed in repeater operation, without "WR" call signs, will be coordinated as they have been in the past, with amateur repeater councils. We further presume that most new stations placed in repeater operation will, upon successful frequency coordination, be listed in the various published repeater directories, in the same way a station with a "WR" call sign is listed. The absence of a "WR" call sign simply makes no difference from an operational standpoint.

d. It may be true that the call signs of some existing repeater stations are well known. We do not believe, however, that elimination of "WR" call signs for stations in repeater operation would cause much, if any, confusion. Firstly, most amateur operators are accustomed to dealing with many different call signs in their everyday operations. Amateur operators will, we believe, experience no difficulty adapting to new call signs for stations in repeater operation. Secondly, and more importantly, it has been our experience that many amateurs are, for the most part, unaware of repeater station call signs, or, if they are aware, tend to downplay their significance. That is, most amateurs place much greater importance on the frequencies on which a repeater station operates than on the call sign of a repeater station. For example, most amateur operators would refer to WR3XXX, operating on 146.31 MHz/146.91 MHz, not as WR3XXX, but as the "31/91 machine." Our respondents in this proceeding therefore appear to have greatly overemphasized the importance of "WR" call signs for stations in repeater operation.

e. We agree that it is very important in cases in which a station in repeater operation causes radio frequency interference that it be easy to identify

and locate the station in repeater operation. We do not believe, however, that a "WR" call sign makes any perceptible difference one way or the other in the resolution of interference complaints. If a station is in repeater operation with a non-"WR" call sign and is causing interference, it should be no more difficult to contact the licensee than if a station with a "WR" call sign were causing the interference. The mailing address of the licensee and the station's location are contained in Commission records both for stations with "WR" call signs and stations without "WR" call signs. Resolution of interference complaints would, therefore, not be made any more difficult by permitting stations in repeater operation to use non-"WR" call signs.

CONCLUSION

11. In conclusion, we have shown that the issuance of "WR" call signs constitutes an unnecessary drain on our limited resources, that elimination of "WR" call signs will have no significant effect on amateur repeater operations, and that the arguments of those objecting to the elimination of "WR" call signs are without merit. Accordingly, we order that no new "WR" are to be issued. Licensees now assigned "WR" call signs may continue to use those call signs until the expiration dates of their station licenses. (We note that stations assigned "WR" call signs are exempt from the station identification requirements of Section 97.84(d)(1) of the Rules.)

12. We are continuing Docket 21135.

FEDERAL COMMUNICATIONS
COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

[FR Doc. 78-9723 Filed 4-11-78; 8:45 am]

[6712-01]

[Docket No. 21033; RM-2664; RM-2780;
FCC 78-210]

PART 97—AMATEUR RADIO SERVICE

Deregulation of Rules To Simplify the
Licensing and Operation of Complex
Systems of Stations and
Modify Repeater Subbands in the
Amateur Radio Service

AGENCY: Federal Communications
Commission.

ACTION: Final rules.

SUMMARY: The FCC is amending its Amateur Radio Service rules to eliminate the availability of repeater, auxiliary link, and control station licenses. We are also making several other changes in the rules governing the operation of repeater and associated stations. We are taking this action in response to several petitions requesting

³In this connection, we refer the reader to paragraphs 7-9 of our First Report and Order in this proceeding, in which we indicate that elimination of all special call sign programs will have a substantial beneficial effect on the efficiency of our amateur processing system.

⁴In Docket 21033 we are amending our identification rule to permit licensees employing telegraphy for identification to append either "R" or "RPT" to their station call signs.

that we reconsider action we had originally taken in September 1977. We expect our action will make it much easier for amateur operators wishing to place their stations in repeater operation to do so.

EFFECTIVE DATE: May 15, 1978.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Robert Cassler, Personal Radio Division, Safety and Special Radio Services Bureau, 202-634-6620. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

Adopted: March 22, 1978.

Released: April 6, 1978.

By the Commission: Commissioner White dissenting.

In the matter of deregulation of part 97 of the Commission's rules to simplify the licensing and operation of complex systems of stations and modify repeater subbands in the Amateur Radio Service.

1. The Commission has before it eight petitions for reconsideration of the action it took in Docket 21033 on September 21, 1977. These petitions were filed by the American Radio Relay League, Newington, Conn.; Robert Bingham, Elgin, Ill.; Laurent J. Blouin, Derry, N.H.; The Chicago FM Club, Arlington Heights, Ill.; Corwin D. Moore, Jr., on behalf of the Michigan Area Repeater Council, Ann Arbor, Mich.; Joseph H. Reisert, Jr., of Chelmsford, Mass.; The San Antonio Repeater Organization (SARO), San Antonio, Tex.; and Paul Wade, Somerville, N.J., all according to section 1.429 of the Commission's rules.

BACKGROUND

2. The Commission proposed in a notice of inquiry and notice of proposed rulemaking in Docket 21033, released January 6, 1977 (42 FR 2089), to substantially change many of the rules governing the licensing and operation of repeater stations and associated stations in the Amateur Radio Service. We proposed at that time to end the separate licensing of repeater, auxiliary link, and control stations, to open up nearly all amateur bands for repeater operations and to reduce the station identification and logging requirements for repeater operation. These proposals were in furtherance of the Commission's policy of deregulation of the Amateur Radio Service, and simplification of licensing of Amateur radio stations. The Commission also cited progress amateurs had made toward self-regulation in the operation and development of complex systems of stations.

3. Final regulations in Docket 21033 were adopted by the Commission, and

released September 27, 1977 (42 FR 52418). In this action, the Commission changed the amateur rules to allow amateurs to operate repeaters without requiring a separate license. It opened all frequencies above 220 MHz to repeater operation (except for 435-438 MHz) and added 144.5 to 145.5 MHz as a repeater subband in the 144-148 MHz amateur band. The Commission increased Technician Class operating privileges to include this new repeater subband. Logging and station identification requirements were relaxed. The Commission said that elimination of separate repeater, auxiliary link and control stations will enable it to provide the public with better service in processing primary station and operator license applications.

4. The Commission received eight petitions to reconsider the rule changes adopted in Docket 21033. The rule changes were to have taken effect on November 4, 1977. However, the American Radio Relay League filed a petition for stay of the effective date of the rule changes, citing the possibility of irreparable harm if the rules were to take effect before the Commission had an opportunity to consider the eight petitions for reconsideration. Therefore, by action of the Commission the effective date of the regulations adopted in the report and order in Docket 21033 was stayed until further order of the Commission.

5. The American Radio Relay League subsequently filed a petition to modify the stay order on November 23, 1977. In the petition it states that it had become clear that the content of the petitions for reconsideration indicated only three areas of controversy, and that the public interest would be served by modifying the stay order so that the noncontroversial changes in the rules can become effective at an early date. On February 9, 1978, the Chief, Safety and Special Radio Services Bureau, acting under delegated authority, waived sections, 97.40, 97.43, 97.88, and 97.126 of the Commission's rules to permit licensed amateurs to operate repeater, auxiliary link, control or remotely controlled stations without prior Commission approval.

THE PETITIONS

6. There were three areas of controversy raised by the petitions for reconsideration: The licensing of repeater stations and "WR" call signs; the expansion of the repeater subbands; and the effect of the rule changes on the operating privileges of the Technician Class license holder.

7. *Repeater licensing.* Five petitioners urged the Commission to reconsider its decision which ended separate licensing for repeater, auxiliary link, and control stations and discontinued the issuance of "WR" call signs for repeater stations. The American Radio

Relay League argues that repeater stations, by their nature, must operate on fixed frequencies, and that these fixed frequencies must be coordinated. Voluntary frequency coordination has been extremely effective under the present system where an amateur must get a separate repeater license and call sign. The ARRL feels that by removing the requirement of a repeater license it will "substantially decrease the possibility that voluntary cooperation and coordination by amateurs will continue to be effective and practical." The Michigan Area Repeater Council agrees with the ARRL that coordination is important and asserts that the Commission's contention in its report and order in Docket 21033 that "fly-by-night" operations will not occur because of the expense and planning involved in setting up a repeater station is "unfortunate and mistaken." "Very inexpensive repeaters could be built out of junk-box parts * * * a transmitter and receiver strip * * * and a moderate dose of that infamous Amateur home-brew ingenuity." The Michigan Area Repeater Council is concerned that without the identifying factor of a license or a "WR" call sign, the amateur community's capability of self-enforcement will be impaired.

8. Similar fears of disorderly use of the frequencies by amateurs are expressed by petitioners Laurent Blouin, Robert Bingham, and Joseph Reisart, Jr. All three point to the increased risk of interference from unlicensed repeater operation.

9. The ARRL also asserts that ending "WR" call signs for currently licensed repeater stations was not within the scope of our original proposal. It cites the notice of proposed rulemaking in which we said, "We propose to discontinue our policy of assigning call signs prefixed with the letters 'WR'. Stations presently assigned such call signs would be permitted to retain them indefinitely. A licensee wishing to engage in repeater operation and wishing to obtain a 'WR' call sign would be required to request the prefix." In the final draft of the rules, the Commission stated that those holding "WR" call signs would not be able to renew them, nor could anyone get one on request. The ARRL petition states that this action was contrary to the Administrative Procedure Act by failing to give notice to the public that "WR" call signs would be discontinued entirely.

10. *Repeater subbands.* Five petitioners requested reconsideration of the Commission's expansion of the repeater subbands. The major thrust of the arguments was that allowing repeater operation on all amateur frequencies above 220 MHz would significantly interfere with a number of amateur activities in the VHF and UHF bands.

According to petitioner Joseph Reiser, Jr., the amateur frequencies 144 through 450 MHz are all used for weak signal reception, experimental communications systems, EME (Earth Moon Earth, or moon bounce) communications, tropospheric propagation and state-of-the-art equipment design. All these activities, he says are examples of amateurs contributing "to the advancement of the radio art," one of the bases and purposes of amateur radio as stated in section 97.1(b). Petitioner Paul Wade adds that "the weak-signal communications are obviously subject to interference by strong signals; the capability of a well-located repeater to unwittingly disturb weak-signal communications at distances far removed from its normal service area illustrates the incompatibility of the two modes." Laurent Blouin states that it is impossible to do "any serious work on weak signal detection if high power FM operations were within 1 MHz of the serious operator."

11. The ARRL, Laurent Blouin, Joseph Reiser, Jr., and Paul Wade mentioned specific subbands they would like to see protected. All four argued that 220.0 to 220.5 MHz, and 431-433 MHz should be set aside (432 MHz is the frequency currently being used for satellite and moon bounce communications), and protected from repeater operation. The ARRL, Joseph Reiser, Jr., and Laurent Blouin also want protection for 222.0 to 222.5 MHz. Paul Wade and the ARRL want 1290 to 1300 MHz protected for future amateur satellite use.¹

12. The ARRL further argues that when the Commission added 144.5 to 145.5 as a repeater subband, it had done so without adequate notice to the public. The ARRL states that because the notice of proposed rulemaking invited comments only on the proposal to make all frequencies allocated to the Amateur Radio Service except 435 to 438 MHz available for repeater and auxiliary operation, alternatives, such as additional subbands, could not be considered.

13. *Technician class privileges.* Four petitioners are concerned with how the expansion of the repeater subbands to include 144.5 to 145.5 MHz will affect Technician Class operators. Traditionally, 145 MHz has been used by Technician Class operators for single sideband (SSB) and telephony operation. Joseph Reiser, Jr. states that the report and order in Docket 21033 "actually takes away rather than gives the technicians any extra privileges since the present c.w. area of 145 to 145.3 MHz will now be open to repeaters and FM." The Chicago FM Club states that "repeater coun-

cils across the country are working on a band plan that would provide 'protected' space on a voluntary basis from 144.9-145.1 MHz for SSB/CW operation. But the voluntary plan has some limitations." They go on to state that the only effective solution would be to allow Technician Class operators to operate from 144.2-148.0 MHz.

14. The San Antonio Repeater Organization (SARO) argues that FM repeater use of 144.5 to 145.5 MHz "displaces established SSB use by Technicians without providing new spectrum where they may relocate along with higher class-licensees." SARO would extend radiotelephone privileges for Technician Class operators downward to 144.1 MHz. Laurent Blouin argues that if Technician Class operators must share 144.5 to 145.5 MHz with FM repeater operation, there would be no incentive for the holder of the Technician Class license to upgrade. He would allow Technician Class operators telephony privileges from 144.0-148.0 MHz and radio telephony privileges from 144.2 to 148.0 MHz.

15. *Comments.* There were 18 comments filed in response to the 8 petitions for reconsideration. Three of the comments opposed the petitions. Fifteen of the comments supported the petitions on at least one of the three issues they raised. The breakdown of support was as follows: Eight commenters were for protection of weak-signal activities, nine commenters wanted to retain separate licensing for repeater stations and "WR" call signs, seven commenters were for added operating privileges for Technician Class license holders. The total adds to more than 15 because many commenters commented on more than one issue.

DISCUSSION

16. *Repeater licensing.* The requirement that amateurs who want to operate a repeater station first obtain a separate repeater license from the Commission was imposed originally in 1972 in Docket 18803. 37 FCC 2d 225 (1972). Before 1972, repeaters were not specifically mentioned in the amateur rules. Amateurs who operated repeaters before 1972 did so under the general guidance of the rules which applied to amateur operation and without a separate repeater license. The Commission, in Docket 18803, sought to emphasize that repeater operation required special rules. To ensure that these new rules were adhered to, the Commission required a separate license based on a substantial showing by the amateur applicant. The information required by the Commission from an applicant included a system network diagram, antenna radiation patterns, certain calculations for effective radiated power and height above average terrain, and technical data relating to remotely controlled stations,

control stations, and auxiliary link stations. The requirements for these showings were intended "to verify that the applicant has given careful consideration to the planning and design of his repeater station, addressing particular attention to the geographical area to be covered." 37 FCC 2d 225, 228 (1972).

17. In a long line of rulemaking proceedings beginning in 1974, the extensive showings required by the Commission and several of the more restrictive rules governing repeater operation were gradually dropped. For example, in an Order adopted January 10, 1974, we deleted the requirement that the applicant supply the Commission with his calculations of the effective radiated power and antenna height above average terrain of his proposed station. In Docket 20073, adopted May 28, 1975, the Commission permitted the linking of amateur repeater stations. In Docket 20112, adopted June 11, 1975, the Commission authorized the automatic control of repeater stations under certain conditions. In Docket 20113, adopted October 29, 1975, the Commission permitted crossband operation of repeater stations. In addition, by Order of the Commission on November 17, 1975, we removed the requirement that the repeater applicant file certain technical data relating to remotely controlled stations, control stations, and auxiliary link stations, and we allowed portable/mobile operation of remotely controlled stations.

18. This policy of deregulation has brought us to the point where, at present, an applicant for a repeater station need show no more than he is an amateur, and holds at least a Technician Class license. This tremendous shift in regulatory policy has been based on conditions in amateur radio as the Commission has perceived them. Before 1972, the privilege of operating through a repeater was abused by some amateurs, partially out of an unfamiliarity with what new ground rules should apply to this type of operation. Gradually, as conditions stabilized, and as the amateurs learned more about self-regulation and local frequency selection, the Commission deregulated by relieving rule restrictions, and simplifying application procedures. The cooperation amateurs have shown in the use of the amateur frequencies was recognized by the ARRL in comments it filed to the Notice of Proposed Rule Making in this proceeding. In response to our proposal to establish principles of priority of use of amateur frequencies, it argued that the number of troublesome situations in amateur radio were infinitesimal. The ARRL went on to say that all but a few of the "disagreements over repeater frequencies have been effectively resolved by voluntary frequency coordination." Comments, ARRL at 30.

¹Neither 432 MHz nor 1290 MHz-1300 MHz is available to the Amateur satellite Service.

19. In Docket 21033 we proposed to take the next logical step and end the requirement for a separate license for repeaters. This was done in recognition that the original function of repeater licensing, namely, the stabilization of a new situation, had been served. However, the petitioners in this docket argue that a repeater license is still necessary and still serves a function. The expressed fear is that the situation will become chaotic if any amateur, Technician Class or above, can set up a repeater. However, the state of affairs at present is that any amateur, Technician Class or above, can set up a repeater simply by checking off the appropriate box on the Form 610 and waiting for a repeater license. There is simply no longer any practical purpose served by the licensing process. We should also note that some amateurs have also expressed the fear that, without separate repeater licenses, amateurs who operate their primary stations as repeaters might place their primary station licenses in jeopardy for rule violations committed by users of the repeater. In this regard, the Commission intends to treat the repeater users as being primarily liable for operational rule violations, and will look to the repeater licensee only to the extent that he fails to meet his obligation to provide adequate control of his repeater. As a practical matter, our enforcement efforts in the past have proceeded on this basis. In many instances, we have worked with repeater licensees in tracking down users who commit rule violations through repeaters.

20. To do away with repeater licensing is to do more than relieve the amateur of an exercise he has shown he can do without. It also means the Commission will be able to allocate its resources more efficiently and process other applications in a timely manner. When the Commission announced its freeze on new repeater applications in September, 1977, the Commission had over 3,000 unprocessed repeater license applications on hand. Each application would have required special processing apart from the normal handling given an amateur application, and represented a sizable diversion of Commission manpower from the processing of primary station and operator licenses. Yet, even when the repeater application is finally processed, a large number of these new repeater licenses go unused. We estimate that some 1,500 of the repeater licenses granted by the Commission in the past 5 years were for stations that were never built. Clearly, this amounts to a waste of valuable manpower which could be used much more profitably in other areas.

21. However, the ARRL and others argue that regardless of whether licensing serves a practical function, it

does serve a psychological function in that it makes the amateur aware that he is responsible for the proper operation of his repeater. We believe, though, that an amateur is psychologically aware of his responsibilities when he becomes an amateur, and it is not necessary for the Commission to remind the amateur of his responsibilities each time he enters a new field of operation. Would this type of psychological reminder be necessary for sending radio teleprinter signals? slow-scan television signals? or communicating through the amateur satellites?

22. We are therefore affirming the decision made by the Commission in the First Report and Order in Docket 21033 to end the requirement of a separate license for repeater, auxiliary link and control stations.

23. "WR" call signs. We agree with the ARRL's contention that adequate notice was not given in the Notice of Proposed Rule Making in Docket 21033 that "WR" call signs for repeaters stations might be discontinued. That proposal was made in Docket 21135, not Docket 21033. The Commission today is adopting a Second Report and Order in Docket 21135 specifically on the issue of "WR" call signs, which deletes the availability of "WR" call signs for repeater operation. For a discussion of that issue, the reader is referred to the Second Report and Order in Docket 21135. The station identification rules adopted in the First Report and Order in Docket 21033 in lieu of "WR" call signs have been modified in response to the petition filed by the Chicago FM Club. The rules, as originally adopted, required that a station, when identifying by telegraphy, transmit the amateur's call sign followed by "RPT" if in repeater operation, or "AUX" if in auxiliary operation. The Chicago FM Club argues that this method of station identification "constitutes an excessive number of characters" and that the "majority of repeater identification devices lack the capacity to add the characters 'RPT' without extensive rebuilding." We agree with the Chicago FM Club. The new rules will give amateurs a choice. They may add either the suffix "R" or the suffix "RPT" when identifying a repeater operation by telegraphy. Similarly, amateurs will be given the choice of "A" or "AUX" when identifying an auxiliary operation.

24. In addition, in response to requests from two petitioners, the Chicago FM Club and the Michigan Area Repeater Council, we are making clear exactly when the repeater identifier is to be used. If an amateur is operating a repeater under the remaining term of his repeater license, he may identify his station either under his "WR" call sign, or he may identify under his primary station call sign followed by

the repeater identifier ("R" or "RPT", if telegraphy, "repeater", if telephony). There is no requirement to add the repeater identifier to a "WR" call sign. Of course, amateurs operating new repeaters must use the new repeater identification, because "WR" call signs are no longer available.

25. Repeater subbands. Before the question of repeater subbands can be resolved, there is the issue of notice raised by the ARRL: did the Commission give adequate notice to the public that new repeater subbands might be created when it proposed to make all amateur frequencies available to repeater operation? The Administrative Procedure Act requires that the notice of the proposed rule include, "either the terms or substance of the proposed rule, or a description of the subject and issued involved." 5 U.S.C. 553(b)(3). In the Notice of Proposed Rulemaking in this proceeding, the Commission proposed to make all amateur frequency bands, except 435-438 MHz, available for repeater operation. The comments which the Commission received indicated that problems existed with the proposed rule because it would create the danger of incompatibility with other amateur activities. Accordingly, the Commission, in its First Report and Order in Docket 21033, adopted a partial expansion of the repeater subbands, limiting it to amateur frequencies above 220 MHz and adding a one megahertz repeater subband in the two meter band, 144.5-145.5 MHz.

26. The ARRL argues that the creation of a one megahertz repeater subband at 144.5-145.5 MHz was not proposed originally. It contends that rules setting aside repeater subbands can not be adopted when the public is only given notice that the Commission is considering making all amateur frequencies available to repeaters. Yet, it is well established that "a notice of rulemaking is sufficient if it provides a description of the subjects and issues involved." *California Citizens Band Ass'n v. United States*, 375 F. 2d 43, 49, certiorari denied, 389 U.S. 844 (1967). See also, *Mt. Mansfield Television, Inc. v. FCC*, 442 F. 2d 470 (1971), and *Buckeye Cablevision, Inc. v. FCC*, 128 U.S. App. D.C. 262, 387 F. 2d 220 (1967). Further, the Administrative Procedure Act "does not require an agency to publish in advance every precise proposal which it may ultimately adopt as a rule." *California Citizens Band Ass'n*, supra, at 48. The position taken by the ARRL denies the purpose of a rulemaking proceeding—to allow an agency the flexibility it needs to shape the final rule on the basis of the comments it receives. The Administrative Procedure Act does not require an agency to either adopt or reject a proposal in total. This would be too rigid a restriction on the capability of an

agency to act. The public comments indicated that in the two meter band, 144.0-144.5 MHz and 145.5-146.0 MHz were not appropriate for repeater activity, and therefore we declined to make those frequency ranges available to repeater operation. It seems clear that the public was on notice as to our proposed actions, and wanted us to consider alternative solutions, short of a total expansion of the repeater bands. We therefore find that proper notice was given the public on the issue of repeater subbands.

27. We turn now to the arguments of the petitioners on repeater subbands. In our First Report and Order in Docket 21033, we stated that we believed that weak signal work and other amateur activities should be afforded protection from repeater transmissions, and accordingly set out the 144.0-144.5 and 145.5-146.0 MHz ranges as ranges which would not be available to repeater operation. It has become apparent from the several Petitions for Reconsideration that we should set aside additional frequency ranges that would be free from repeater operation. We will therefore not allow repeater or auxiliary operation in the 220.0-220.5 MHz and 431-433 MHz ranges. According to the petitioners, these subbands contain the bulk of the experimentation with moon bounce and satellite transmissions being carried out today.

28. At the same time, we do not feel that the other two subbands mentioned by the petitioners require protection. 222.0-222.5 MHz was a part of the original repeater subband of 222-225 MHz when repeater subbands were established in 1972, and we can see no reason to afford it any protection now. 1290-1300 MHz was cited by two petitioners as requiring protection for future satellite activity. To the best of our knowledge, there are no repeaters in the United States in that band, nor is there any satellite activity. We would prefer, given these circumstances, to await future development of the band by amateurs, fully expectant that the band is wide enough to accommodate many amateur activities.²

29. *Technician Class privileges.* The Commission has proposed in Docket 20282 to give Technician Class operators full privileges in the two meter band, 144-148 MHz. This would, in effect, give to Technician Class amateurs the privileges sought by the petitioners in this docket. Therefore, the Commission today is adopting a Second Report and Order in Docket 20282 granting, among other things, full privileges to Technician Class operators in the 144-148 MHz band.

30. Accordingly, in view of the foregoing: *It is ordered*, That the Petitions

² See n. 1, supra at 4.

for Reconsideration of the Commission's action in Docket 21033 submitted by the American Radio Relay League, Robert Bingham, Laurent J. Blouin, the Chicago FM Club, the Michigan Area Repeater Council, Joseph H. Reisert, Jr., the San Antonio Repeater Organization, and Paul Wade are granted to the extent indicated in paragraphs 23, 27, and 29, supra, and are otherwise denied. *It is further ordered*, That the Petition to Modify the Stay Order filed by the American Radio Relay League is dismissed as moot. *It is further ordered*, That pursuant to authority contained in Sections 4(i) and 303 of the Communications Act of 1934, as amended, Part 97 of the Commission's Rules IS AMENDED as set forth in the attached Appendix, effective May 15, 1978. *It is further ordered*, That the Stay Order in Docket 21033, adopted November 4, 1977, and the "freeze" announced in that Stay Order on the filing of applications for new repeater, auxiliary link and control station licenses are continued until the effective date of these regulations.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307.)

FEDERAL COMMUNICATIONS
COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

Part 97 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended, as follows:

1. In § 97.3, paragraph (i) is deleted, paragraphs (j), (k), and (l) are redesignated (i), (j), and (k), respectively, paragraph (m) is redesignated paragraph (l) and in that paragraph, the definition of amateur radio operation is amended, and new definitions of repeater operation and auxiliary operation are added, paragraph (n) is redesignated paragraph (m) and in that paragraph, the definitions of control and automatic control are amended, and paragraphs (o), (p), (q), (r), (s), (t), (u), (v), (w), (x), (y), (z), and (aa), are redesignated (o), (p), (q), (r), (s), (t), (u), (v), (w), (x), (y), and (z) respectively.

§ 97.3 Definitions.

(1) *Amateur radio operation.* Amateur radio communication conducted by amateur radio operators from amateur radio stations, including the following:

Mobile operation. Radiocommunication conducted while in motion or during halts at unspecified locations.

Repeater operations. Radiocommunication, other than auxiliary operation, for retransmitting automatically the

radio signals of other amateur radio stations.

Auxiliary operations. Radiocommunication for remotely controlling other amateur radio stations, for automatically relaying the radio signals of other amateur radio stations in a system of stations, or for intercommunicating with other amateur radio stations in a system of amateur radio stations.

(m) *Control* means techniques used for accomplishing the immediate operation of an amateur radio station. Control includes one or more of the following:

(3) *Automatic control* means the use of devices and procedures for control so that the control operator does not have to be present at the control point at all times. (Only rules for automatic control of stations in repeater operation have been adopted.

§ 97.40 [Amended]

2. In § 97.40, paragraphs (c), (d), and (e), are deleted.

§ 97.41 [Amended]

3. In § 97.41, paragraphs (b) and (c) are deleted, and paragraph (d) and (e) are redesignated paragraphs (b) and (c) respectively.

4. § 97.43 is revised to read, as follows:

§ 97.43 Location of station.

Every amateur radio station shall have one land location, the address of which appears in the station license, and at least one control point.

5. In § 97.61, paragraphs (a) and (c) are revised and a new paragraph (d) is added, as follows:

§ 97.61 Authorized frequencies and emissions.

(a) The following frequency bands and associated emission are available to amateur radio stations for amateur radio operation, other than repeater and auxiliary operation, subject to the limitations of Section 97.65 and paragraph (b) of this section: * * *

(c) All amateur frequency bands above 29.5 MHz are available for repeater operation, except 50.0-52.0 MHz, 144.0-144.5 MHz, 145.5-146.0 MHz, 220.0-220.5 MHz, 431.0-433.0 MHz, and 435.0-438.0 MHz. Both the input (receiving) and output (transmitting) frequencies of a station in repeater operation shall be frequencies available for repeater operation.

(d) All amateur frequency bands above 220.5 MHz, except 431-433 MHz,

and 435-438 MHz, are available for auxiliary operation.

6. In § 97.63, the headnote is revised and the text amended, as follows:

§ 97.63 Selection and use of frequencies.

(a) An amateur station may transmit on any frequency within any authorized amateur frequency band.

(b) Sideband frequencies resulting from keying or modulating a carrier wave shall be confined within the authorized amateur band.

(c) The frequencies available for use by a control operator of an amateur station are dependent on the operator

license classification of the control operator and are listed in § 97.7.

7. In § 97.67, paragraph (c) is revised to read, as follows:

§ 97.67 Maximum authorized power.

(c) Within the limitations of paragraphs (a) and (b) of this section, the effective radiated power of an amateur radio station in repeater operation shall not exceed the power specified for the antenna height above average terrain in the following table:

Antenna height above average terrain	Maximum effective radiated power for frequency bands above			
	52 MHz	144.5 MHz	420 MHz	1215 MHz
	Watts	Watts	Paragraphs (a) and (b).	Paragraphs (a) and (b).
Below 50 ft.....	100	800	.....do.....	.....do.....
50-99 ft.....	100	400	.....do.....	.....do.....
100-499 ft.....	50	400	800 W.....	.....do.....
500-999 ft.....	25	200	.....do.....	.....do.....
Above 1,000 ft.....	25	100	400 W.....	.....do.....

8. § 97.83 is redesignated § 97.82, as follows:

§ 97.82 Availability of operator license.

* * * * *

9. § 97.85 is redesignated § 97.83, as follows:

§ 97.83 Availability of station license.

* * * * *

10. § 97.87 is redesignated § 97.84, and paragraphs (c), (d), and (e) are revised, as follows:

§ 97.84 Station identification.

* * * * *

(c) An amateur radio station in repeater operation or a station in auxiliary operation used to relay automatically the signals of other stations in a system of stations shall be identified by radiotelephony or radiotelegraphy at a level of modulation sufficient to be intelligible through the repeated transmission at intervals not to exceed ten minutes.

(d) When an amateur radio station is in repeater or auxiliary operation, the following additional identifying information shall be transmitted:

(1) When identifying by radiotelephony, a station in repeater operation shall transmit the word "repeater" at the end of the station call sign. When identifying by radiotelegraphy, a station in repeater operation shall trans-

mit the fraction bar DN followed by the letters "RPT" or "R" at the end of the station call sign. (The requirements of this subparagraph do not apply to stations having call signs prefixed by the letters "WR".)

(2) When identifying by radiotelephony, a station in auxiliary operation shall transmit the word "auxiliary" at the end of the station call sign. When identifying by radiotelegraphy, a station in auxiliary operation shall transmit the fraction bar DN followed by the letters "AUX" or "A" at the end of the station call sign.

(e) A station in auxiliary operation may be identified by the call sign of its associated station.

11. A new § 97.85 is added, as follows:

§ 97.85 Repeater operation.

(a) Emissions from a station in repeater operation shall be discontinued within five seconds after cessation of radiocommunications by the user station. Provisions to limit automatically the access to a station in repeater operation may be incorporated but are not mandatory.

(b) Except for operation under automatic control, as provided in paragraph (e) of this section, the transmitting and receiving frequencies used by a station in repeater operation shall be continuously monitored by a control operator immediately before and during periods of operation.

(c) A station in repeater operation shall not concurrently retransmit amateur radio signals on more than one frequency in the same amateur frequency band, from the same location.

(d) A station in repeater operation shall be operated in a manner ensuring that it is not used for one-way communications, except as provided in § 97.91.

(e) A station in repeater operation, either locally controlled or remotely controlled, may also be operated by automatic control when devices have been installed and procedures have been implemented to ensure compliance with the rules when a duty control operator is not present at a control point of the station. Upon notification by the Commission of improper operation of a station under automatic control, operation under automatic control shall be immediately discontinued until all deficiencies have been corrected.

12. A new § 97.86 is added, as follows:

§ 97.86 Auxiliary operation.

(a) A station in auxiliary operation, either locally controlled or remotely controlled, may also be operated by automatic control when it is operated as part of a system of stations in repeater operation operated under automatic control.

(b) If a station in auxiliary operation is relaying signals of another amateur radio station(s) to a station in repeater operation, the station in auxiliary operation may use an input (receiving) frequency in frequency bands reserved for auxiliary operation, repeater operation, or both.

(c) A station in auxiliary operation shall be used only to communicate with stations shown in the system network diagram.

13. In Section 97.88, the headnote, introductory paragraph, paragraphs (a), (b), (c), and (e) are amended to read as follows:

§ 97.88 Operation of a station by remote control.

An amateur radio station may be operated by remote control only if there is compliance with the following:

(a) A photocopy of the remotely controlled station license shall be—

(1) Posted in a conspicuous place at the remotely controlled transmitter location, and

(2) Placed in the station log of each authorized control operator.

(b) The name, address, and telephone number of the remotely con-

trolled station licensee and at least one control operator shall be posted in a conspicuous place at the remotely controlled transmitter location.

(c) Except for operation under automatic control, a control operator shall be on duty when the station is being remotely controlled. Immediately before and during the periods the remotely controlled station is in operation, the frequencies used for emission by the remotely controlled station shall be monitored by the control operator. The control operator shall terminate all transmissions upon any deviation from the rules.

* * * * *

(e) A station in repeater operation shall be operated by radio remote control only when the control link uses frequencies other than the input (receiving) frequencies of the station in repeater operation.

§ 97.89 [Amended].

14. In § 97.89, paragraphs (c) and (d) are deleted.

15. Section 97.95(a)(1) is revised to read, as follows:

§ 97.95 Operation away from the authorized fixed station location.

(a) ***

(1) When there is no change in the authorized fixed operation station location, an amateur radio station, other than a military recreation station, may be operated portable or mobile under its station license anywhere in the United States, its territories or possessions, subject to Section 97.61.

* * * * *

16. In Section 97.103, paragraph (c)(5) is deleted, paragraphs (c), (c)(1), (c)(2), (c)(3), (c)(4), (d), (e), (e)(1), (e)(2), (e)(3), (e)(4), (e)(5) are amended, and (e)(6) and (e)(7) are added; paragraph (f) as amended, is redesignated as paragraph (g), and a new paragraph (f) is added to read as follows:

§ 97.103 Station log requirements.

* * * * *

(c) In addition to the other information required by this section, the log of a remotely controlled station shall have entered the names, addresses, and call signs of all authorized control

operators and a functional block diagram of, and a technical explanation sufficient to describe the operation of the control link. Additionally, the following information shall be entered:

(1) A description of the measures taken for protection against access to the remotely controlled station by unauthorized persons;

(2) A description of the measures taken for protection against unauthorized station operation, either through activation of the central link, or otherwise;

(3) A description of the provisions for shutting down the station in the case of control link malfunction; and

(4) A description of the means used for monitoring the transmitting frequencies.

(d) When a station has one or more associated stations, that is, stations in repeater or auxiliary operation, a system network diagram shall be entered in the station log.

(e) In addition to the other information required by this section, the log of a station in repeater operation transmitting with an effective radiated power greater than the minimum effective radiated power listed in § 97.67(c) for the frequency band in use shall contain the following:

(1) The location of the station transmitting antenna, marked upon a topographic map having a scale of 1:250,000 and contour intervals¹;

(2) The antenna transmitting height above average terrain²;

(3) The effective radiated power in the horizontal plane for the main lobe of the antenna pattern, calculated for maximum transmitter output power;

(4) The transmitter output power;

(5) The loss in the transmission line between the transmitter and the antenna, expressed in decibels;

(6) The relative gain in the horizontal plane of the transmitting antenna; and

(7) The horizontal and vertical radiation patterns of the transmitting antenna, with reference to true north (for horizontal pattern only), expressed as relative field strength (voltage) or in decibels, drawn upon polar coordinate graph paper, and the

¹Indexes and ordering information for suitable maps are available from the U.S. Geologic Survey, Washington, D.C. 20242, or from the Federal Center, Denver, Colo. 80255.

²See Appendix 5.

method used in determining these patterns.

(f) In addition to the other information required by this section, the log of a station in auxiliary operation shall have the following information entered:

(1) A system network diagram for each system with which the station is associated;

(2) The station transmitting band(s);

(3) The transmitter input power; and

(4) If operated by remote control, the information required by paragraph (c) of this section.

(g) Notwithstanding the provisions of § 97.105, the log entries required by paragraphs (c), (d), (e), and (f) of this section shall be retained in the station log as long as the information contained in those entries is accurate.

§ 97.109 [Deleted]

17. § 97.109 is deleted.

§ 97.110 [Deleted]

18. § 97.110 is deleted.

§ 97.111 [Deleted]

19. § 97.111 is deleted.

20. § 97.126 is revised to read, as follows:

§ 97.126 Retransmitting radio signals.

(a) An amateur radio station, except a station in repeater operation or auxiliary operation, shall not automatically retransmit the radio signals of other amateur radio stations.

(b) A remotely controlled station, other than a remotely controlled station in repeater operation or auxiliary operation, shall automatically retransmit only the radio signals of stations in auxiliary operation shown on the remotely controlled station's system network diagram.

21. § 97.181(b) is amended to read as follows:

§ 97.181 Availability of RACES station license and operator licenses.

* * * * *

(b) In addition to the operator license availability requirements of § 97.82, a photocopy of the control operator's amateur radio operator license shall be posted in a conspicuous place at the control point of the RACES station.

[FR Doc. 78-9724 Filed 4-11-78; 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.

[6320-01]

CIVIL AERONAUTICS BOARD

[14 CFR Part 221]

(EDR-352; Docket No. 32369; Dated: April 6, 1978)

HAZARDOUS MATERIALS

Proposed Amendment To Delete Requirement To File Department of Transportation Regulations

AGENCY: Civil Aeronautics Board.

ACTION: Proposed rule.

SUMMARY: This Board-initiated amendment to the tariff filing regulations would eliminate the need to file voluminous restatements of the Department of Transportation rules for the carriage of hazardous materials aboard aircraft in Civil Aeronautics Board tariffs. It does not change the rules that apply to this type of cargo since the DOT rules will continue to apply. It is intended to avoid confusion and unnecessary work. The only hazardous materials rules that will remain in CAB tariffs will be those that are more restrictive than the DOT's.

DATES: Comments by May 12, 1978. Comments and other relevant information received after this date will be considered by the Board only to the extent practicable.

ADDRESSES: Twenty copies of comments should be sent to Docket 32369 Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428. Individuals may submit their views as consumers without filing multiple copies. Comments may be examined in Room 711, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. as soon as they are received.

FOR FURTHER INFORMATION CONTACT:

Richard Juhnke, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428, 202-673-5436.

SUPPLEMENTARY INFORMATION: On April 15, 1976, the Department of Transportation (DOT) issued a massive reorganization and recodification of its Hazardous Materials Regulations (49 CFR Part 170-189).¹ The re-

visions included the revocation of Part 103 of the Federal Aviation Regulations (14 CFR Part 103) and consolidation of its provisions into the Hazardous Materials Regulations, effective July 1, 1976. The remaining revisions became completely effective January 1, 1977.

The Board has concluded at this time to review the entire question of inclusion in tariffs of these DOT rules. We are hereby proposing to remove such requirements altogether. The provisions of DOT's Hazardous Materials Regulations are legally binding on shippers and carriers alike, regardless of their incorporation in tariffs, and all shippers and carriers are obliged to maintain familiarity with these regulations. Thus, no positive benefit results from the publication in tariffs.

On the other hand, the present regime has created great difficulties. Tariff publication of these rules has caused confusion since the tariff format differs somewhat from the one presented by the DOT rules and conflicting interpretations of the two have arisen. In recognition of this problem, the Board's staff, under delegated authority, has granted an indefinite waiver of the filing requirement, permitting the carriers to publish in tariffs carrier-imposed restrictions only. However, the staff's action does not dispose of the problem with finality and on an industry-wide basis. The Board believes the best course is to remove the requirements of § 221.38(a)(5).² The carriers will still be required by § 221.38(a)(2) to file tariffs which are more restrictive than the DOT rules.

PROPOSED RULES

It is proposed to amend Part 221 of the Board's Economic Regulations (14 CFR Part 221) as follows:

1. Amend § 221.38 by deleting and reserving subparagraph (a)(5) as follows:

§ 221.38 Rules and regulations.

(a) *Contents.* Except as otherwise provided in this part, the rules and regulations of each tariff shall contain:

* * * * *

(5) [Reserved]

* * * * *

²We are also proposing conforming amendments to §§ 221.102 and 221.104.

2. Revise § 221.102 to read as follows:

§ 221.102 Rules Tariff.

All the rules and regulations required by and conforming to § 221.38 may be published in a single separate governing tariff conforming to §§ 221.100 and 221.101, instead of being included in the rate tariffs or fare tariffs which they govern.

3. Revise § 221.104 to read as follows:

§ 221.104 Explosives and other dangerous or restricted articles.

The carriers' rules and regulations governing the transportation of explosives and other dangerous or restricted articles may be published in a separate governing tariff conforming to §§ 221.100 and 221.101, instead of being included in the fares or rates tariffs which they govern or in the governing rules tariff authorized by § 221.102. Such separate governing tariff shall contain no other rules or governing provisions.

(Sec. 204(a), 403(a) Federal Aviation Act of 1958, as amended; 72 Stat. 743, 758, as amended; (49 U.S.C. 1324, 1373).)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc. 78-9772 Filed 4-11-78; 8:45 am]

[6320-01]

[14 CFR Part 302]

(PDR-51; Docket No. 32368; Dated: April 6, 1978)

CHANGES IN THE FORMAT FOR FILING BRIEFS TO THE BOARD

Proposed Rule

AGENCY: Civil Aeronautics Board.

ACTION: Proposed rule.

SUMMARY: This rule proposes to make two changes in the format for filing briefs to the Board. First, briefs will be required to include a summary of argument not exceeding 5 pages. Second, briefs to administrative law judges which are adopted by reference must meet all requirements for filing briefs to the Board including specifically the page limitation and the provision of a Summary of Argument. The proposal is at the Board's initiative to speed its decisional process.

DATES: Comments by May 12, 1978. Comments and other information

¹41 FR 15972.

after this date will be considered by the Board only to the extent practicable.

ADDRESSES: Twenty copies of comments should be sent to: Docket 32368, Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. Individuals may submit their views without filing multiple copies. Comments may be examined in Room 711 as soon as they are received.

FOR FURTHER INFORMATION CONTACT:

Gary J. Edles, Deputy General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C., 20428, 202-673-5233.

SUPPLEMENTARY INFORMATION: The Board is moving on several fronts to speed its decisional process. This proposed change in Rule 31 of the Board's Rules of Practice is designed to focus the attention of the parties and the Board on the critical matters presented for decision and speed the overall decisional process at the Board level.

First, we will require that all briefs to the Board include an outline or summary of the argument. The outline shall not exceed 5 pages but will not be counted toward the current 50-page limitation on the length of the brief. The requirement of a summary of the argument, which is similar to the practice now followed in many appellate courts, will insure that parties compress their argument and will help the Board and its staff focus on the heart of the argument. Our proposal to include a summary is not intended to under rate the importance of the remainder of the brief, which will, of course, continue to be considered by the Board in all cases.

Second, we will require that parties who choose to submit their briefs to the presiding administrative law judge as their briefs to the Board, as now authorized by Rule 31, comply with all rules applicable to the filing of briefs to the Board. For example, any such brief must be limited to 50 pages except by permission or direction of the Board or its Secretary (we will make a technical change in Rule 31(c)(3) to require that requests for extensions of the page limitation be made to the Secretary rather than the Chief Administrative Law Judge). We are concerned that this requirement not impose undue inconvenience on parties. Nonetheless, our experience has been that some parties who simply adopt their briefs to the judge do not focus the Board's attention on the party's views of the initial or recommended decision. Further, many briefs to the judge which are adopted as briefs to the Board exceed the 50-page limit, and we believe that parties should not be permitted whatever ad-

vantages may be perceived from the filing of a brief in excess of 50 pages to the Board.

Accordingly, the Board proposes to revise section 302.31 as follows:

§ 302.31 Briefs Before the Board

(c) *Formal specifications of briefs—*
 (1) *Contents.* Each brief shall discuss every point of law, fact, or precedent which the party submitting it is entitled to raise and which it wishes the Board to consider. Each brief shall include a summary of the argument not to exceed 5 pages. Support and justification for every point raised shall include itemized references to the pages of the transcript of hearing, exhibit or other matter of record, and citations of the statutes, regulations or principal authorities relied upon. If a brief or any point discussed in the brief is not in substantial conformity with the requirement for such support and justification, no motion to strike or dismiss such document shall be made but the Board may disregard the points involved.

(2) *Incorporation by reference.* Briefs to the Board shall be completely self-contained and shall not incorporate by reference any portion of any other brief or pleading: *Provided, however,* That instead of submitting a brief to the Board a party may adopt by reference specifically identified pages or the whole of his prior brief to the administrative law judge if the latter complies with all requirements of this section. In such cases, the party shall file with the Docket Section a letter exercising this privilege and serve all parties in the same manner as a brief to the Board.

(3) *Length and index.* Briefs shall comply with the formal specifications set forth in § 302.3(b). Except by permission or direction of the Board or the Secretary, briefs shall not exceed 50 pages including pages contained in any appendix, table, chart, or other document physically attached to the brief, but excluding maps and the summary of the argument. In this case "map" means only those pictorial representations of routes, flight paths, mileage, and similar ancillary data that are superimposed on geographic drawings and contain only such text as is needed to explain the pictorial representation. Any brief that exceeds 10 pages shall contain a subject index of its contents, including page references.

(Sec. 204, 1001, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 788; (49 U.S.C. 1324, 1481).)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
 Secretary.

[FR Doc. 78-9771 Filed 4-11-78; 8:45 am]

[8010-01]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 210, 230, 239, 240, and 249]

[Release No. 33-5922, 34-14646, S7-734]

EXAMINATION OF THE EFFECTS OF RULES AND REGULATIONS ON ABILITY OF SMALL BUSINESSES TO RAISE CAPITAL AND IMPACT ON SMALL BUSINESSES OF DISCLOSURE REQUIREMENTS UNDER SECURITIES ACTS

AGENCY: Securities and Exchange Commission.

ACTION: Amendment of schedule and announcement of specific times and locations for hearings.

SUMMARY: In Securities Act Release No. 5914 (March 15, 1978) (43 FR 10876) the Commission published a list of issues and a schedule for public hearings to be conducted concerning the effects of its rules and regulations on the ability of small businesses to raise capital and the impact on small businesses of the disclosure requirements under the Securities Acts. That schedule has been amended with respect to the hearings to be conducted in Washington, D.C. This document also announces the specific times and room locations for the hearings.

DATES: The hearing will commence at 9:30 a.m. on April 12, 1978 in Washington, D.C., and at 9:00 a.m. in the following regional locations: April 18, 1978, in Los Angeles, Calif.; April 25, 1978, in Denver, Color.; May 2, 1978, in Atlanta, Ga.; May 9, 1978, in Chicago, Ill.; and May 16, 1978, in Boston, Mass..

ADDRESSES: The hearings will be conducted at the following locations: Washington, D.C.—Room 776, 500 North Capitol Street, Washington, D.C. 20549; Los Angeles—17th Floor Hearing Room, 10960 Wilshire Boulevard, Los Angeles, Calif. 90024; Denver—Blue Room, 2nd Floor, Executive Tower Inn, 1405 Curtis Street, Denver, Colo. 80202; Atlanta—Room 220, U.S. Court House, 56 Forsyth Street NW., Atlanta, Ga. 30302; Chicago—Room 1220, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Ill. 60604; Boston—Room 208, John W. McCormack Post Office and Court House Building, Post Office Square, Boston, Mass. 02109. Interested members of the public may comment on the issues through oral presentations (for which a prepared text is required), written submissions, or both. Any written submissions not prepared in connection with an oral presentation should be submitted in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549 and should refer to File No. S7-734.

All witnesses desiring to make oral presentations should submit copies of their prepared statements to the Commission office in the city in which they wish to testify and such materials should be directed to the attention of those persons listed below.

All written submissions, including the written texts submitted in connection with oral presentations and the transcripts of such oral presentations, will be available for public inspection at the Commission's Public Reference Room, 1100 L Street NW., Washington, D.C. 20549 and at the following Regional Offices of the Commission: 10960 Wilshire Boulevard, Suite 1710, Los Angeles, Calif. 90024; Two Park Central, Room 640, 1515 Arapahoe Street, Denver, Colo. 80202; 1375 Peachtree Street NE., Suite 788, Atlanta, Ga. 30309; Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1204, Chicago, Ill. 60604; 150 Causeway Street, Boston, Mass. 02114.

FOR FURTHER INFORMATION CONTACT:

Paul A. Belvin or John A. Granda, Office of Disclosure Policy and Proceedings, Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549, 202-755-1750; or the following persons located at the Commission's Regional Offices: James W. Mercer, 10960 Wilshire Boulevard, Suite 1710, Los Angeles, Calif. 90024, 213-474-4511; William J. Klein, Two Park Central, Room 640, 1515 Arapahoe Street, Denver, Colo. 80207, 303-837-2071; Everett Leo Mast, 1375 Peachtree Street NE., Suite 788, Atlanta, Ga. 30309, 404-881-4844; Dennis B. O'Boyle, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1204, Chicago, Ill. 60604, 312-353-3378; Katherine W. Keane, 150 Causeway Street, Boston, Mass. 02114, 617-223-2721.

By the Commission.

Dated: April 10, 1978.

SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc. 78-9903 Filed 4-11-78; 9:11 am]

[4110-07]

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Social Security Administration

[20 CFR Part 410]

**FEDERAL COAL MINE HEALTH AND SAFETY
ACT OF 1969, TITLE IV**

Black Lung Benefits

AGENCY: Social Security Administration, HEW.

ACTION: Notice of decision to develop regulations.

SUMMARY: The Social Security Administration is planning to publish regulations to promulgate those provisions of the Black Lung Benefits Reform Act of 1977 which apply to claims filed under part B of title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended.

The Department of Health, Education, and Welfare, Social Security Administration, is responsible for the initial review of claims filed under part B of title IV of the act. The Department of Labor, Office of Workers' Compensation Programs, is responsible for the review of claims filed under part C of title IV of the act and certain part B claims. The Black Lung Benefits Reform Act of 1977 provides that, upon the request of the claimant, each previously denied and pending claim will be reviewed in light of the new amendments. The act also changes the provisions for reducing a miner's black lung payments because of the receipt of State workers' compensation payment, makes provision for the payment of jointly issued checks where one of the payees dies, and provides that certain miners who are receiving part B benefits may be eligible for medical services and supplies.

The regulations to be issued will explain, in detail, the role of the Department of Health, Education, and Welfare, Social Security Administration, in the review of denied and pending claims as required by the Black Lung Benefits Reform Act of 1977.

FOR FURTHER INFORMATION CONTACT:

Charles Rouse, Room 7430, Dickinson Tower, 6401 Security Boulevard, Baltimore, Md. 21235, telephone: 301-594-3661.

Dated: March 20, 1978.

DON WORTMAN,
Acting Commissioner of
Social Security.

[FR Doc. 78-9616 Filed 4-11-78; 8:45 am]

[4110-07]

[20 CFR Part 416]

**MEDICAL AND SOCIAL SERVICES WHICH ARE
NOT INCOME IN THE SUPPLEMENTAL SECURITY INCOME (SSI) PROGRAM**

AGENCY: Social Security Administration, HEW.

ACTION: Notice of decision to develop regulations.

SUMMARY: We plan to change the current provisions on what items are excluded from income under SSI because they are considered medical or social services. We believe that the regulations should be amended to exclude from the SSI definition of income any cash payments to claimants made by governmental medical

care or services or social services programs. We also believe food, clothing, or shelter given to an individual in connection with a governmental medical care or social services program should be considered medical or social services and thus excluded from income under SSI. (This would not affect the current policy of considering these items medical services when provided by any governmental or private agency in connection with medical confinement.) Because these items are currently considered as part of an individual's income, they may cause an individual to be ineligible for SSI benefits (or only eligible for a smaller amount). We believe this has the unintended effect of making governmental medical or social service programs less effective. We believe amending our regulations will help these programs achieve their goals.

FOR FURTHER INFORMATION CONTACT:

Henry D. Lerner, Room 457, West High-Rise Building, 6401 Security Boulevard, Baltimore, Md. 21235, 301-594-7336.

Dated: March 27, 1978.

DON WORTMAN,
Acting Commissioner of
Social Security.

[FR Doc. 78-9617 Filed 4-11-78; 8:45 am]

[1505-01]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 601]

[LR-60-78]

STATEMENT OF PROCEDURAL RULES

Establishment of Single Level of Administrative Appeal; Public Hearing on Proposed Amendments

Correction

In FR Doc. 78-8660 appearing at page 13899 in the FEDERAL REGISTER issue of Monday, April 3, 1978, on page 13899 in the first column, the second date under "DATES" should be "June 2, 1978" instead of "June 21, 1978," and in the second column, in the fourth paragraph under "SUPPLEMENTARY INFORMATION", the time reference of "9:45" should be "10:15".

[8320-01]

VETERANS ADMINISTRATION

[38 CFR Part 21]

VETERANS EDUCATION

Amended Unsatisfactory Progress Provisions

AGENCY: Veterans Administration.

ACTION: Request for public comment.

SUMMARY: The Veterans Administration is publishing for public comment new and revised statements of policy and procedures which have been adopted by the Agency to implement the GI Bill Improvement Act of 1977. These policy and procedural statements will better acquaint veterans, eligible persons, educational institutions and the public at large with the way in which this Act will be administered.

DATES: Comments must be received on or before May 12, 1978.

ADDRESSES: Send written comments to: Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420. Comments will be available at the address shown above during normal business hours until May 22, 1978.

FOR FURTHER INFORMATION CONTACT:

June C. Schaeffer, Assistant Director for Policy and Program Administration, Education and Rehabilitation Service, Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420, 202-389-2092.

SUPPLEMENTARY INFORMATION: This publication contains DVB Circular 20-77-97, Appendix G. This appendix deals with the policy and procedures necessary to implement provisions of the GI Bill Improvement Act of 1977, as to unsatisfactory progress of students receiving benefits. This appendix has been implemented and has or will be distributed through normal channels to interested persons.

ADDITIONAL COMMENT INFORMATION

Interested persons are invited to submit written comments, suggestions, or objections regarding this document to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays), until May 22, 1978. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Services Unit in room 132. Such visitors to a VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Approved: April 4, 1978.

By direction of the Administrator:

RUFUS H. WILSON,
Deputy Administrator.

DEPARTMENT OF VETERANS BENEFITS, VETERANS ADMINISTRATION, WASHINGTON, D.C. 20420, DVB CIRCULAR 20-77-97, APPENDIX G, MARCH 8, 1978

AMENDED UNSATISFACTORY PROGRESS PROVISIONS

1. *Purpose.* This appendix provides instructions for implementing new unsatisfactory progress provisions which have been added to title 38, United States Code, by Pub. L. 95-202.

2. *General.*

a. Pub. L. 94-502 previously amended title 38 to provide that progress toward completion of a program of education will be considered unsatisfactory if a veteran or eligible person is not progressing at a rate that will allow the student to graduate within the approved length of the program, based on the training time certified to the VA. This provision has been amended further by Pub. L. 95-202, effective February 1, 1978, to state that a student's progress will remain satisfactory if it will permit graduation within any other length of time exceeding the approved length of the course that the VA finds to be reasonable (38 U.S.C. 1674 and 1724).

b. The amended law also allows the VA to suspend implementation of all Pub. L. 94-502 unsatisfactory progress instructions for accredited educational institutions which comply with certain requirements. Such a suspension may be granted for institutions which submit to the VA a course catalog or school bulletin stating institution policies and regulations concerning unsatisfactory progress and conduct, along with a certification that the stated policies and regulations are being enforced by the institution. A suspension will not be granted if the VA finds that the relevant policies and regulations are not fully and clearly stated in the submitted publication. All suspensions will be in effect only until the VA submits to the president and Congress the report, due September 30, 1978, of a required study investigating the need for further legislative or administrative action concerning unsatisfactory progress provisions of the law. This suspension provision is effective November 23, 1977, the date on which Pub. L. 95-202 was enacted (Pub. L. 95-202, sec. 305(b) (2) and (4)(A)).

c. Pub. L. 95-202 further requires the VA to bring to the attention of COPA (Council on Postsecondary Accreditation) and the appropriate accrediting and licensing bodies any catalogs, bulletins or certifications the VA receives, as described above, which fail to state fully and clearly satisfactory progress policies and regulations and which appear not to conform to the standards of such bodies (Pub. L. 95-202, sec. 305(b)(4)(B)). This provision is also effective November 23, 1977.

3. *Satisfactory progress—training beyond approved length of program.* Pub. L. 95-202 provides that a student's rate of progress may be considered satisfactory even if the approved length of the course will be exceeded by a "reasonable" period of additional training required for graduation. Such reasonable extensions of training are provided for in current administrative procedures for monitoring satisfactory progress, and these extensions will be used to imple-

ment Pub. L. 95-202 (see DVB Circular 20-76-84, appendix O, Revised, paragraph 6). The monitoring procedures are repeated below to illustrate clearly the extensions of training beyond the approved lengths of courses which may be allowed to accumulate before unsatisfactory progress must be reported to the VA. When unsatisfactory progress is reported, mitigating circumstances will be considered as provided in DVB Circular 20-76-84, appendix O, Revised, paragraph 9.

a. *Schools Organized on a Term Basis With Credit-Hour Measurement:* The school will report unsatisfactory progress when a student accumulates unsatisfactory punitive grades in the equivalent of more credit hours than the minimum full-time load for VA purposes (normally 12 or 14 credit hours).

b. *Schools Organized on a Term Basis Without Credit-Hour Measurement:* The school will report unsatisfactory progress when it is first determined that a student will be required to extend the equivalent of more than one term based on the minimum VA full-time requirement to complete the program.

c. *Schools Not Organized on a Term Basis:* The school will report unsatisfactory progress when it is first determined that a student will require an extension beyond 10 percent of the approved length of the course to complete the program.

4. *Benefit payments for extensions beyond approved lengths of programs.*

a. Benefits may be paid for training beyond the approved lengths of institution of higher learning (IHL) and non-college-degree (NCD) courses to complete the program, provided that progress remains satisfactory in accordance with the school's approved standards and/or the requirements of Pub. L. 94-502 and paragraph 3 of this appendix. In practice, the maximum extensions for which payments will be made are one term of the minimum full-time load for VA purposes, or 10 percent of the approved length of a course not offered on a term basis. When certifying enrollment for such an extension beyond the approved length of a course, schools will show on VA Form 22-1999, Enrollment Certification, the notation "satisfactory progress extension." If any further extension of training is required to complete the course, progress is unsatisfactory and benefits will not be paid except on the recommendation of a VA counseling psychologist after counseling.

Example: A student's course is approved for 120 credit hours leading to a BA degree. After the student has attempted 120 credit hours, the program has not been completed because the student received punitive failing grades for 9 credit hours. Progress is satisfactory because the student has not accumulated over 12 credit hours of unsatisfactory punitive grades. The school may certify the student's enrollment in the 9 credit hours required for graduation (plus 3 credit hours to "fill out" the term to full time), and benefits will be paid by the VA. The school's enrollment certification must bear the notation "satisfactory progress extension" to alert the VA of the terms of the enrollment. If accepted by the VA, benefits will be paid based on such an enrollment certification. If further training is required to complete the program (receive a BA degree), the student's progress must be reported as unsatisfactory. Mitigating circumstances will be considered at this point.

b. The 10 percent guideline (see par. 3c) is used solely for monitoring satisfactory prog-

ress in flight and apprenticeship/OJT courses. Benefits will not be paid for any extensions beyond the approved lengths of these types of courses. Benefits will not be paid beyond the approved number of lessons for correspondence courses.

c. The approved lengths of apprenticeship/OJT courses are measured in hours. If a trainee does not complete the approved number of hours within the length of an award, the award may be extended to pay VA benefits only up to the approved total hours for the course. This may be done only if the trainee has not been raised to the journeyman wage level.

Example: A trainee is enrolled in an on-the-job program, the approved length of which is 4,160 hours. The enrollment certification shows 24 months of training, and the award of VA benefits is prepared covering that period of time. During the period of the award, the trainee does not work for a total of 160 hours (but continuous enrollment is not interrupted), and therefore the award terminates when the trainee has actually worked only 4,000 hours. (Note that monthly payments would not necessarily have been reduced below full time; only 120 hours per month are required for payment of the full monthly amount.) If the training establishment retains the trainee but does not raise his or her wage to the level paid a trained worker, the award may be extended for 160 hours (i.e., to the approved length of the course, which is 4,160 hours).

5. *Suspension of Pub. L. 94-502 unsatisfactory progress provisions.* Under certain conditions, implementation of the procedures required by DVB Circular 20-76-84, appendix O, Revised, and paragraph 3 of this appendix, may be suspended for main campuses, branches, or extensions of educational institutions which are fully accredited by a recognized regional or specialized accrediting body. Such suspensions may be granted while a study is conducted under Pub. L. 95-202 to determine the need for further legislative or administrative action regarding unsatisfactory progress provisions. Until the report of this study is submitted to the President and Congress, accredited schools which are granted a suspension may use their own approved standards of progress.

a. An institution requesting a suspension of Pub. L. 94-502 unsatisfactory progress procedural requirements will submit to the appropriate SAA (State approving agency) a copy of its current course catalog, bulletin, or other publication which explains policies and regulations concerning satisfactory progress and conduct. If the current edition of such publication has already been submitted to the SAA to fulfill any other requirement of the law, a separate copy need not be furnished for the purpose of requesting a suspension.

b. The institution must also submit a statement, signed by the school president or other responsible official, certifying that the policies and regulations in the relevant current publication concerning satisfactory progress and conduct are being enforced by the institution. The certification must identify the applicable policies and regulations by title of the publication which states them, edition number or date of the publication, and page(s) containing the relevant policies. This certification statement must also identify the accrediting body responsible for the school's accreditation and the licensing body (if any) with jurisdiction over the institution. (Note that this certification

is separate and distinct from certification of a course catalog or bulletin as true and correct as required by 38 U.S.C. 1775.)

c. The SAA will review the school's policies and regulations concerning satisfactory progress and provide a recommendation to the VA as to whether a suspension of Pub. L. 94-502 procedures should be granted. The SAA will forward all material, including copies of the relevant pages of the school publication, to the liaison representative of the VA station having jurisdiction over the school.

d. The liaison representative will conduct a review of the school's policies and regulations to determine if they are "fully and clearly" stated. He or she will also ensure that the certification of enforcement is included and is accurate according to available information. The station Director will then make the decision as to whether a suspension will be granted. All of the following elements must be found in the school's policies and regulations for a suspension to be granted:

(1) The grading system of the institution must be defined, including minimum satisfactory grades.

(a) Grades or credit assigned for completed courses will be specified.

(b) Specific points during the course of study before graduation will be designated for evaluation of student progress. Schools operating on a standard term (semester or quarter) basis must make an evaluation at the end of each term.

(c) For each such evaluation, a minimum grade average, such as GPA (grade point average), or credit level must be specified as satisfactory. Minimum acceptable levels must be logically related to final attainment of the minimum graduation requirements.

(d) There must be a specific requirement that each student's progress will be compared to the minimum standards established for each interval during the course of study.

(2) A statement must be made concerning action to be taken when a student's achievement does not meet an established standard. This statement will include conditions calling for interruption of a student's enrollment, provisions for a probationary period, and conditions for reentrance into the school after dismissal for unsatisfactory progress.

(3) A statement must be made concerning the progress records kept by the institution and furnished the student.

(4) The institution's policies and regulations stating conditions for dismissal for unsatisfactory conduct, and conditions for reentrance into the school after such a dismissal must also appear in the publication.

NOTE.—These criteria do not establish a new set of minimum standards of progress. They are used solely for the purpose of judging whether an accredited school may temporarily suspend implementation of Pub. L. 94-502 unsatisfactory progress procedures.

e. If the station Director approves a suspension of Pub. L. 94-502 unsatisfactory progress procedures, he or she will notify the school by letter, with a copy of the letter being sent to the SAA. This letter will clearly explain that the school's approved standards of progress will be applied to determining and reporting unsatisfactory progress in lieu of Pub. L. 94-502 procedures. The School will be reminded that the suspension will be in effect until the school is

notified by the VA that the report mentioned in paragraph 2b has been submitted.

(1) If a school issues a new catalog or other publication containing unsatisfactory progress policies and regulations before a suspension terminates, such school must submit a copy of the new publication and a new certification of enforcement through the SAA.

(2) Central office will notify all stations when the report is submitted to the President and Congress. The notification will include instructions for specific actions at that time.

(3) Liaison representatives will be responsible for contacting all schools which were granted a suspension to notify them of the termination date. If the termination date falls within a regular term (semester or quarter) for a school, the suspension for such school will be allowed to continue to the end of the term.

f. If a station Director disapproves suspension of Pub. L. 94-502 unsatisfactory progress procedures for a school, he or she will inform the school by letter specifically citing the deficiency in the school's standards which caused the suspension to be denied. This letter will also state the VA's intention to bring the deficient school catalog, bulletin, or other publication to the attention of COPA and appropriate accrediting and licensing bodies (see par. 6). School officials will be reminded that all procedures and requirements outlined in DVB Circular 20-76-84, appendix O, Revised, must be applied by that school.

(1) A school which is denied a suspension may submit additional or corrected information through the SAA to have the denial reconsidered by the VA station Director.

(2) A school which is denied a suspension and has no additional information to submit may request administrative review of the denial. The request will be made to the station Director who will forward it to the appropriate Field Director (225B) in the VA Central Office.

6. *Referrals to COPA and Licensing and Accrediting Bodies.* Whenever a station Director denies a suspension of Pub. L. 94-502 unsatisfactory progress procedures, such denial will constitute an indication that the school's standards of progress may not be in compliance with the standards of the accrediting body responsible for the institutional accreditation of the school or the licensing body with jurisdiction over the institution, or both. The liaison representative will prepare a letter to the appropriate accrediting and/or licensing body citing the edition of the catalog or bulletin in question and describing what the VA believes to be an inadequacy in the school's standards of progress. Copies of this letter will be sent to the school, the SAA, and the Field Director (225B). The Director of the Education and Rehabilitation Service will be responsible for bringing the matter to the attention of COPA.

DOROTHY L. STARBUCK,
Chief Benefits Director.

[FR Doc. 78-9727 Filed 4-11-78; 8:45 am]

[6560-01]

**ENVIRONMENTAL PROTECTION
AGENCY**

[40 CFR Part 55]

[FRL 880-2]

**STATE AND FEDERAL ADMINISTRATIVE EN-
FORCEMENT OF IMPLEMENTATION PLAN RE-
QUIREMENTS AFTER STATUTORY DEADLINES**

Proposed Delayed Compliance Order for E. I.
Du Pont De Nemours and Co.

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency proposes to issue an administrative order to the E. I. du Pont de Nemours Co., requiring its Boiler Numbers 2 and 3 at Seaford, Del., to achieve compliance with air pollution requirements under the Delaware State Implementation Plan by September 20, 1979.

DATES: Written comments and requests for a public hearing (and reasons therefore) must be received no later than June 12, 1978.

ADDRESSES: All comments and requests for a public hearing should be submitted to: U.S. Environmental Protection Agency, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pa. 19106, ATTN: Director, Air & Hazardous Materials Division.

FOR FURTHER INFORMATION CONTACT:

Mr. Bernard E. Turlinski, Regional Energy Coordinator, Environmental Protection Agency, 6th and Walnut Streets, Philadelphia, Pa. 19106 215-597-8176.

SUPPLEMENTARY INFORMATION:

EPA has developed an administrative order it proposes to issue under section 113(d)(5) of the Clean Air Act (the Act), 42 U.S.C. 7401 et seq., to the E. I. du Pont de Nemours Co., requiring its Boiler Numbers 2 and 3 at Seaford, Delaware to achieve compliance with Delaware Water and Air Resources Commission, Regulation Nos. IV and XV of the Delaware State Implementation Plan by September 20, 1979. The order would require E. I. du Pont Co., to install control equipment according to the schedule set forth below, and, also contains interim emission reduction requirements, specifies emission limitations, coal pollutant characteristics, and requires monitoring and reporting of air quality and air pollutant emissions data. If the order is issued, source compliance with its terms will preclude any further EPA enforcement action under Section 113 of the Act, and any citizens suits under Section 304 of the Act, against the source for violations of the Dela-

ware Implementation Plan provisions covered by the order. The purpose of this notice is to invite public comments on whether or not EPA should issue this order under section 113(d)(5) and to offer an opportunity for public hearing, if significant public interest exists, to discuss this issue. The actual terms of the order, as set forth below, may be modified prior to the final EPA issuance. Background information applicable to the E. I. du Pont Co., may be viewed during normal business hours at the address provided above.

All interested persons are invited to submit written comments on the proposed order. Comments, submitted in person or by mail, by June 12, 1978, will be considered in determining whether EPA should issue the order. Any person may request a public hearing on the subject order by submitting a request in writing, and reasons therefore, to the above Regional office by June 12, 1978. If there is significant public interest in holding such a hearing, it will be conducted by the Region III Office following thirty days prior notice of the time and place of the hearing.

The Clean Air Act Amendments (the Amendments) of 1977 have changed the authority of the Administrator to issue extensions of compliance dates to sources which receive orders from the Department of Energy prohibiting the use of oil or gas as a primary energy source under Section 2(a) of the Energy Supply and Environmental Coordination Act (ESECA). Such extensions were issued under Section 119 of the Clean Air Act (the Act) as in effect prior to the amendments, and regulations implementing Section 119 were codified under 40 CFR Part 55. Section 112 of the amendments repealed Section 119 and added a new Section 113(d) which provides for the issuance of extensions to all sources generally and to prohibited sources specifically [113(d)(5)]. Regulations promulgated in 40 CFR Part 55 under the authority of Section 119 are being revised to reflect this statutory change and any extensions granted under the new authority of 113(d)(5) will be promulgated in Part 55. Because of the shorter time period necessary for promulgation of a delayed compliance order (DCO) as compared to the time necessary for revision of the regulations under 40 CFR Part 55, a small number of DCO's will be promulgated under Part 55 before the revised regulations are published.

The Clean Air Act Amendments of 1977 have changed the ESECA program in four major respects. These changes are:

(1) Sources able to comply with the applicable State implementation plan by December 31, 1985 may be eligible for an extension as opposed to the previous date of January 1, 1979;

(2) Extensions are to be provided for via Section 113(d)(5) Delayed Compliance Orders, rather than Section 119 Compliance Date Extensions;

(3) The regional limitation of old Section 119(c)(2)(D) has been made a rebuttable presumption by new Section 113(d)(5)(D); and

(4) Written consent of the Governor of the appropriate State must be obtained on any date EPA proposes to certify to the Department of Energy as the earliest date a prohibited source can convert to coal in compliance with applicable air pollution requirements.

Therefore, if the subject order is issued by EPA, 40 CFR Part 55 would be amended based upon the actual term of Order No. R-III-CC-002 appearing below:

**UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY**

REGION III

In the matter of: the E.I. duPont de Nemours and Co., Seaford Plant, (Order No. R-III-CC-002—

This Order is issued pursuant to subsection 113(d)(5) of the Clean Air Act, as amended, 42 U.S.C. 7413(d) ["the Act"]. This Order contains a schedule for compliance, interim requirements, monitoring and reporting requirements, and other requirements of this subsection of the Act. Public notice has been provided pursuant to subsection 113(d)(1) of the Act and a copy of this Order has been provided to the Governor of the State of Delaware to seek his concurrence.

FINDINGS

On June 30, 1977, The E.I. duPont de Nemours and Co. ("Company") received a Prohibition Order from the Federal Energy Administration ("FEA") pursuant to Section 2 of the Energy Supply and Environmental Coordination Act of 1974, 15 U.S.C. 792 (Supp. V, 1975), as implemented by 10 CFR Parts 303 and 305 (1976), as amended, 42 FR 23132 (1977). Said Order prohibited, upon receipt of a Notice of Effectiveness, any further burning of natural gas or petroleum products as the primary energy source for the Company's Numbers two (2) and three (3) boilers ("source").

The Company's Number 2 and 3 boilers were burning petroleum products at the time the FEA Prohibition Order was issued, and, if converted to coal, would no longer be in compliance with every applicable air pollution requirement under the Delaware State Implementation Plan ("SIP"). At no time was the national primary ambient air quality standard with respect to such pollutant being exceeded in the Southern Delaware Intrastate Air Quality Control Region in which the Company is located.

The Company, on September 28, 1977, formally requested from the United States Environmental Protection Agency ("EPA") an order to allow the burning of coal as the primary energy source. After a thorough investigation of the information obtained from all sources, including public comment, the Administrator of EPA has determined that the emission limitations, coal pollution characteristics, and other enforceable measures contained in the Order below, satisfy the requirements of subsection 113(d)(5)(B)

of the Act. Further, pursuant to subsection 113(d)(5)(B), the Administrator has determined that compliance with the requirements of this Order will assure that, during the period of the Order before final compliance is achieved, the burning of coal by the source will not result in emissions which will cause or contribute to concentrations of any air pollutant in excess of any national primary ambient air quality standard for such pollutant.

Pursuant to subsection 113(d)(6) of the Act, the Administrator has determined that the schedule for compliance set forth below is as expeditious as practicable.

Finally, pursuant to subsection 113(d)(7) of the Act, the Administrator has determined that the Order provides that the source shall use the best practicable system or systems of continuous emission reduction, taking into account the requirement with which the source must ultimately comply, during the period of said Order. The source shall also be required to comply with interim requirements, set forth in said Order, and determined to be necessary to comply with the requirements of the Delaware State Implementation Plan ("SIP") insofar as the Administrator has determined that the source is able to do so.

ORDER

Therefore, it is hereby Ordered:

I. That the Company's boiler numbers two (2), and three (3) ("source") will comply with the requirements of the Delaware SIP, as specified in State of Delaware Water and Air Resources Commission, Regulation Nos. IV and XV, of the federally-approved Regulations for the Control and Abatement of Air Pollution in the State of Delaware, as expeditiously as practicable, but in no event later than the dates specified in the following schedule:

A. Not later than October 31, 1977: Enter into contracts for particulate emissions controls and other equipment necessary for final compliance.

B. Not later than November 10, 1977: Submit for approval to the EPA Region III, Air and Hazardous Materials Division Director, contracts for continuous particulate emission reduction systems and other equipment necessary for final compliance.

C. Not later than February 1, 1978: Initiate on-site construction or installation of continuous particulate control systems.

D.1. Not later than June 25, 1979: Complete on-site construction or installation of continuous particulate control systems for boiler No. 3.

D.2. Not later than August 20, 1979: Complete on-site construction or installation of continuous particulate control systems for boiler No. 2.

E. Not later than September 20, 1979: Perform emissions tests in accordance with 40 CFR part 60 and submit reports demonstrating final compliance with State of Delaware Water and Air Resources Commission, Regulation Nos. IV and XV.

II. With respect to the schedule increments set out in subparagraphs A. through E. of paragraph I. hereinabove, the Company shall notify the Division Director, Air and Hazardous Materials Division, EPA Region III within ten (10) days after the final date set for achieving each such requirement, or within ten (10) days after the actual date of achieving each such requirement if such date is earlier.

III. That Company's boiler Nos. two (2) and three (3) ("source") shall comply with

the following interim requirements which are determined to be the best reasonable and practicable interim system of continuous emission reduction (taking into account the requirements of paragraph I., above), and which are necessary to assure compliance with the federally approved Regulations, IV and XV for the State of Delaware Water and Air Resources Commission, insofar as the source referred to above is able during the period this order is in effect:

A. During the period of the order's effectiveness, prior to the date set for final compliance or the date on which final compliance is achieved (whichever is earlier), the source shall not burn coal with an ash content exceeding twelve percent (12%) and a high heating value of less than 12,500 British Thermal Units (BTU's) per pound as a guideline to continual compliance with the interim emission level of 670 pounds of particulate matter per hour; and

B. During the same period specified in subparagraph A. hereinabove, the Company shall operate and maintain the existing multicyclones of boiler Nos. two (2) and three (3) to insure a minimum removal efficiency of eighty percent (80%) at total capacity.

The above conditions have been determined by the Administrator to be the best practicable interim system or systems of emission reduction for the period during which this order will be in effect. The conditions of this paragraph are also ordered to meet the requirements of subsection 113(d)(5)(B) of the Act, and are therefore subject to modification from time to time pursuant to said provision. Any modification from time to time pursuant to said provision. Any modifications, if made, shall be accompanied by a determination of the Administrator that such modifications continue to meet the best practicable interim system of emission reduction, and other interim requirements of subsection 113(d)(7) of the Act, or shall include requirements to comply with said subsection.

IV. That the E. I. du Pont de Nemours & Co., Seaford Plant is not relieved by this order from compliance with any requirements imposed by the applicable State Implementation Plan, EPA, and/or the courts pursuant to section 303 of the Act during any period of imminent and substantial endangerment to the health of persons.

V. That the period of effectiveness of this order shall not include any interval in which a national primary ambient air quality standard for particulate matter is being exceeded in the Southern Delaware Air Quality Control Region. During such intervals, if any, full compliance with the standards and limitations of the Delaware State Implementation Plan (excluding said order) shall be required of Dupont's Seaford Plant, and violations by Dupont's Seaford Plant of said SIP shall be subject to enforcement under any or all authorities of section 113 of the Act.

VI. That the Dupont Seaford Plant shall comply with the following emission monitoring and reporting requirements on or before the dates specified below:

A. Emission monitoring. 1. Within thirty (30) days of receipt of this order, the Dupont Seaford Plant shall submit to the Director, Air and Hazardous Materials Division, EPA Region III, a proposal for a complete air quality monitoring network to be set up by the Company in the vicinity of the Source. Said network shall include monitors capable of measuring 24-hour average particulate concentrations. EPA Region III

may, on its own initiative, direct that continuous sulfur dioxide monitors be located with particulate samplers and operated by the Company.

2. Within ninety (90) days of receipt of this order, the Company shall complete installation and begin operation of the network proposed under subparagraph A.1., of this paragraph, as approved, and with any modifications made by the Director, Air and Hazardous Materials Division, EPA Region III.

3. Within ninety (90) days of receipt of this order, the Company shall submit in writing for his approval to the Director, Air and Hazardous Materials Division, EPA Region III, the methods, procedures, and devices the Company intends to use to obtain the information required by subparagraph B. of this paragraph.

4. Within thirty (30) days of approval by EPA of the monitoring and information gathering system proposed under subparagraph A.3 of this paragraph, the Company shall implement such system as may be modified by the Director, Air and Hazardous Materials Division, EPA Region III in his approval.

5. Within sixty (60) days of commencing the use of coal in the Company's boiler numbers two (2) and three (3), the Company shall perform source testing for particulate emissions using EPA method five (5) as specified in appendix A of part 60, title 40 of the Code of Federal Regulations, as amended. The Company shall perform such tests in a manner approved in writing by EPA Region III and shall provide to the EPA Region III Regional Energy Coordinator a minimum of fifteen (15) days written notice prior to conducting such tests. The Company shall provide to said Regional Energy Coordinator a complete report containing all information pertinent to the performance and results of said stack tests within thirty (30) days of completing such tests.

6. Within sixty (60) days of installation of the continuous opacity monitor required under subparagraph B.1. of this paragraph, the Company shall conduct a Performance Specification Test (PST) in accordance with Performance Specification 1, appendix B of part 60, title 40 of the Code of Federal Regulations. The Company shall notify the Regional Energy Coordinator, EPA Region III, of the date on which the PST will be conducted at least thirty (30) days prior to such date.

7. Within forty-five (45) days of the PST required under subparagraph A.6. of this paragraph, the Company shall submit a complete report containing all information pertinent to the PST to the Regional Energy Coordinator, EPA Region III.

B. Recordkeeping and reporting. 1. The Company shall keep monthly records both of air quality monitoring data and of air pollutant emissions, of which records the Company shall submit copies to the EPA Region III Regional Energy Coordinator within fifteen (15) days of the end of each calendar month. Said air pollutant emission records shall detail daily emissions for all combustion units of the Company and shall, at a minimum, include:

(a) For each steam generating unit, a breakdown of the fuel consumed each day of the preceding month;

(b) For each steam generating unit, an analysis of the fuel consumed each week to include sulfur content, ash content and high heating value; and

(c) For the stacks serving boiler numbers two (2) and three (3) only, a record of the

hourly measurement of opacity, acquired by means of a continuous opacity monitoring device. Such device shall be installed, calibrated, and maintained in accordance with Performance Specification 1. of appendix B, part 60, title 40 of the Code of Federal Regulations.

2. If, for any reason, the Company does not comply or will be unable to comply with the requirements of this order, the Company shall provide in writing to the Director, Air and Hazardous Materials Division, EPA Region III, within five (5) days of becoming aware of such situation:

(a) A description of the violation and its cause; and

(b) The period during which noncompliance has occurred and/or is expected to occur, and the steps taken to reduce, eliminate and prevent recurrence of the violation.

3. If the air quality monitoring data collected by the Company pursuant to section A of this paragraph indicates that the National Primary Ambient Air Quality Standards for particulates are being exceeded in the area, the Company shall notify the Director, Air and Hazardous Materials Division, EPA Region III of such occurrence by telephone or letter or other means, within seventy-two (72) hours of the collection of such data.

4. The requirement of subparagraph three (3) hereinabove shall apply with respect to monitoring data and the National Ambient Air Quality Standards for Sulfur Dioxide, if such monitoring requirements are imposed pursuant to section A. of this paragraph.

VII. Nothing herein shall affect the responsibility of the Dupont Company Seaford Plant to comply with State, local, or other Federal regulations.

VIII. Dupont Seaford Plant is hereby notified that its failure to achieve final compliance at its boiler numbers two (2) and three (3) with the applicable particulate emission regulations of the Delaware SIP by September 20, 1979, or such other date as may be specified in a second order pursuant to subsection 113(d) of the Act, if issued, may result in a requirement to pay a noncompliance penalty under section 120 of the Act. Such requirement may be imposed at an earlier date, which is subsequent to July 1, 1979, as provided by subsection 113(d) and section 120 of the Act, either in the event that this order is terminated as provided in paragraph IX, below, or in the event that any requirement of this order is violated as provided in paragraph X, below. In any event, the Company will be formally notified, pursuant to subsection 120(b)(3) and any regulations promulgated thereunder, of its noncompliance.

IX. This order shall be terminated in accordance with subsection 113(d)(8) of the Act if the Administrator or his delegatee determines, on the record, after notice and hearing, that an inability of the Company to comply with State of Delaware Water and Air Resources Commission, Regulations IV and XV, as approved by EPA, no longer exists with respect to its boiler numbers two (2) and three (3).

X. Violation of any requirement of this order shall result in one or more of the following actions:

A. Enforcement of such requirement pursuant to subsection 113 (a), (b), or (c) of the Act, including possible judicial action for an injunction and/or penalties and in appropriate cases, criminal prosecution.

B. Revocation of this order, after notice and opportunity for a public hearing, and

subsequent enforcement of the Delaware SIP in accordance with the preceding paragraph.

C. If such violation occurs on or after July 1, 1979, notice of noncompliance and subsequent action pursuant to section 120 of Act.

XI. This order is effective upon promulgation in the FEDERAL REGISTER and after having received concurrence from the Governor of the State of Delaware.

Date: _____

Administrator or Delegatee, U.S.
Environmental Protection
Agency.

WAIVER OF RIGHTS TO CHALLENGE ORDER

The E. I. du Pont de Nemours & Co., by the duly authorized undersigned, hereby consents to the terms of this order and waives any and all rights under any provision of law to challenge this order.

Date: _____

[Authority: 42 U.S.C. 7413(d).]

Dated: March 19, 1978.

JACK J. SCHRAMM,
Regional Administrator.

[FR Doc. 78-9765 Filed 4-11-78; 8:45 am]

[6712-01]

FEDERAL COMMUNICATIONS
COMMISSION

[47 CFR Part 73]

[BC Docket No. 78-125; RM-3029]

FM BROADCAST STATION IN PRINCETON, ILL.

Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Notice of Proposed Rule Making.

SUMMARY: Action taken herein proposes the assignment of a Class A FM channel to Princeton, Ill., as that community's first FM channel. The proposal was made in a petition filed by WZOE, Inc., licensee of an AM station at Princeton.

DATES: Comments must be filed on or before May 30, 1978, reply comments on or before June 19, 1978.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Mildred B. Nesterak, Broadcast Bureau, 202-632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: March 31, 1978.

Released: April 7, 1978.

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Princeton, Ill.)

1. *Petitioner, proposal and comments.* (a) Petition for rule making¹ filed December 21, 1977, by WZOE, Inc. ("petitioner"), licensee of full-time AM Station WZOE, Princeton, proposing the assignment of FM Channel 252A to Princeton, Ill., as a first FM assignment to that community.

(b) The channel can be assigned in conformity with the minimum distance separation requirements.

2. *Community data.* (a) *Location:* Princeton, seat of Bureau County, is located in north central Illinois, approximately 77 kilometers (48 miles) north of Peoria, Ill.

(b) *Population:* Princeton—6,959; Bureau County—38,541.²

(c) *Local Broadcast Service:* Princeton is served by one full-time AM station (WZOE), licensed to petitioner.

3. *Economic considerations.* Petitioner states that Princeton is the governmental, retail and industrial hub of Bureau County. We are told that the principal employers in Princeton are Harper-Wyman Co., LCN Closers, Jostens, Inc., Champion Pneumatic and Jones and Loughlin Steel. In support of its petition, petitioner also has submitted information with respect to education, transportation, churches, recreational facilities and civic organizations.

4. Petitioner estimates that over 80 percent of the county's residents may be without a local broadcast service during the nighttime operation of Station WZOE because of its limited operating power. It states that the county needs a full-time broadcast station capable of reaching residents as all times.

5. In light of the above information and the fact that the proposed FM channel assignment could provide Princeton with its first FM broadcast service, the Commission believes it appropriate to propose amending the FM Table of Assignments, § 73.202(b) of the Rules, with regard to Princeton, Illinois, as follows:

City and Channel No.

Princeton, Ill.; Present:—; Proposed: 252A.

6. Authority to institute rule making proceedings; showings required; cut-off procedures; and filing requirements are contained in the attached Appendix and are incorporated herein.

NOTE.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

7. Interested parties may file comments on or before May 30, 1978, and

¹Public Notice of the petition was given on January 19, 1978, Report No. 1096.

²Population figures were taken from the 1970 U.S. Census.

reply comments on or before June 19, 1978.

FEDERAL COMMUNICATIONS
COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

1. Pursuant to authority found in Sections 4(i), 5(d)(1), 303(g), and (r), and 307(b) of the Communications Act of 1934, as amended, and Section 0.281(b)(6) of the Commission's Rules, it is proposed to amend the FM Table of Assignments, Section 73.202(b) of the Commission's Rules and Regulations, as set forth in the Notice of Proposed Rule Making to which this Appendix is attached.

2. *Showings required.* Comments are invited on the proposal(s) discussed in the Notice of Proposed Rule Making to which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build the station promptly. Failure to file may lead to denial of the request.

3. *Cut-off procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of Commission Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this Notice, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

4. *Comments and reply comments; service.* Pursuant to applicable procedures set out in Sections 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the Notice of Proposed Rule Making to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the

person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420(a), (b), and (c) of the Commission Rules.)

5. *Number of copies.* In accordance with the provisions of Section 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, and other documents shall be furnished the Commission.

6. *Public inspection of filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street NW., Washington, D.C.

[FR Doc. 78-9720 Filed 4-11-78; 8:45 am]

[6712-01]

[47 CFR Part 76]

[Docket No. 21472]

"SATURATED" CABLE TELEVISION SYSTEMS

Order Extending Time for Filing Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Extension of time.

SUMMARY: In response to requests by the National Cable Television Association, the California Community Television Association, and Western Communications, Inc., and for good cause shown, a thirty day extension of time is granted to submit reply comments in response to the Notice of Proposed Rule Making in Docket 21472. This proceeding is concerned with problems associated with cable television systems that are required to carry more broadcast signals than they have capacity.

DATE: Reply comments must now be received on or before May 10, 1978.

ADDRESS: Office of the Secretary, Federal Communications Commission, 1919 M Street NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION: Contact James A. Hudgens, Cable Television Bureau, 202-632-6468.

SUPPLEMENTARY INFORMATION:

Adopted: April 5, 1978.

Released: April 7, 1978.

In the matter of amendment of Part 76 of the Commission's Rules and Regulations (Sections 76.59-76.63) with Respect to "saturated" Cable Television Systems (43 FR 8275).

1. By Order dated February 17, 1978, the dates for the submission of com-

ments and reply comments in the above entitled proceeding were extended to March 9 and April 10, 1978, respectively.

2. Subsequent to the adoption of that Order, a large number of comments—in excess of forty—were filed, the great majority of which were extensive in nature and many of which also contained studies and/or analyses related to "saturated" systems.

3. Three parties—the National Cable Television Association (NCTA), the California Community Television Association (CCTA), and Western Communications, Inc. ("Western")—have separately requested a thirty day extension of time for the submission of reply comments. In support thereof, NCTA cites the number and length of the comments; the complexity of the issues involved, the fact that both it and the National Association of Broadcasters will hold their annual conventions within the next month; and, lastly, that on March 29 the U.S. Court of Appeals for the 2nd Circuit decided *Brookhaven v. Kelly* (Case No. 77-6156), which NCTA says "involves the Commission's jurisdiction and authority over auxiliary services" and "bears on many of the issues * * * in this proceeding," and that it needs additional time to analyze this decision. CCTA, in support of its petition, cites the voluminous filings, the need for additional time within which to canvas the "reactions and views of Association members," and the two upcoming national association meetings. Western also cites the large number of comments, the two conventions, the difficulties involved in securing copies of comments for review, and the time delays in communication between Washington counsel and principals of Western in California who wish to personally participate in the preparation of its reply comments.

4. In view of the various considerations cited by petitioners, it appears that additional time for the preparation of reply comments will be beneficial to both the participating parties and to the Commission, and that good cause has been shown for granting the requested extension.

Accordingly, it is ordered, That the date for filing reply comments in Docket 21472 IS FURTHER EXTENDED to May 10, 1978.

This action is taken by the Acting Chief, Cable Television Bureau, pursuant to the authority delegated by Section 0.288 of the Commission's Rules.

FEDERAL COMMUNICATIONS
COMMISSION,
Phillip L. Verveer,
Acting Chief,
Cable Television Bureau.

FR Doc. 78-9721 Filed 4-11-78; 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.

[3410-07]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Designation No. A592]

FLORIDA

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Dade County, Fla., as a result of unseasonal rains and cold winds culminating with heavy frost November 27, 1977 through February 23, 1978.

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 Subpart C, Exhibit D, Paragraph V B, including the recommendation of Governor Reubin O'D. Askew that such designation be made.

Applications for emergency loans must be received by this Department no later than September 28, 1978, for physical losses and April 3, 1979, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 4th day of April, 1978.

GORDON CAVANAUGH,
Administrator,

Farmers Home Administration.

[FR Doc. 78-9640 Filed 4-11-78; 8:45 am]

[3410-07]

[Designation No. A593]

NEW MEXICO

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Quay County, N. Mex., as a result of drought beginning in 1976 crop year through December 31, 1976, and/or during period Janu-

ary 1 through December 31, 1977; and a severe hailstorm June 7, 1977.

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 Subpart C, Exhibit D, Paragraph V B, including the recommendation of Governor Jerry Apodaca that such designation be made.

Applications for emergency loans must be received by this Department no later than September 28, 1978, for physical losses and April 3, 1979, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 4th day of April, 1978.

GORDON CAVANAUGH,
Administrator,

Farmers Home Administration.

[FR Doc. 78-9642 Filed 4-11-78; 8:45 am]

[3410-07]

[Designation No. A594]

NEW YORK

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Suffolk County, N.Y., as a result of excessive rainfall September 15 through December 15, 1977; an ice storm January 13, 1978; a snowstorm January 20, 1978; and extreme flooding January 26, 1978.

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 Subpart C, Exhibit D, Paragraph V B, including the recommendation of Governor Hugh L. Carey that such designation be made.

Applications for emergency loans must be received by this Department no later than September 28, 1978, for physical losses and April 3, 1979, for

production losses, except that qualified borrowers who received initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C. this 4th day of April, 1978.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc. 78-9639 Filed 4-11-78; 8:45 am]

[3410-07]

[Designation No. A598]

NORTH CAROLINA

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Cumberland County, N.C., as a result of drought April 20 to May 20, 1977, and June 1 to August 25, 1977, excessive rainfall May 24 and May 25, 1977, and a hailstorm July 1, 1977.

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 subpart C, exhibit D, paragraph V B, including the recommendation of Governor James B. Hunt, Jr. that such designation be made.

Applications for emergency loans must be received by this Department no later than October 2, 1978, for physical losses and April 4, 1979, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 5th day of April, 1978.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc. 78-9752 Filed 4-11-78; 8:45 am]

[3410-07]

[Designation No. A595]

PENNSYLVANIA

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in the following Pennsylvania counties as a result of excessive rainfall August 1 through December 31, 1977, a hailstorm November 17, 1977, ice storms December 18, 1977, and January 13, 1978, snowstorms January 13 and January 20, 1978, in Bucks County; and drought April 15 to June 15, 1977, an unseasonable snowstorm October 16, 1977, and excessive rainfall January 15 to January 18, 1978, in Sullivan County.

Therefore, the Secretary has designated these areas as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 subpart C, exhibit D, paragraph V B, including the recommendation of Governor Milton J. Shapp that such designation be made.

Applications for emergency loans must be received by this Department no later than September 28, 1978, for physical losses and April 3, 1979, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 5th day of April 1978.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc. 78-9751 Filed 4-11-78; 8:45 am]

[3410-07]

[Designation No. A596]

TENNESSEE

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or

aquaculture operations have been substantially affected in Benton County, Tenn., as a result of drought May 1 through July 31, 1977, and excessive rainfall and windstorms September 1 through October 31, 1977.

Therefore, the Secretary has designated this area as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 Subpart C, Exhibit D, Paragraph V B, including the recommendation of Governor Ray Blanton that such designation be made.

Applications for emergency loans must be received by this Department no later than September 28, 1978, for physical losses and April 3, 1979, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public inter-

est to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C. this 4th day of April, 1978.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc. 78-9641 Filed 4-11-78; 8:45 am]

[3410-7]

[Designation No. A597]

TEXAS

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in certain Texas counties as a result of various adverse weather conditions shown in the following chart:

TEXAS.—8 counties

County	Drought	Hail	High winds	Rains and flooding
Briscoe.....	June 1 through Aug. 30, 1977.	June 13, and Aug. 23, 1977.		
Clay	July 15, 1977 through Feb. 24, 1978 ¹			
Collin.....	Apr. 30 through Dec. 31, 1977			
Deaf Smith.....	Nov. 1, 1976 through Feb. 2, 1978.	June 1 through July 31, 1977. ²	Feb. 1 through Apr. 1, 1977.	
Hays.....	June 15 to Dec. 20, 1977.			
Jack	July 1, 1977 to Jan. 26, 1978.			
Knox.....	July 1, 1977 through Feb. 27, 1978.			
Motley.....	July 1, 1977 through Feb. 15, 1978.	June 12 through June 30, 1977.	June 12 through June 30, 1977.	June 12 through June 30, 1977.

¹ With extremely hot weather during September.
² Intermittent.

Therefore, the Secretary has designated these areas as eligible for emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended, and the provisions of 7 CFR 1904 subpart C, exhibit B, paragraph V B, including the recommendation of Governor Dolph Briscoe that such designation be made.

Applications for emergency loans must be received by this Department no later than September 28, 1978, for physical losses and April 3, 1979, for production losses, except that quali-

fied borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 5th day of April 1978.

GORDON CAVANAUGH,
Administrator,
Farmers Home Administration.

[FR Doc. 78-9753 Filed 4-11-78; 8:45 am]

[3410-02]

Federal Grain Inspection Service

GRAIN STANDARDS

Seed Grain

AGENCY: Federal Grain Inspection Service.

ACTION: Notice.

SUMMARY: The publication of this notice is to clarify the effective date appearing in the March 22, 1978, issue of the FEDERAL REGISTER (43 FR 11838) concerning exemption of inspection and weighing requirements on export seed grain meeting certain requirements. The correct effective date is March 21, 1978.

Dated: April 6, 1978.

DAVID C. MANGUM,
Acting Administrator.

[FR Doc. 78-9750 Filed 4-11-78; 8:45 am]

[3410-11]

Forest Service

OZARK NATIONAL FOREST

Transfer of Certain Lands; Correction

In FR Document vol. 43, No. 6 appearing at page 1520 in the FEDERAL REGISTER of January 10, 1978, the following corrections should be made in the land descriptions for Marion County:

1. On page 1520, column 3, on line 40 following the subheading Sec. 14, change "N $\frac{1}{2}$ SE $\frac{1}{4}$ " to "N $\frac{1}{2}$ SW $\frac{1}{4}$ ".

2. On page 1521, column 2, on line 16 following the subheading Sec. 27, add "Corner 4, a point; N 26°30'E, 17.30 chains to", immediately after "to".

M. RUPERT CUTLER,
Assistant Secretary.

APRIL 6, 1978.

[FR Doc. 78-9643 Filed 4-11-78; 8:45 am]

[3410-11]

TONASKET PLANNING UNIT LAND
MANAGEMENT PLANAvailability of Draft Environmental Statement;
Correction

The Notice of Availability for the Tonasket Planning Unit Land Management Plan, Okanogan National Forest, Wash. USDA-FS-R6-DES(Adm)-78-8, that appeared in the FEDERAL REGISTER volume 43, number 60, page 12898, Tuesday, March 28, 1978, is corrected as follows:

USDA, Forest Service, Okanogan National Forest, 1240 S. 2nd Avenue, Okanogan, Wash. 98840.

CURTIS L. SWANSON,
Regional Environmental Coordinator,
Planning, Programming,
and Budgeting.

APRIL 4, 1978.

[FR Doc. 78-9591 Filed 4-11-78; 8:45 am]

[3410-22]

Science and Education Administration

JOINT COUNCIL ON FOOD AND
AGRICULTURAL SCIENCES

Meeting

Pursuant to the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given of a meeting of the Joint Council on Food and Agricultural Sciences at 9 a.m., April 27 and 28, 1978, in Room 3524 South Building, U.S. Department of Agriculture, 12th Street and Independence Avenue, Washington, D.C.

The purpose of the meeting is to organize this new committee and initiate measures to foster coordination of the agricultural research, extension, and teaching activities of the Federal, State, and private sectors of the country. The meeting is open to the public, but due to time constraints public participation will be limited to written statements that can be filed before or after the meeting with James Nielson, Acting Director of Science and Education, U.S. Department of Agriculture, Washington, D.C. 20250, telephone 202-447-6827. The names of members of the Joint Council, the agenda, and other information pertaining to the meeting also may be obtained from James Nielson the Acting Director.

Dated: April 5, 1978.

JAMES NIELSON,
Acting Director,
Science and Education.

[FR Doc. 78-9637 Filed 4-11-78; 8:45 am]

[6320-01]

CIVIL AERONAUTICS BOARD

[Docket 322681]

ALOHA AIRLINES, INC. AND HAWAIIAN
AIRLINES, INC.Order Vacating Suspension and Terminating
Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of April 1978.

By Order 78-3-71, March 16, 1978, the Board suspended proposals by Aloha Airlines, Inc. (Aloha) and Hawaiian Airlines, Inc. (Hawaiian) to increase passenger fares by 7.5 percent, with corresponding increases in appli-

cable stopover charges pursuant to the Hawaii common-fare agreement. The carriers had alleged that cost inflation continued unabated, and that further fare relief was warranted. The State of Hawaii and the County of Hawaii had filed a joint complaint claiming the proposed fare increase would result in excessive revenues, and that the carrier forecast year projections were faulty. In addition, the complainants requested some alternative ratemaking policy to insulate the traveling public from fare increases resulting from the peaking of investment during a re-equipment cycle.

We suspended the increased fares because our evaluation of revenue need computed from the most current data then available (year ended September 30, 1977) showed that the proposed increase would result in excessive revenues; we calculated the carriers' combined RIO to be 12.8 percent, above the 12.35-percent standard for this entity. We also acknowledged a major change in Aloha's flight equipment during the base period, and stated we would continue to review the matter to determine if an adjustment to reflect that factor should be made.

The carrier's financial data for calendar year 1977 have now become available, and our review of that more current information shows that Aloha's ROI has dropped significantly. The combined carrier ROI is now 10.9 percent computed on the basis of our traditional ROI analysis, well below the standard. The decline in ROI stems from continuing cost inflation; and for Aloha, disproportionate increases in depreciation expense (relative to other categories of expense) caused by the replacement of two older aircraft with two new ones, and the increase in interest and investment attributable to that replacement.¹ Thus, the proposed 7.5 percent increase in fares will not cause excessive earnings.

The remaining consideration is the complainants' contention that the traveling public should be insulated from substantial changes in a carrier's fleet mix and the abrupt changes in investment base it causes. The fact of the matter is that our methodology for computing investment—using a five quarter average—does phase-in the impact of major changes in investment base. To illustrate, Aloha's investment for the year ended September 1977 was about \$18.5 million. Investment for the fourth quarter was close to \$30 million. But because our five quarter average methodology averages in the lower investment for earlier periods, the investment we

¹Aloha returned an additional leased aircraft in the fourth quarter. The increase in fleet size we noted in Order 78-3-71 was therefore only temporary.

used for our ROI calculation for the year ended December was much lower, about \$21 million.

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

It is ordered, That:

1. The suspension ordered in paragraph 2 of Order 78-3-71 is vacated;
2. The investigation in Docket 32268 is terminated and the complaint dismissed; and
3. Copies of this order shall be served upon Aloha Airlines, Inc., Hawaiian Airlines, Inc., the State of Hawaii, and the County of Hawaii.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.²

PHYLLIS T. KAYLOR,
Secretary.

[6320-01]

[Docket 30080]

CAYMAN AIRWAYS, LTD.

Prehearing Conference and Notice of Hearing

Notice is hereby given that a prehearing conference in the above-entitled matter will be held on May 4, 1978, at 10 a.m., in Room 1003, Hearing Room C, Universal Building North, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Rudolf Sobernheim.

Notice is further given that the hearing herein will be held immediately upon the close of the prehearing conference unless good cause is shown by any party for postponement of the hearing on or before the close of business on May 1, 1978.

The Bureau of International Aviation shall submit, and circulate to all other parties and the city of Houston, Tex., and the Houston Chamber of Commerce a proposed statement of issues and proposed requests for information and evidence no later than April 19, 1978. All other parties and the city of Houston, Tex., and the Houston Chamber of Commerce shall submit, and circulate to all other parties and the city of Houston, Tex., and the Houston Chamber of Commerce proposed requests for information and evidence and statements of position no later than April 27, 1978.

Dated at Washington, D.C., April 6, 1978.

RUDOLF SOBERNHEIM,
Administrative Law Judge.

[FR Doc. 78-9744 Filed 4-11-78; 8:45 am]

²All Members concurred.

[6320-01]

[Docket 32325]

PHOENIX-SALT LAKE CITY SERVICE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 3, 1978, at 10 a.m., in Room 1003, Hearing Room D, Universal Building North, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Rudolf Sobernheim.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) proposed requests for information and for evidence; (4) statements of positions; and (5) proposed procedural dates. The Bureau of Pricing and Domestic Aviation will circulate its material on or before April 19, 1978, and the other parties on or before April 26, 1978. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Pricing and Domestic Aviation, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., April 5, 1978.

RUDOLF SOBERNHEIM,
Administrative Law Judge.

[FR Doc. 78-9745 Filed 4-11-78; 8:45 am]

[6320-01]

[Docket 32163]

SOCIETE ANONYME BELGE D'EXPLOITATION, DE LA NAVIGATION AERIENNE (SABENA)

Foreign Air Carrier, Permit; Order To Show Cause

Adopted by the Civil Aeronautics Board, at its office in Washington, D.C., on the 6th day of April 1978.

Order E-12637 approved June 13, 1958, granted Societe Anonyme Belge d'Exploitation de la Navigation Aeriennne (SABENA) a foreign air carrier permit authorizing it to engage in foreign air transportation between the terminal point Brussels, Belgium, the intermediate points Manchester, England; Shannon, Eire; and Montreal, Quebec, Canada; and the terminal point New York, N.Y. On November 16, 1977, pursuant to an Exchange of Notes between the Government of the United States of America and the Belgian Government, SABENA was designated by the Belgian Government to serve between Brussels and the coterminal points of Atlanta and New York. The carrier filed an application for

amendment of its permit to include this additional authority on February 24, 1978. SABENA has also filed a motion asking the Board to use show cause procedures to grant the requested additional authority.

SABENA states in support of the application that it is a private corporation organized and existing under the laws of Belgium; it is domiciled in Belgium; its officers and directors are nationals of Belgium; its entire stock is held by the Belgian Government and Belgian nationals; and it has engaged in foreign air transportation of persons, property, and mail between Brussels and New York continuously since 1947.

The applicant proposes to operate nonstop roundtrip transatlantic service four times a week with Boeing 707-329 combination aircraft and two times a week with Boeing 707-329C all-cargo aircraft between Atlanta and Brussels beginning on or about June 1, 1978. These services will be in addition to the carrier's nine roundtrip flights per week utilizing Boeing 747 aircraft between New York and Brussels.

SABENA indicates that it owns six Boeing 707-329 aircraft and three Boeing 707-329C aircraft which can be used for Brussels to Atlanta service, as well as two Boeing 747's currently used for Brussels-New York service. The carrier further states that it is an established air carrier which transported 1.7 million passengers, 7 million tons of freight, and 170,000 tons of mail systemwide in 1976.

Further, SABENA requests that the Board take official notice of its findings in the Transatlantic Route Proceeding¹ and the findings of the administrative law judge relating to the public need for direct transatlantic air service to Atlanta. SABENA also cites this proceeding as support for its position that six roundtrip flights per week into and out of a large metropolitan airport, Atlanta, cannot be deemed to constitute a major Federal action significantly affecting the environment, as contemplated by the National Environmental Policy Act.² Accordingly, SABENA requests a waiver from the requirements of section 312.12(a)(2) of the Board's Economic Regulations.

By amendments to its exhibits in support of its show cause motion, SABENA has represented that it has and will operate in accordance with Belgian airworthiness and safety rules and regulations; it has not experienced loss of life or serious personal injury in its U.S.-Belgian operations during the past 17 years; it has operated its air services in substantial conformity with schedules; it is not, nor has it been in default under any loan agree-

¹Docket 25908, et al.

²42 U.S.C. 4320 et seq.

ment with any bank or other lender in the United States; and no docketed proceedings involving tariff violations are pending before the Board, nor are there any compliance proceedings pending disposition by any court.³

Since we have previously granted SABENA a foreign air carrier permit for Brussels-New York service and the Belgian Government has now designated the carrier to operate Brussels-Atlanta as well, we see no reason to conduct lengthy evidentiary hearings to amend SABENA's permit in accordance with the Exchange of Notes. We have previously examined this carrier in Docket 9054⁴ and found that SABENA was substantially owned and effectively controlled by the citizens of Belgium, that it was financially and operationally fit, and that it was in the public interest to grant the carrier transatlantic authority to the United States. Although that proceeding was concluded many years ago, SABENA's application and the information available to us indicate no changes in structure or operations which would cast doubt upon the continued accuracy of those findings.

No answers to either the application for permit amendment or the motion to show cause have been filed.

In view of the foregoing and all the facts of record, the Board tentatively finds and concludes:

1. That Societe Anonyme Belge d'Exploitation de la Navigation Aeriennne (SABENA) is substantially owned and effectively controlled by citizens of Belgium;

2. That it is in the public interest to amend the foreign air carrier permit issued to SABENA pursuant to Order E-12637 to authorize the carrier, subject to conditions, to engage in foreign air transportation with respect to persons, property, and mail between Brussels, Belgium, and the coterminal points New York, N.Y., and Atlanta, Ga.;

3. That the public interest requires that the exercise of the privileges granted by such amended permit shall be subject to the terms, conditions, and limitations contained in the specimen form of permit attached to this order and to such other reasonable terms, conditions, and limitations required by the public interest as from time to time may be prescribed by the Board;

4. That SABENA is fit, willing, and able properly to perform the above-described foreign air transportation, and to conform to the provisions of the

³We note that a criminal contempt action was concluded in the Eastern District Court of New York in November 1977 in which SABENA pled guilty and was fined for passenger fare rebating in violation of an earlier injunction (Criminal Action No. 77-CR-6).

⁴26 CAB 659 (1958).

Act and the rules, regulations, and requirements of the Board thereunder;

5. That in view of the limited services proposed pursuant to rights granted in the Exchange of Notes between the United States and the Government of Belgium, the amendment of SABENA's foreign air carrier permit is not a "major federal action significantly affecting the quality of the human environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969, and will not constitute a "major regulatory action" under the Energy Policy and Conservation Act of 1975 (EPACA), as defined in section 313.4(a)(1) of the Board's regulations;

6. That the request by SABENA for a waiver of the requirements for the filing of an environmental evaluation under section 312 of the Board's Regulations is granted;⁵

7. That an oral hearing is not required in the public interest; and

8. That except to the extent granted, the application of SABENA in Docket 32163 should be denied.

It is therefore ordered, That:

1. All interested persons are directed to show cause why the Board should not make final its tentative findings and conclusions set forth herein and why an amended foreign air carrier permit in the form of the attached specimen permit should not, subject to approval by the President pursuant to section 801 of the Act, be issued to Societe Anonyme Belge d'Exploitation de la Navigation Aeriennne (SABENA);

2. Any interested persons having objections to the issuance of an order making final the Board's tentative findings and conclusions and issuing the permit shall, within 21 days after the adoption of this order, file with the Board and serve on the persons named in paragraph 5 a statement of objections specifying the part or parts of the tentative findings or conclusions objected to, together with a summary of testimony, statistical data and such evidence expected to be relied upon in support of the statement of objections. If an oral hearing is requested the objector should state in detail why such hearing is considered necessary and what relevant and material facts he would expect to establish through such hearing which cannot be established in written pleadings;

⁵Since the grant of the additional authority herein will not result in any significant change in the level of service at any United States point within the meaning of section 312 of the Board's Regulations, we find that our action will not constitute a major Federal action within the meaning of the National Environmental Policy Act of 1969. Since the factual basis for this determination is contained in the application, SABENA's request for a waiver from the requirement for the filing of an environmental evaluation under Part 312 of the Board's Regulations will be granted.

3. If timely and properly supported objections are filed, further consideration will be given the matters and issues raised therein by the objector before further action is taken by the Board, *Provided*, That the Board may proceed to enter an order in accordance with its tentative findings and conclusions set forth in the order if it determines that there are no factual issues presented that warrant the holding of an oral hearing;⁶

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Secretary shall enter an order which (1) shall make final the Board's tentative findings and conclusions set forth in this order, and (2) subject to the approval of the President, shall issue an amended foreign air carrier permit to the applicant in the specimen form attached; and

5. This order shall be served upon SABENA, the Ambassador of Belgium in Washington, D.C., and the U.S. Departments of State and Transportation.

This order shall be published in the FEDERAL REGISTER and transmitted to the President.

By the Civil Aeronautics Board.⁷

PHYLLIS T. KAYLOR,

Secretary.

SPECIMEN PERMIT

PERMIT TO FOREIGN AIR CARRIER (AS AMENDED)

SOCIETE ANONYME BELGE D'EXPLOITATION DE LA NAVIGATION AERIENNE (SABENA)

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of the Federal Aviation Act of 1958, and orders, rules and regulations issued thereunder, to engage in foreign air transportation with respect to persons, property, and mail as follows:

1. Between the terminal point Brussels, Belgium, the intermediate points Manchester, England; Shannon, Eire; and Montreal, Canada; and the terminal point New York, N.Y.

2. Between the terminal point Brussels, Belgium, and the coterminal points New York, N.Y., and Atlanta, Ga.

Segment 1 and segment 2 are separate routes and shall not be combined on any single flight.

The holder shall be authorized to engage in charter trips in foreign air transportation, subject to the terms, conditions, and limitations prescribed by part 212 of the Board's Economic Regulations.

The holder shall conform to the airworthiness and airman competency requirements prescribed by the Government of Belgium for Belgian international air service.

This permit shall be subject to all applicable provisions of any treaty, convention, or agreement affecting international air transportation now in effect, or that may become effective during the period this permit re-

⁶Since provision is made for the filing of objections to this order, petitions for reconsideration will not be entertained.

⁷All Members concurred.

mains en effect, to which the United States and Belgium shall be parties.

The holder shall keep on deposit with the Board a signed counterpart of CAB Agreement 18900, an agreement relating to liability limitations of the Warsaw Convention and the Hague Protocol approved by Board Order E-23680, May 13, 1966, and a signed counterpart of any amendment or amendments to such agreement which may be approved by the Board and to which the holder becomes a party.

The holder (1) shall not provide foreign air transportation under this permit unless there is in effect third-party liability insurance in the amount of \$1,000,000 or more to meet potential liability claims which may arise in connection with its operations under this permit, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the third-party liability insurance provided, and (2) shall not provide foreign air transportation of persons unless there is in effect liability insurance sufficient to cover the obligations assumed in CAB Agreement 18900, and unless there is on file with the Docket Section of the Board a statement showing the name and address of the insurance carrier and the amounts and liability limits of the passenger liability insurance provided. Upon request, the Board may authorize the holder to supply the name and address of an insurance syndicate in lieu of the names and addresses of the member insurers.

The initial tariff filed by the holder shall not set forth rates, fares and charges lower than those that may be in effect for any U.S. air carrier in the same foreign air transportation; However, this limitation shall not apply to a tariff filed after the initial tariff regardless of whether this subsequent tariff is effective before or after the introduction of the authorized service.

By accepting this permit, the holder waives any right it may possess to assert any defense of sovereign immunity from suit in any action or proceeding instituted against the holder in any court or other tribunal in the United States (or its territories or possessions) based upon any claim arising out of operations by the holder under this permit.

The exercise of the privileges granted here shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

This permit shall be effective on _____, Unless otherwise terminated at an earlier date pursuant to the terms of any treaty, convention or agreement, this permit shall terminate (1) upon the effective date of any treaty, convention or agreement, or amendment thereto, which shall have the effect of eliminating the route hereby authorized from the routes which may be operated by airlines designated by the Government of Belgium (or in the event of the elimination of any part of a route or routes hereby authorized, the authority granted here shall be terminated to the extent of such elimination), or (2) upon the effective date of any permit granted by the Board to some other carrier designated by Belgium in lieu of the holder hereof, or (3) upon the termination or expiration of the Agreement Between the Government of the United States of America and the Belgian Government Relating to Air Services Between Their Respective Territories, effective April

5, 1946; as amended by an exchange of Notes dated November 16, 1977: *Provided, however,* That clause (3) of this paragraph shall not apply if, prior to the event specified in clause (3), the operation of the foreign air transportation here authorized becomes the subject of any treaty, convention, or agreement to which the United States and Belgium are or shall become parties.

The Civil Aeronautics Board, through its Secretary, has executed this permit and affixed its seal on _____.

Secretary.

Issuance of this permit to the holder approved by the President of the United States on _____, in Order _____.

[FR Doc. 78-9748 Filed 4-11-78; 8:45 am]

[6320-01]

[Docket 30345, 30344]

TEXAS INTERNATIONAL AIRLINES, INC.

Order

Application of Texas International Airlines, Inc., for an exemption under section 416(b) of the Federal Aviation Act of 1958, as amended and application of Texas International Airlines, Inc., for amendment of its certificate of public convenience and necessity for Route 82.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of April 1978.

On December 28, 1977, Texas International Airlines (TXI) filed on application for renewal of the exemption authority granted it by Order 77-2-137¹ that permits it to overfly Memphis, Tennessee, after scheduling one daily round trip.² It asks that the renewal be granted until final Board decision on its certificate amendment application for the same overflight authority at Memphis.³

TXI states that, before its route realignment, Memphis had been a terminal point and it was not obligated to provide more than one daily round trip; that, although Memphis is an important urban center, TXI's service is only a small part of its air transportation; that it needs greater operating flexibility to schedule service at the point in an economical manner; and that the city of Memphis has no objection to the extension.

No answers to the exemption request have been filed.

¹ Order 77-2-137, February 28, 1977, granted the exemption for a 1-year period. TXI has invoked the automatic extension provisions of 5 U.S.C. 558(c) pending action on its renewal request.

² Condition 3 of TXI's certificate for Route 82 requires the carrier to schedule two daily round trips at Memphis before overflying the point.

³ TXI filed its certificate amendment application in Docket 30344 on January 13, 1977.

We have decided (1) to issue an order to show cause why TXI's certificate for Route 82 should not be amended under section 401(g) to permit the carrier to overfly Memphis after providing one daily round trip, and (2) to grant TXI's exemption request pending completion of the certificate amendment proceeding.

We tentatively conclude that the proposed amendment of condition 3 of its certificate is required by the public convenience and necessity.⁴ In support of our ultimate determination, we make the following tentative findings and conclusions.

Amendment of TXI's certificate to permit it to overfly Memphis after providing one daily round trip will give the carrier greater operating flexibility and will relieve it of the burden of providing service that is not required by public demand. TXI provides a minor share of the air service at Memphis and a reduction in its minimum service requirement will not significantly affect the level of air transportation at the point.⁵ Moreover, given the geographic location of Memphis on TXI's system and the absence of TXI nonstop authority in any of Memphis' major markets,⁶ TXI's ability to develop economic operations with a minimum of two daily round trips is severely limited. Reduction in the service requirement to one daily round trip will therefore be economically beneficial to the carriers without adversely affecting the traveling public.

Interested persons will be given 30 days following the date of this order to show cause why the tentative findings and conclusions set forth above should not be made final. We expect such persons to support their objections, if any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail what he would expect to establish.

⁴ We further find that TXI is a citizen of the United States within the meaning of the Act and is fit, willing, and able to perform properly the transportation under the amended certificate proposed and to conform to the provisions of the Act and the Board's rules, regulations, and requirements.

⁵ Memphis is also served by American Airlines, Allegheny Airlines, Braniff Airways, Delta Air Lines, Eastern Air Lines, Frontier Airlines, Piedmont Aviation, Southern Airways, and United Air Lines.

⁶ TXI has authority in only 6 of Memphis' top 25 markets: Dallas/Fort Worth, Denver, Houston, Jackson, Miss., Los Angeles, and New Orleans. Furthermore, TXI's best authority in these markets is one-stop, and one or more other carriers provide nonstop service in each of these markets.

lish through such a hearing that cannot be established in written pleadings. General, vague, or unsupported objections will not be entertained.

We also find that it is in the public interest to exempt TXI from section 401 of the Act and the terms, conditions and limitations of its certificate to enable it to overfly Memphis after providing the city with one daily round trip, rather than two, until final action on its certificate amendment application in Docket 30344. We find that the reduction in the minimum service requirement will enable TXI to conform its operations with its traffic levels at Memphis and yet will not result in any significant decline in overall air service. We further find that the exemption authority sought is limited both in its duration and in the scope of operations and that there are unusual circumstances present because the carrier's service obligation resulted incidentally from its route realignment. These factors warrant grant of an exemption. Accordingly, we find that enforcement of section 401 of the Act and the terms, conditions, and limitations of TXI's certificate for Route 82, to the extent that they would otherwise prevent TXI from overflying Memphis after providing the point with one daily round trip, would be an undue burden on it by reason of the limited extent of, and unusual circumstances affecting, its operations in this instance and is not in the public interest.¹

Accordingly, *It is ordered*, That:

1. All interested persons be directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated here and amending condition 3 of Texas International Airlines' certificate of public convenience and necessity for Route 82 to permit the carrier to overfly Memphis, Tenn., after providing one daily round trip;

2. Any interested person having objections to the issuance of an order making final the proposed findings, conclusions, or certificate amendment set forth in this order shall, within 30 days after the date of adoption, file with the Board and serve upon all persons listed in paragraph 7, a statement of objections together with a summary of testimony, statistical data and other evidence expected to be relied upon to support the stated objections; answers to objections shall be filed within 10 days of the date for filing objections;²

¹Our decision to extend the exemption authority until final decision in Docket 30344 will maintain the status quo for the carrier's operations and, therefore, does not constitute a major Federal action significantly affecting the quality of the human environment.

²All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further

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

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

5. Texas International Airlines be exempted temporarily from the provisions of section 401 of the Act and the terms, conditions and limitations of its certificate for Route 82 to the extent necessary to permit it to overfly Memphis, Tenn., after providing the point with one round trip 7 days per week;

6. The authority granted in paragraph 5 shall be effective on the date of this order, and shall continue until 60 days after final decision in Docket 30344;

7. A copy of this order will be served upon Allegheny Airlines, Inc.; American Airlines, Inc.; Braniff Airways, Inc.; Delta Air Lines, Inc.; Eastern Air Lines, Inc.; Frontier Airlines, Inc.; Piedmont Aviation, Inc.; Southern Airways, Inc.; United Air Lines, Inc.; Mayor of Memphis, Tennessee; Airport Manager, Memphis International Airport; Governor of Tennessee; Tennessee Department of Transportation; and the Postmaster General; and

8. The exemption authority granted in this order may be amended or revoked at any time in the discretion of the Board without hearing.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.³

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc. 78-9749 Filed 4-11-78; 8:45 am]

[3510-07]

DEPARTMENT OF COMMERCE

Bureau of the Census

**CENSUS ADVISORY COMMITTEE OF THE
AMERICAN MARKETING ASSOCIATION**

Public Meeting

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. APP. (1976), notice is hereby given that the Census Advisory Committee of the American Marketing Association will convene on May 19, 1978, at 9:15 a.m. The Committee will meet in Room 2424, Federal Building 3 at the Bureau of the Census in Suitland, Md.

The Census Advisory Committee of the American Marketing Association

such motions, requests, or petitions for reconsideration of this order will be entertained.

³All members concurred.

was established in 1946 to advise the Director, Bureau of the Census, regarding the statistics that will help in marketing the Nation's products and services and on ways to make the statistics the most useful to users.

The Committee is composed of 15 members appointed by the President of the American Marketing Association.

The agenda for the meeting, which is scheduled to adjourn at 4:00 p.m., is: (1) Introductory remarks by the Director of the Bureau of the Census, including: staff changes and Bureau organization, major budget program developments, status of current legislative proposals affecting the Bureau, and other topics of current interest; (2) role of research, statistical standards, and methodology; (3) status of Gross National Product improvement recommendations; (4) 1980 census planning, including current status, and advertising plans for the 1980 census and the Richmond dress rehearsal; (5) special studies utilizing microdata; (6) response research activities; (7) the Bureau's marketing program—helping users access and use Census products; (8) Committee discussion and recommendations; and (9) date and suggestions for the next meeting.

The meeting will be open to the public and a brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons planning to attend and wishing additional information concerning this meeting or who wish to submit written statements may contact Mr. Tyler R. Sturdevant, Chief, Business Division, Bureau of the Census, Room 2633, Federal Building 3, Suitland, Md. (Mail address: Washington, D.C. 20233). Telephone 301-763-7564.

Dated: April 6, 1978.

MANUEL D. PLOTKIN,
Director,
Bureau of the Census.

[FR Doc. 78-9636 Filed 4-11-78; 8:45 am]

[3510-25]

Industry and Trade Administration

**COMPUTER SYSTEMS TECHNICAL ADVISORY
COMMITTEE**

Partially Closed Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. (1976), notice is hereby given that a meeting of the Computer Systems Technical Advisory Committee will be held on Thursday, May 9, 1978, at 1 p.m. in Room 3817, Main Commerce Building, 14th and Constitution Avenue NW., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974 and January 13, 1977, the Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration, Bureau of Trade Regulation, with respect to questions involving (A) technical matters, (B) worldwide availability and actual utilization of production technology, (C) licensing procedures which may affect the level of export controls applicable to computer systems, including technical data or other information related thereto, and (D) exports of the aforementioned commodities and technical data subject to multilateral controls in which the United States participates including proposed revisions of any such multilateral controls.

The Committee meeting agenda has four parts:

General Session

- (1) Opening remarks by the Chairman.
- (2) Presentation of papers or comments by the public.
- (3) Report on the work programs of the Subcommittees:
 - (a) Technology Transfer;
 - (b) Foreign Availability;
 - (c) Hardware; and
 - (d) Licensing Procedures.

Executive Session

- (4) Discussion of matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The General Session of the meeting is open to the public, at which a limited number of seats will be available. To the extent time permits, members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (4), the Acting Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on January 27, 1977, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government In the Sunshine Act, Pub. L. 94-409, that the matters to be discussed in the Executive Session should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552b(c)(1). Such matters are specifically authorized under criteria established by an Executive Order to

be kept secret in the interests of national defense or foreign policy. All materials to be reviewed and discussed by the Committee during the Executive Session of the meeting have been properly classified under Executive Order 11652. All Committee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be available upon written request addressed to the Freedom of Information Officer, Room 3012, Industry and Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Industry and Trade Administration, Room 1617M, U.S. Department of Commerce, Washington, D.C. 20230, telephone: Area Code 202-377-4196.

The complete Notice of Determination to close meetings or portions thereof of the series of meetings of the Computer Systems Technical Advisory Committee and of any subcommittees thereof, was published in the FEDERAL REGISTER on February 2, 1977 (42 FR 6374).

Dated: April 6, 1978.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of Trade Regulation, U.S. Department of Commerce.

[FR Doc. 78-9618 Filed 4-11-78; 8:45 am]

[1505-01]

National Oceanic and Atmospheric Administration

COASTAL MANAGEMENT PROGRAM OF COMMONWEALTH OF PUERTO RICO

Environmental Impact Statement; Public Hearings on Draft

Correction

In FR Doc. 78-8199 appearing at page 13089 in the issue for Wednesday, March 29, 1978, in the third column, the address given for Ken Stewart, in the third line, the words "Archdalte Building" should have read "Archdale Building".

[3510-08]

COASTAL MANAGEMENT PROGRAM OF COMMONWEALTH OF PUERTO RICO

In FR Doc. 78-8199, appearing on page 13089 in the issue for Wednesday, March 29, 1978, the heading should read as set forth above and the first paragraph is corrected to read as follows:

Notice is hereby given that the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce, will hold public hearings for the purpose of receiving on the Draft Environmental Impact Statement for the Coastal Management Program of the State of North Carolina.

Dated: April 7, 1978.

R. L. CARNAHAN,
Acting Assistant Administrator
for Administration.

[FR Doc. 78-9686 Filed 4-11-78; 8:45 am]

[3510-22]

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL AND ITS SCIENTIFIC AND STATISTICAL COMMITTEE AND ADVISORY PANEL

Meeting Cancellation

Notice is hereby given that the meeting as published in the FEDERAL REGISTER, Friday, March 31, 1978, Vol. 43, No. 63 of the North Pacific Fishery Management Council and Its Scientific and Statistical Committee and Advisory Panel scheduled for April 26-28, 1978, in Anchorage, Alaska, has been cancelled.

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

APRIL 7, 1978.

[FR Doc. 78-9615 Filed 4-11-78; 8:45 am]

[3510-04]

National Technical Information Service

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for domestic and possibly foreign licensing in accordance with the licensing policies of the agency-sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for \$.50 each. Requests for copies of patents must include the patent number.

Copies of the patent applications can be purchased from the National Technical Information Service (NTIS), Springfield, Virginia 22161 for \$4 (\$8 outside North American Continent). Requests for copies of patent applications must include the PAT-APPL number. Claims are deleted from patent application copies sold to the public to avoid premature disclosure in the event of an interference before the Patent and Trademark Office. Claims and other technical data will usually be made available to serious prospective licensees by the agency which filed the case.

Requests for licensing information on a particular invention should be di-

rected to the address cited for the agency-sponsor.

DOUGLAS J. CAMPION,
Patent Program Coordinator,
National Technical Informa-
tion Service.

U.S. DEPARTMENT OF THE AIR FORCE, AF/
JACP, 1900 Half Street SW., Washing-
ton, D.C. 20324.

Patent 4,063,684: Composite Rocket Nozzle
Structure; filed Nov. 25, 1975; patented
Dec. 20, 1977; not available NTIS.

Patent 4,064,109: Perfluoroalkylene Ether
Bibenzoxazole Polymers; filed July 30,
1976; patented Dec. 20, 1977; not available
NTIS.

Patent 4,064,422: Weight Multiplier for Use
in an Adapter Processor; filed Aug. 31,
1976; patented Dec. 20, 1977; not available
NTIS.

Patent 4,064,456: Meter Box Assembly; filed
Apr. 9, 1976; patented Dec. 20, 1977; not
available NTIS.

U.S. DEPARTMENT OF ENERGY, Assistant Gen-
eral Counsel for Patents, Washington,
D.C. 20545.

Patent 4,016,784: Tool Setting Device; filed
Jan. 5, 1976; patented Apr. 12, 1977; not
available NTIS.

Patent 4,017,674: Method for Starting Oper-
ation of a Resistance Melter; filed Jan. 16,
1976; patented Apr. 12, 1977; not available
NTIS.

Patent 4,017,794: Circuit for Measuring
Time Differences among Events; filed
Sept. 18, 1975; patented Apr. 12, 1977; not
available NTIS.

Patent 4,026,142: Eddy-Current System for
the Vibration Testing of Blades; filed May
10, 1976; patented May 31, 1977; not avail-
able NTIS.

Patent 4,029,735: Process for Making Cal-
cium Chromate; filed Oct. 9, 1975; patent-
ed June 14, 1977; not available NTIS.

Patent 4,030,557: Well Drilling Apparatus
and Method; filed May 3, 1976; patented
June 21, 1977; not available NTIS.

Patent 4,031,864: Multiple Fuel Supply
System for an Internal Combustion
Engine; filed Mar. 9, 1976; patented June
28, 1977; not available NTIS.

Patent 4,032,377: Method for the Produc-
tion of High-Purity Triaminotrinitro-ben-
zene; filed July 19, 1976; patented June 28,
1977; not available NTIS.

Patent 4,032,873: Flow Directing Means for
Air-Cooled Transformers. Filed May 21,
1976, patented June 28, 1977; not available
NTIS.

Patent 4,037,465: Ultrasonic Probe System
for the Bore-Side Inspection of Tubes and
Welds Therein. Filed Nov. 19, 1976, pat-
ented July 26, 1977; not available NTIS.

Patent 4,037,496: Combination Spindle-
Drive System for High Precision Machin-
ing. Filed Sept. 1, 1976, patented July 26,
1977; not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINIS-
TRATION, ASSISTANT GENERAL COUNSEL FOR
PATENT MATTERS—NASA Code GP-2,
Washington, D.C. 20546

Patent 4,061,190: In-situ Laser Retorting of
Oil Shale. Filed Jan. 28, 1977, patented
Dec. 6, 1977; not available NTIS.

Patent 4,061,029: Flow Separation Detector.
Filed Aug. 6, 1976, patented Dec. 6, 1977;
not available NTIS.

Patent 4,061,041: Differential Sound Level
Meter. Filed Nov. 8, 1976, patented Dec. 6,
1977; not available NTIS.

Patent 4,061,146: Tissue Macerating Instru-
ment. Filed Apr. 15, 1976, patented Dec. 6,
1977; not available NTIS.

Patent 4,061,427: Laser Extensometer. Filed
Oct. 15, 1976, patented Dec. 6, 1977; not
available NTIS.

Patent 4,061,561: Automatic Multiple-
Sample Applicator and Electrophoresis
Apparatus. Filed Nov. 24, 1976, patented
Dec. 6, 1977; not available NTIS.

Patent 4,061,570: Iodine Generator for Re-
claimed Water Purification. Filed Apr. 25,
1975, patented Dec. 6, 1977; not available
NTIS.

Patent 4,061,577: Fiber Optic Multiplex Op-
tical Transmission System. Filed Aug. 18,
1976, patented Dec. 6, 1977; not available
NTIS.

Patent 4,061,579: Intumescent Coatings
Containing 4,4'-Dinitrosulfanilide. Filed
Oct. 22, 1976, patented Dec. 6, 1977; not
available NTIS.

Patent 4,061,834: Durable Antistatic Coating
for Polymethylmethacrylate. Filed June
3, 1976, patented Dec. 6, 1977; not avail-
able NTIS.

Patent 4,061,955: Multi-Cell Battery Protec-
tion System. Filed May 19, 1976, patented
Dec. 6, 1977; not available NTIS.

[FR Doc. 78-9809 Filed 4-11-78; 8:45 am]

[3510-04]

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for domestic and possibly foreign licensing in accordance with the licensing policies of the agency-sponsors.

Copies of the patents cited are available from the Commissioner of Patents and Trademarks, Washington, D.C. 20231, for \$0.50 each. Requests for copies of patents must include the patent number.

Copies of the patent applications can be purchased from the National Technical Information Service (NTIS), Springfield, Va. 22161 for \$4 (\$8 outside North American Continent). Requests for copies of patent applications must include the PAT-APPL number. Claims are deleted from patent application copies sold to the public to avoid premature disclosure in the event of an interference before the Patent and Trademark Office. Claims and other technical data will usually be made available to serious prospective licensees by the agency which filed the case.

Requests for licensing information on a particular invention should be directed to the address cited for the agency-sponsor.

DOUGLAS J. CAMPION,
Patent Program Coordinator,
National Technical Informa-
tion Service.

U.S. DEPARTMENT OF THE AIR FORCE, AF/
JACP, 1900 Half Street SW., Washing-
ton, D.C. 20324

Patent application 841,776: Ramp Toe Stow-
age System; filed Oct. 13, 1977.

Patent application 844,163: Parachute
Canopy Deployment Control Apparatus;
filed Oct. 21, 1977.

Patent application 848,622: Degasser and
Liquid Seal Reservoir; filed Nov. 4, 1977.

Patent application 852,112: Parachute In-
spection Arch; filed Nov. 16, 1977.

Patent application 4,058,734: Passive In-
frared Resolution Target; filed July 19,
1976, patented Nov. 15, 1977; not available
NTIS.

U.S. DEPARTMENT OF AGRICULTURE, Research
Agreements and Patent Branch, Gener-
al Serial Division, Federal Building, Agri-
cultural Research Service, Hyattsville,
Md. 20782

Patent 4,053,004: Helical Head Commu-
nating Shear; filed May 12, 1975; patented
Oct. 11, 1977; not available NTIS.

Patent 4,065,287: Methanol Treated Activat-
ed Sludge as an Agricultural Chemical
Carrier; filed June 17, 1976, patented Dec.
27, 1977; not available NTIS.

U.S. DEPARTMENT OF COMMERCE, NATIONAL
TECHNICAL INFORMATION SERVICE, 5285
PORT ROYAL ROAD, SPRINGFIELD, VA.
22161

Patent application 853,354: A Sampling Cir-
cuit and Method Therefor; filed Nov. 21,
1977.

U.S. DEPARTMENT OF TRANSPORTATION,
PATENT COUNSEL, 400 7th Street, SW.,
Washington, D.C. 20590

Patent 4,041,494: Distance Measuring
Method and Apparatus; filed Nov. 10,
1975; patented Aug. 9, 1977; not available
NTIS.

Patent 4,057,904: Self-Adjusting String Ex-
tensometer; filed July 16, 1976; patented
Nov. 15, 1977; not available NTIS.

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND
WELFARE, NATIONAL INSTITUTES OF HEALTH,
CHIEF, PATENT BRANCH, WESTWOOD BUILD-
ING, BETHESDA, Md. 20014

Patent 4,058,460: Horizontal Flow-Through
Coil Planet Centrifuge Without Rotating
Seals; filed Mar. 17, 1977; patented Nov.
15, 1977; not available NTIS.

U.S. DEPARTMENT OF THE INTERIOR, BRANCH
OF PATENTS, 18th and C Streets, NW.,
Washington, D.C. 20240

Patent application 822,868: HF Coastal Cur-
rent Mapping Radar System; filed Aug. 8,
1977.

Patent application 829,128: Castable Cal-
cium Aluminate Refractory; filed Aug. 30,
1977.

Patent application 830,517: Recovery of
Copper and Nickel from Alloys; filed Sept.
6, 1977.

Patent application 831,640: Page Phone
System Analyzer; filed Sept. 9, 1977.

Patent 4,046,431: Water Lubricated Bearing
Assembly for Mining Machine; filed Sept.
10, 1975; patented Sept. 6, 1977; not avail-
able NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINIS-
TRATION, ASSISTANT GENERAL COUNSEL FOR
PATENT MATTERS, NASA Code GP-2,
WASHINGTON, D.C. 20546.

Patent application 872,636: Plasma Igniter
for Internal Combustion Engine; filed
Apr. 1, 1976.

Patent application 848,794: Machine for
Forming a Solar Array Strip; filed Nov. 4,
1977.

Patent application 853,677: Thermal Con-
trol Canister. Filed Nov. 21, 1977.

Patent application 854,920: Fire Protection
Covering for Small Diameter Missiles.
Filed Nov. 25, 1977.

Patent application 856,465: An Improved Solar Concentrator. Filed Nov. 30, 1977.
 Patent application 856,466: High Resolution Threshold Photoelectron Spectroscopy by Electron Attachment. Filed Nov. 30, 1977.
 Patent 4,053,229: The 2-deg./90-deg. Laboratory Scattering Photometer. filed Jan. 13, 1976. patented Oct. 11, 1977; not available NTIS.
 Patent 4,053,918: High Voltage, High Current Schottky Barrier Solar Cell. Filed Aug. 5, 1974, patented Oct. 11, 1977; not available NTIS.
 Patent 4,055,686: Method of Forming Metal Hydride Films. Filed Feb. 20, 1976, patented Oct. 25, 1977; not available NTIS.
 Patent 4,055,764: Optically Selective, Acoustically Resonant Gas-Detecting Transducer. Filed Dec. 22, 1975, patented Oct. 25, 1977; not available NTIS.
 Patent 4,055,847: Germanium-Coated Microbridge and Method. Filed Aug. 13, 1976, patented Oct. 25, 1977; not available NTIS.
 [FR Doc. 78-9810 Filed 4-11-78; 8:45 am]

[3510-17]

Office of the Secretary

ECONOMIC ADVISORY BOARD

Meeting

Pursuant to the provisions of section 10(a)(2) of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. (1976), notice is hereby given that the meeting of the Department of Commerce Economic Advisory Board will be held on Wednesday, May 10, 1978, from 9:30 a.m. to 4 p.m. in Room 4832, Main Commerce Building, 14th Street and Constitution Avenue NW., Washington, D.C.

The Board was established by the Secretary of Commerce on January 12, 1967. The purpose of the Board is to advise the Secretary of Commerce on economic policy issued. The intended agenda for this meeting is as follows:

A review of the economic outlook by major sector.
 A discussion of the outlook for prices and employment and of strategies for sustaining economic growth and dealing with inflation.

A limited number of seats will be available to the public on a first-come, first-served basis. Public participation will be limited to requests for clarification of items under discussion. Additional statements or inquiries may be submitted to the chair before or after the meeting. Copies of the minutes will be available on request 30 days after the meeting.

Additional information concerning this meeting may be obtained by contacting Ms. Virginia Marketti, Office of the Chief Economist for the Department of Commerce, Room 4848, Department of Commerce, Washington, D.C. 20230, 202-377-3523.

Dated: April 6, 1978.

COURTENAY M. SLATER,
 Chief Economist
 for the Department of Commerce.
 [FR Doc. 78-9602 Filed 4-11-78; 8:45 am]

[6315-01]

COMMUNITY SERVICES
ADMINISTRATION

EMERGENCY ENERGY ASSISTANCE PROGRAM

Funding Declarations

The Director of the Community Services Administration (CSA) has found, based on criteria indicated in Column (5) of Appendix A that Energy Related Emergencies have existed since the dates indicated in Column (3).

Therefore, eligible grantees who cover those areas indicated in Column (2) will proceed as follows:

Grantees who receive funds by Letter of Credit may withdraw and expend funds in the amount approved in Column (4) or that portion of that amount which have been granted to them under Program Account 80,

Emergency Energy Assistance Program, or Grantees who normally receive checks are being informed that their checks are being forwarded by the Treasury Department for the total amount of the EEAP grant. However, these grantees immediately may begin obligating funds against this grant in the amount appropriated in Column (4) and from the date indicated in Column (3).

Column (3) contains the earliest date to our knowledge which provided the basis for a finding by the Director of CSA that an Energy Related Emergency existed. However, any eligible grantee within those areas covered in Column (2) may submit evidence to support the existence of Energy Related Emergencies which existed between December 31, 1977, and the date given in Column (3) for a finding by the Director of CSA. (See CSA Notice 6143-7, section 4 or § 1061.51-3 in the FEDERAL REGISTER (43 FR 9476).

Request for supplemental (additional) funds shall be made in accordance with the provisions of section 11.c. of CSA notice 6143-7.

GRACIELA (GRACE) OLIVAREZ,
 Director.

APPENDIX A

State(s) declared	Areas covered	Emergency declaration date	Approved allocation for area covered	Basis for determination*
(1)	(2)	(3)	(4)	(5)
REGION I				
Massachusetts.....	Entire state.....	Feb. 7, 1978.....	\$1,280,000	4.b.(1).
REGION II				
New York.....	.....do.....	Jan. 5, 1978.....	5,285,000	4.b.(2)(a).
New Jersey.....	.....do.....	Jan. 20, 1978.....	1,270,000	4.b.(2)(a).
REGION IV				
Georgia.....	Hall and Jackson County..	Feb. 1, 1978.....	14,200	4.b.(2)(a).
REGION VI				
New Mexico.....	Entire State.....	Mar. 21, 1978.....	290,000	4.b.(2)(a).
Texas.....	.....do.....	Mar. 28, 1978.....	1,020,000	4.b.(2)(a).
REGION VIII				
North Dakota.....	.....do.....	Feb. 14, 1978.....	440,000	4.b.(1) and 4.b.(2)(a).
Utah.....	.....do.....	Jan. 1, 1978.....	320,000	4.b.(2)(a) and (2)(c).
Wyoming.....	.....do.....	.....do.....	135,000	4.b.(2)(a).

*Reference CSA Notice 6143-7, Sec. 4; FEDERAL REGISTER 1061.51-3(b).

[FR Doc. 78-9743 Filed 4-11-78; 8:45 am]

[6355-01]

CONSUMER PRODUCT SAFETY
COMMISSION

SLEDs BEARING LEAD-CONTAINING PAINT

Statement of Enforcement Policy

ACTION: Consumer Product Safety Commission.

*All references to "column" refer to Appendix A to this notice.

ACTION: Statement of Enforcement Policy.

SUMMARY: In this document the Commission announces its decision not to enforce its regulations under the Federal Hazardous Substances Act as to some 48,000 sleds, manufactured by Standard Novelty Works and shipped during 1977, on the basis of the lead content of the paints that have been used on the sleds. The Commission also declines to enforce repurchase re-

quirements against these sleds because the Commission believes that this action will not expose children to an increased risk of lead poisoning. The Commission notes that other manufacturers in a similar position to Standard Novelty Works may apply for the same enforcement relief.

FOR FURTHER INFORMATION CONTACT:

David Thome, Directorate of Compliance and Enforcement, Consumer Product Safety Commission, Washington, D.C. 20207, 301-492-6760.

SUPPLEMENTARY INFORMATION: Current Commission regulations under the Federal Hazardous Substances Act (FHSA) at 16 CFR 1500.17(a)(6)(ii)(B) declare as banned hazardous substances any toy or other article intended for use by children that bears paint containing more than 0.5 percent lead by weight. Any children's article banned by §1500.17(a)(6)(ii)(B) is, in accordance with section 15 of the FHSA, automatically subject to repurchase up to the chain of distribution. The purpose of this lead limit is to address the risk of injury resulting from lead poisoning of children who ingest available lead paint chips.

(NOTE.—For products manufactured after February 27, 1978, the legally allowable lead content for paint on toys and children's articles becomes 0.06 percent. At the same time, regulation of the products is transferred from the FHSA to the Consumer Product Safety Act (CPSA) (see 16 CFR Part 1303; 42 FR 44192).)

This statement of enforcement policy is issued as a result of a letter to the Commission dated November 28, 1977, from Standard Novelty Works, a sled manufacturer, requesting an exemption for some 48,000 children's sleds shipped during 1977 which were in violation of the lead limit set by §1500.17(a)(6)(ii)(B). In the letter the company explains that the sled runners and a metal brace attached to the runners were painted with a product that they were led to believe contained little lead, but which upon subsequent investigation was found to contain 2.6 percent lead by weight. The company also indicates that they will ship no further sleds coated with the noncomplying paint, but that if they are forced to repurchase the 48,000 sleds which have already been shipped, they will be unable to stay in business. The company further states that the noncomplying sleds do not present a risk of lead poisoning to children because it is highly unlikely that children will chew on sled runners.

After a careful consideration of the request and the circumstances which prompted it, the Commission has decided to grant the limited relief requested by Standard Novelty Works and to decline to bring any enforce-

ment action against the 48,000 sleds shipped during 1977 based on noncompliance with the lead limit of §1500.17(a)(6)(ii)(B).

The Commission believes that granting the relief requested will not expose children to an increased risk of lead poisoning. The Commission believes that children will not ordinarily be likely to chew on sled runners. Moreover, sleds are not normally stored in areas frequented by small children and are only used by children for a small portion of the year. During normal use, the paint wears off the bottom of the runners and is, therefore, not available for ingestion. In addition, Commission staff have documented the economic impact of a recall of the sleds described in the company's request.

SIMILARLY SITUATED MANUFACTURERS

Generally, when a request for an exemption is made, any relief granted by the Commission is extended to all similarly situated parties. Because the request here is so specific and the relief is limited to the terms of the request, this statement of enforcement policy only affects Standard Novelty Works. However, other manufacturers who may have inadvertently produced sleds with excessive lead in the paint on the runners may apply to the Commission through the Office of the Secretary for the same enforcement relief.

Because this document is a Commission policy statement involving enforcement of a regulation, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delayed effective date are inapplicable.

Dated: April 6, 1978.

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

[FR Doc. 78-9726 Filed 4-11-78; 8:45 am]

[3710-08]

DEPARTMENT OF DEFENSE

Department of the Army

PRIVACY ACT OF 1974

Deletion of Systems of Records

The following systems of records prescribed by the Privacy Act of 1974 (Pub. L. 93-579, 5 U.S.C. 552a) pertaining to the Department of the Army and described in the FEDERAL REGISTER of September 28, 1977, are deleted:

A0201.07aDACS

System name:

201.07 Personnel Accounting System (PAS) (42 FR 50433).

Reason:

Records are described in A0309.05aDACA (42 FR 50456).

A0302.06cDACS

System name:

302.06 Accounting for Personal Money Allowances (PMA) (42 FR 50450).

Reason:

Records are now covered by A0302.10aDACA (42 FR 50451).

A0401.02USACIDC

System name:

401.02 Public Information, Administrative, and Reference Paper Files (42 FR 50462).

Reason:

Records are covered by A0412.05aDAIO (42 FR 50476) and A0412.14aDAIO (42 FR 50478).

A0411.03aUSACIDC

System name:

411.03 Release of Information Action Files (42 FR 50474).

Reason:

Records are covered by A0202.08DAAG (42 FR 50435).

A0501.12DAMI

System name:

501.12 Subversion and Espionage Directed Against the U.S. Army (SAEDA) (42 FR 50482).

Reason:

Records are not retrieved by personal identifier.

A0508.25bUSACIDC

System name:

508.25b Index to Case Files—Republic of Vietnam CY 70 to CY 73 (42 FR 50498).

Reason:

Records are covered by A0508.11aUSACIDC (42 FR 50494).

MAURICE W. ROCHE,
*Director, Correspondence and
Directives, Washington Head-
quarters Services, Department
of Defense.*

APRIL 7, 1978.

[FR Doc. 78-9713 Filed 4-11-78; 8:45 am]

[3810-71]

Department of the Navy

DISESTABLISHMENT OF THE U.S. NAVAL STATION, MIDWAY ISLAND AND ESTABLISHMENT OF THE U.S. NAVAL AIR FACILITY, MIDWAY ISLAND

Notice of Action and Environmental Assessment

Notice is hereby given that on October 1, 1978, the Department of the Navy plans to disestablish the U.S. Naval Station at Midway Island and establish in its place the U.S. Naval Air Facility at Midway Island.

The Naval Station at Midway is located primarily on Sand Island, the larger of the two islands which make up the Midway Island Atoll. An airfield with an 8,000-foot runway is located on the Naval Station and the base has a dredged harbor capable of handling ocean going vessels. The only personnel on the island are U.S. military personnel, civilian employees, and dependents.

The fleet utilization of the Naval Station has been reduced in recent years to a relatively constant level that can be supported with greater cost effectiveness by a reduced level of manning. Further, maintaining an organic helicopter and transport airlift capability is no longer warranted in light of current and projected operational requirements. Accordingly, the Naval Station is being disestablished and a new Naval Air Facility is being established at Midway Island to consolidate functional responsibilities and manpower resources, improve management effectiveness, and achieve savings in overall resources. The military and civilian manpower levels will be adjusted as follows: the 28 officers will be reduced to 12; the 511 enlisted personnel will be reduced to 331; and the 41 civilian employees will be eliminated. The present civilian employees at the base will be subject to Reduction in Force (RIF) action, and, if eligible, afforded the opportunity to relocate and obtain employment at other Department of Defense installations. All dependents will be removed from Midway Island by September 1, 1978, and dependent-related support functions terminated. Other existing facilities will be consolidated/refurbished to support the reduced manning level, while excess facilities will be demolished and all real estate will be retained.

Notice is also given, pursuant to section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. § 4332); the Council on Environmental Quality Guidelines (40 CFR Part 1500); the Department of Defense Regulations, "Environmental Consideration on DOD Action" (32 CFR Part 214), that an Environmental Impact Statement (EIS) is not being prepared

for the disestablishment of the U.S. Naval Station and the establishment of the U.S. Naval Air Facility at Midway Island. The environmental impact assessment of these actions indicated that they are not major Federal actions, and they do not significantly affect the quality of human environment nor are they considered controversial with respect to environmental affects. Therefore, the preparation and review of an EIS is not required.

For further information concerning this notice contact: Commander L. C. Struthers, Head, Pacific Installations Planning Section, Logistics Plans Division, Op-402E, Washington, D.C. 20350. Telephone 202-695-5144.

Dated: April 10, 1978.

K. D. LAWRENCE,
Captain, JAGC, U.S. Navy,
Deputy Assistant Judge Advocate General (Administrative Law).

[FR Doc. 78-9862 Filed 4-11-78; 8:45 am]

[6740-02]

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER78-240]

ARIZONA PUBLIC SERVICE CO.

Notice of Filing of Supplement to Agreement

APRIL 5, 1978.

Take notice that on March 28, 1978, Arizona Public Service Co. (APS) tendered for filing a Supplement dated December 8, 1977, to the Wholesale Power Agreement between United States Bureau of Indian Affairs on behalf of the San Carlos Indian Irrigation Project (SCIIP) and APS respectively, previously designated APS-FPC Rate Schedule No. 66. APS indicates that this Supplement provides for certain technical changes, along with amended Exhibit "A" to the Agreement which provides for maximum and minimum contract demand, provision for sales taxes and change in delivery point, thus excluding the imposition of the transmission charges.

APS requests waiver of the Commission's Regulations to permit effective dates of June 1, 1976 for the sales tax clause and January 1, 1978 for the exclusion of the transmission charges.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory 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 17, 1978. Protests will be considered by the Commission in de-

termining 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. 78-9661 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-269]

ARIZONA PUBLIC SERVICE CO.

Notice of Filing of Revision to Agreement

APRIL 5, 1978.

Take notice that on March 27, 1978, Arizona Public Service Co. (APS) tendered for filing revised Exhibit "B" dated January 6, 1978, to the wholesale power agreement between Wellton-Mohawk Irrigation and Drainage District (Wellton-Mohawk) and APS respectively, previously designated APS-FPC Rate Schedule No. 58. APS states that this revision of Exhibit "B" of the Agreement revises the maximum and minimum contract demands.

APS further states that the effective date of this revision is intended to be upon acceptance by the Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 17, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR DOC. 78-9660 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. CI75-201, et al.]

ATLANTIC RICHFIELD CO., ET AL.

Extension of Time

APRIL 4, 1978.

On March 27, 1978, Tennessee Gas Pipeline Co., a Division of Tenneco, Inc. (Tennessee), filed a motion to extend the time for filing its response to a number of motions, briefs, and re-

lated pleadings filed in the above referenced proceeding. The motion states that certain motions, briefs, and related pleadings were never served upon counsel for Tennessee and that Tennessee had no knowledge of these filings until 5 p.m. of March 13, 1978.

Upon consideration, notice is hereby given that an extension of time is granted to and including April 13, 1978, within which to file Briefs Opposing Exceptions to the Initial Decision issued October 27, 1977, and within which to file answers to the Petition to Intervene filed January 30, 1978, by Associated Gas Distributors.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9676 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-264]

BLACK HILLS POWER & LIGHT CO.

Compliance Filing

APRIL 5, 1978.

Take notice that Black Hills Power & Light Co. (Company) on March 14, 1978, tendered for filing a notice that, effective February 1, 1978, Supplement No. 1 to FPC Rate Schedule No. 17 (Rental Agreement) is to be cancelled. Company indicates that this cancellation is in compliance with the Commission's order dated January 18, 1978 in Docket No. E-9605, according to which the Company sold and transferred certain electric facilities to the City of Gillette, Wyo.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory 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 and 1.10). All such petitions or protests should be filed on or before April 17, 1978. 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. 78-9663 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-254]

CARDINAL OPERATING CO.

Proposed Tariff Change

APRIL 4, 1978.

Take notice that Cardinal Operating Co. (Company), on March 24, 1978, tendered for filing a proposed Amendment No. 4, dated as of December 1, 1977, to the Station Agreement, dated as of January 1, 1968, as amended, filed as Rate Schedule Nos. 1 and 69 respectively, Cardinal Operating Co. and Ohio Power Co., among those companies and Buckeye Power, Inc., Ohio Power Co. has filed a certificate of concurrence, concurring in the filing by Cardinal Operating Co.

Company indicates that the proposed changes involved modifications of certain definitions contained in Amendment No. 1 to the Station Agreement, which are necessitated by the proposed issuance by Buckeye Power, Inc. of additional First Mortgage Bonds, to complete the financing of a 615 MW generating unit at the Cardinal Station.

An effective date of April 13, 1978 is requested. Waiver of certain filing and notice requirements is also requested.

Copies of the proposed Amendment have been furnished to the Public Utilities Commission of Ohio, according to Company.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's Rule of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 11, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9664 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-278]

CENTRAL MAINE POWER CO.

Proposed Tariff Change

APRIL 5, 1978.

Take notice that on March 28, 1978, Central Maine Power Co. (Central Maine) tendered for filing an initial rate schedule providing transmission

services over its 115 KV networked transmission lines.

Central Maine proposes an effective date of April 1, 1978, and therefore requests waiver of the Commission's notice requirements.

According to Central Maine copies of this filing have been served upon Bangor Hydro-Electric Co. and the Maine Public Utilities Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 17, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9665 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-284]

CONNECTICUT LIGHT AND POWER CO.

Transmission Agreement

APRIL 5, 1978.

Take notice that on March 31, 1978, the Connecticut Light and Power Co. (CL&P) tendered for filing a proposed rate schedule with respect to Transmission Agreement dated February 22, 1978 between (1) CL&P, The Hartford Electric Light Co. (HELCO) and Western Massachusetts Electric Co. (WMECO) and (2) Long Island Lighting Co. (LILCO).

CL&P states that the transmission Agreement provides for a transmission service to LILCO during the period from March 31, 1978 to November 30, 1978.

CL&P states that the transmission charge rate is a monthly rate equal to one-twelfth of the annual average cost of transmission service on the Northeast Utilities system determined in accordance with section 13.9 (Determination of Amount of Pool transmission Facilities (PTF) Costs) of the New England Power Pool (NEPOOL) Agreement and the uniform rules adopted by the NEPOOL Executive Committee, multiplied by the number of kilowatts which LILCO is entitled to receive.

CL&P requests an effective date of March 1, 1978 for the Transmission

Agreement, and therefore requests waiver of the Commission's notice requirements.

HELCO and WMECO have filed certificates of concurrence in this docket.

CL&P states that copies of this rate schedule have been mailed or delivered to HELCO, Hartford, Conn., WMECO, West Springfield, Mass. and LILCO, Hicksville, N.Y.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 17, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9666 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. CP78-207]

EQUITABLE GAS CO. ET AL.

Complaint Regarding Unlawful Abandonment
of Service

APRIL 4, 1978.

Equitable Gas Co. v. I. L. Morris; I. L. Morris, doing business as Waco Oil & Gas; I. L. Morris, doing business as Syndex, Inc. doing business as Waco Oil & Gas; I. L. Morris, doing business as Syndex of West Virginia Inc.; Waco Oil & Gas, Inc., a corporation; Syndex, Inc., doing business as Waco Oil & Gas; Syndex, Inc., a corporation; and Syndex of West Virginia, Inc., a corporation.

Take notice that on February 27, 1978, Equitable Gas Co. (Equitable), 420 Boulevard of the Allies, Pittsburgh, Pa. 15219, has filed a complaint in the above-captioned docket pursuant to section 1.6 of the Commission's Rules of Practice and Procedure and sections 7(b), 15(b), and 16 of the Natural Gas Act alleging unlawful abandonment of the sale of natural gas to Equitable for resale in interstate commerce by the parties listed in the caption (Morris).

Equitable states that it was notified by Morris on February 10, 1978, that he was terminating his gas purchase agreements with Equitable as of that date, and there after Morris began to shut-in certain wells on or about Feb-

ruary 21, 1978. Equitable alleges that Morris is acting without any abandonment certificate and without filing an application therefor. Equitable requests that the Commission direct Morris to cease shutting-in wells subject to the gas purchase agreements and to immediately resume the sale of natural gas to Equitable from said wells.

Any person desiring to be heard or to make any protest with reference to said petition should on or before May 5, 1978, file with the Federal Energy Regulatory 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. 78-9667 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. RI78-34]

EQUITABLE PETROLEUM CORP.

Notice of Petition for Special Relief

APRIL 4, 1978.

Take notice that Equitable Petroleum Corp. (Equitable), 50 Rockefeller Plaza, New York, N.Y. 10020, filed on March 2, 1978, a petition for special relief pursuant to 18 CFR § 2.76.

Equitable requests a rate of 183.86 cents per Mcf at 14.73 psia for the Perry Lease, Monroe Gas Field, Morehouse Parish, La. Equitable is presently making this sale to Mid-Louisiana Gas Co., pursuant to a contract executed on September 7, 1973, under its Small Producer Certificate Docket No. CS-71940 at the rate of 58.06 cents per Mcf at 14.73 psia for subject gas. Equitable indicates that the proposed rate increase is necessary to recover the unit cost of gas.

Any person desiring to be heard or to make any protest with reference to said petition should on or before April 26, 1978, file with the Federal Energy Regulatory 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. 78-9677 Filed 4-11-78; 8:45 am]

[6740-02]

[Valuation Docket No. PV-1441]

EXPLORER PIPELINE CO.

Notice of Tentative Valuation

MARCH 31, 1978.

Notice is hereby given that a tentative valuation is under consideration for Explorer Pipeline Co., P.O. Box 2650, Tulsa, Okla. 74119. This is an initial valuation for Explorer and the date of valuation is as of December 31, 1973.

On or before May 1, 1978, persons other than those specifically designated in section 19a(h) of the Interstate Commerce Act having an interest in this valuation may file, pursuant to rule 72 of the Interstate Commerce Commission's "General Rules of Practice" (49 CFR 1100.72), an original and three copies of a petition for leave to intervene in this proceeding. Jurisdiction over oil pipelines, as it relates to establishment of valuations for pipelines, was transferred from the Interstate Commerce Commission to the Federal Energy Regulatory Commission (FERC), pursuant to sections 306 and 402 of the Department of Energy Organization Act, 42 U.S.C. §§ 7155 and 7172, and Executive Order No. 12009, 42 FR 46267 (September 15, 1977).

If the petition for leave to intervene is granted the party may thus come within the category of "additional parties as the FERC may prescribe" under section 19a(h) of the act, thereby enabling it to file a protest. It is required that a copy of the petition to intervene be served at the address shown above for Explorer and that an appropriate certificate of service be attached to the petition. Persons specifically designated in section 19a(h) of the act need not file a petition: they are entitled to file a protest as a matter of right under the statute.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9668 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ES78-26]

IOWA-ILLINOIS GAS & ELECTRIC CO.

Application

APRIL 4, 1978.

Take notice that on March 27, 1978, Iowa-Illinois Gas & Electric Co. (Applicant) of Davenport, Iowa, filed a seventh supplemental application seeking authority pursuant to section 204 of the Federal Power Act to extend to no later than June 30, 1979, the date of issuance and to no later than June 30, 1980, the final maturity date of notes authorized to be issued.

Applicant is incorporated under the laws of the State of Illinois with its principal business office at Davenport, Iowa, and is engaged in the electric and gas utility business within the State of Iowa and the State of Illinois.

The notes are to be issued from time to time to banking institutions and/or sold as commercial paper to direct purchasers or through commercial paper dealers.

Notes to banking institutions will be issued in accordance with various informal lines of credit agreements. The notes are to have maturities of up to one year from their dates and in any event on or before June 30, 1980, and are to have an interest cost to the Company not excluding that charged on prime loans of lending institutions at the time of issuance.

Commercial paper will be issued as unsecured promissory notes and, in most cases, sold through established commercial paper dealers. In some cases commercial paper may be placed directly. Commercial paper notes are to have maturities of not more than 270 days from their dates and in any event on or before June 30, 1980, and the interest rate will be dependent upon the terms of the notes and money market conditions at the time of issuance.

The proceeds from the issuance of notes will be added to working capital for ultimate application toward the cost of gross additions to utility plant.

Any person desiring to be heard or to make any protest with reference to the application should on or before April 20, 1978, file with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, petitions or protests in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9678 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-280]

MISSISSIPPI POWER & LIGHT CO.

Proposed Purchase Agreement

APRIL 5, 1978.

Take notice that on March 28, 1978, Mississippi Power & Light Co. (MP&L) tendered for filing an Agreement for Purchase of Power between MP&L and the Magnolia Electric Power Association at McComb, Miss. in substitution for an unexecuted Agreement for Purchase of Power filed on August 8, 1977 and accepted for filing on September 20, 1977, in Docket No. ER77-552 which became effective on July 13, 1977, the date of initiation of service.

MP&L states that the Company's Rate Schedule REA-14 (revised) incorporated in the Agreement filed herewith was heretofore filed with this Commission on October 26, 1977, in compliance with the Commission's order issued on August 27, 1976 (Docket No. ER76-830). MP&L further states that in accordance with the Commission's letter of November 22, 1976, Rate Schedule REA-14 (revised) became effective on December 1, 1976, subject to refund. MP&L indicates that in accordance with Article 3 of the contract and the orders of this Commission in Docket No. ER76-830, Company is applying Rate Schedule REA-15, the currently effective tariff for service to Electric Power Associations.

MP&L proposes an effective date of May 1, 1978.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory 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 or protests should be on or before April 17, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9669 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-278]

NIAGARA MOHAWK POWER CORP.

Notice of Filing

APRIL 5, 1978.

Take notice that Niagara Mohawk Power Corp. (Niagara Mohawk), on March 28, 1978, tendered for filing as a rate schedule, an agreement between Mohawk and Central Hudson Gas & Electric Corp. dated May 12, 1977.

Niagara Mohawk states that under the terms of the agreement, Niagara agrees to make available and sell to Central Hudson capability of the Roseton Electric Generating Plant to which Niagara is entitled.

Niagara Mohawk requests waiver of the Commission's notice requirements in order to allow said agreement to become effective as of April 24, 1977.

According to Niagara Mohawk copies of this filing were served upon Central Hudson Gas & Electric Corp. and the Public Service Commission State of New York.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 17, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9670 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-285]

OKLAHOMA GAS & ELECTRIC CO.

Filing of Wholesale Electric Service Agreements

APRIL 5, 1978.

Take notice that Oklahoma Gas & Electric Co. (Company), on March 31, 1978, tendered for filing Electric Service Agreements for wholesale service for the city of Stillwater, Okla., and KAMO Electric Cooperative, Inc. (Crescent). The Company indicates that the proposed Electric Service Agreements cancel and supersede the existing contracts presently on file with the Commission. The proposed effective date is May 1, 1978 for both customers.

The Company states that the proposed rate is that accepted by the Commission for filing by letter-order issued March 16, 1978, in Docket No. ER77-127 and designated as FERC Electric Tariff, 1st Revised Volume No. 1.

The Company states that copies of the proposed Electric Service Agreements have been mailed to Stillwater and KAMO, the Corporation Commission of the State of Oklahoma, and the Arkansas Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with the requirements of 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 17, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9671 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-267]

OKLAHOMA GAS & ELECTRIC CO.

Filing

APRIL 4, 1978.

Take notice that Oklahoma Gas & Electric Co. (Oklahoma), on March 24, 1978, tendered for filing Electric Service Agreements for wholesale service for the cities of Stroud and Watonga, Okla. Oklahoma states that the proposed Electric Service Agreements cancel and supersede the existing contracts presently on file with the Commission. Oklahoma proposes an effective date of April 25, 1978, for the City of Watonga. Oklahoma proposes an effective date of April 18, 1978, for the city of Stroud and therefore requests waiver of the Commission's notice requirements.

Oklahoma further states that copies of the proposed Electric Service Agreements have been mailed to Stroud and Watonga, the Corporation Commission of the State of Oklahoma and the Arkansas Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 12, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9679 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ES78-27]

PACIFIC POWER & LIGHT CO.

Notice of Application

APRIL 5, 1978.

Take notice that on March 29, 1978, Pacific Power & Light Co. (Applicant), a Maine corporation, qualified to transact business in the States of Oregon, Wyoming, Washington, California, Montana, and Idaho, with its principal business office at Portland, Oreg., filed an application with the Federal Energy Regulatory Commission, pursuant to section 204 of the Federal Power Act, seeking an order authorizing the issuance of not to exceed \$40,000,000 in aggregate principal amount of its \$ No Par Serial Preferred Stock (New Preferred Stock).

Applicant proposes to sell the New Preferred Stock at competitive bidding in accordance with the applicable requirements of section 34.1a of the Commission's Regulations.

The New Preferred Stock will consist of a new series of Applicant's No Par Serial Preferred Stock, will be issued at the price per share fixed by Applicant's Board of Directors for such series as shall result in total consideration of not to exceed \$40,000,000 in aggregate principal amount, will be entitled to such cumulative annual dividends, will be redeemable at such redemption prices, will be entitled to such preferences on voluntary or involuntary liquidation, and will have such voting rights as shall be fixed and determined by resolution of Applicant's Board of Directors at the time of establishing such series after competitive bidding for the New Preferred Stock shall have taken place.

Proceeds from the issuance and sale of the New Preferred Stock will be used to repay short-term notes prior to or as they mature and to finance, in part, Applicant's 1978-79 construction program, currently estimated at \$621,471,000.

Any person desiring to be heard or to make any protest with reference to said application should, on or before April 20, 1978, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8, 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. 78-9672 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-273]

PHILADELPHIA ELECTRIC CO.

Notice of Filing

APRIL 5, 1978.

Take notice that on March 27, 1978, Philadelphia Electric Co. (PE) with the concurrence of Atlantic City Electric Co. (ACE) tendered for filing pursuant to section 205 of the Federal Power Act and part 35 of the regulations issued thereunder, a March 9, 1978, Supplemental Agreement to the original Interconnection Agreement between PE and ACE, dated November 17, 1967.

PE states that the proposed Supplemental Agreement sets forth additional rights and obligations with respect to coordinated operation consistent with the Pennsylvania New Jersey-Maryland Agreement; modifies transmission services provided by PE to reflect the completion of certain 500 KV transmission lines under the Lower Delaware Valley Transmission System Agreement and changes the PE termination of the 230 KV transmission line interconnecting PE and ACE from Chichester Substation to Trainer Substation.

PE requests an effective date of December 19, 1977, and therefore requests waiver of the Commission's notice requirements.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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. All such petitions or protests should be filed on or before April 17,

1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9673 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-274]

PHILADELPHIA ELECTRIC CO.

Notice of Filing

APRIL 5, 1978.

Take notice that on March 27, 1978, Philadelphia Electric Co. (PE) with the concurrence of Delmarva Power & Light Co. (DPL) tendered for filing pursuant to section 205 of the Federal Power Act and part 35 of the regulations issued thereunder, a March 9, 1978, Supplemental Agreement to the original Interconnection Agreement between PE and DPL, dated November 29, 1967.

PE states that the proposed Supplemental Agreement sets forth additional rights and obligations with respect to coordinated operation consistent with the Pennsylvania-New Jersey-Maryland Agreement, and modifies the arrangements for transmission services provided by each party for the other party in relationship with the completion of certain 500 KV transmission lines under the Lower Delaware Valley Transmission System Agreement.

PE requests waiver of the Commission's notice requirements in order to allow the proposed Supplemental Agreement to become effective as of December 19, 1977.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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. All such petitions or protests should be filed on or before April 17, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9674 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. E-8586 and E-8587]

PUBLIC SERVICE CO. OF INDIANA

Compliance Filing

APRIL 5, 1978.

Take notice that Public Service Co. of Indiana (Company) on March 16, 1978, tendered for filing a revised compliance filing pursuant to the Commission's order of February 13, 1978. Company indicates that it is simultaneously filing an application for rehearing of that order and the revised compliance filing herein filed is not intended to become effective until such time as the Commission has acted on that application for rehearing and then, only if the relief sought in the application is denied.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street N.E., Washington, D.C. 20426, in accordance with sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before April 17, 1978. 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. 78-9675 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. EL78-15]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE

Petition for a Declaratory Order

APRIL 4, 1978.

Take notice that the Public Service Co. of New Hampshire (Company) on March 23, 1978, tendered for filing a Petition for a Declaratory Order Authorizing Inclusion of Construction Work in Progress in Rate Base to Meet Severe Financial Difficulty.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory 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 21, 1978. 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. 78-9654 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-283]

SOUTH CAROLINA ELECTRIC & GAS CO.

Proposed Changes in Rates and Charges

APRIL 5, 1978.

Take notice that South Carolina Electric & Gas Co. (SCE&G) on March 31, 1978, tendered for filing proposed changes in its rates and charges to its three (3) municipal, five (5) rural electric cooperatives, and one (1) public power body sales-for-resale customers, as embodied in SCE&G's proposed Rate Schedule WR and revised fuel adjustment clause. SCE&G indicates that the proposed changes, which SCE&G proposes to put into effect as of April 30, 1978, would increase revenues from jurisdictional sales and service by \$2,239,215.00 based on the 12-month period ending April 30, 1978.

SCE&G states that it expects to earn a rate of return of 6.01 percent from service to these sales-for-resale customers during the calendar year 1978 in the absence of rate relief. SCE&G states that the proposed rates are designed to enable SCE&G to improve the rate of return earned from its service to these sales-for-resale customers, which the Company believes is necessary if it is to attract the necessary amounts of capital and if it is to continue to provide adequate service to its present and future customers.

Copies of the filing have been served upon SCE&G's jurisdictional customers and the South Carolina Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 17, 1978. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file

with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9655 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. RI78-37]

SUN OIL CO.

Petition for Special Relief

APRIL 4, 1978.

Take notice that Sun Oil Co. (Sun), II North Park East, Suite 800, Dallas, Tex. 75231, filed on March 13, 1978, a petition for special relief pursuant to 18 CFR § 2.76

Sun requests a total rate of \$1.3798 per Mcf at 14.65 psia, subject to 100 percent state tax reimbursement and BTU adjustment for the Frack, Well No. 1, Stafford County, Kans. Sun is presently making this sale to Panhandle Eastern Pipe Line Co. pursuant to a contract executed on July 21, 1959, under its Certificate Docket No. G-19409 and Rate Schedule 372 at the base rate of 29.3398 per Mcf, plus 0.09 cents per Mcf tax reimbursement at 14.65 psia for subject gas. Sun states that it has submitted this petition for the express purpose of recovering the unit cost of gas in order to keep from prematurely plugging and abandoning the Frack, Well No. 1.

Any person desiring to be heard or to make any protest with reference to said petition should on or before April 26, 1978, file with the Federal Energy Regulatory 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. 78-9680 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. CP76-302]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Further Extension of Time

APRIL 6, 1978.

On February 16, 1978, Transcontinental Gas Pipe Line Corp. (Transco) filed a request for a further extension of time to complete construction and

place in actual operation the facilities authorized by Commission Order issued August 18, 1976, in the captioned proceeding. A previous extension of time to and including February 17, 1978, was granted by Notice issued July 5, 1977.

The instant motion states that substantial progress had been made toward completing the subject pipeline and facilities when weather interference, typical of the lower Texas coastal area, became excessive, and by agreement between Transco and the contractor on October 7, 1977, the construction was suspended until 1978.

Notice is hereby given that a further extension of time is granted to and including November 18, 1978, within which Transco shall complete construction of and place in operation the facilities authorized in this proceeding.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9681 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. CP77-538]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Further Extension of Time

APRIL 4, 1978.

In the matter of Transcontinental Gas Pipe Line Corp., Michigan Wisconsin Pipe Line Co., Natural Gas Pipeline Co. of America, Consolidated Gas Supply Corp., and Trunkline Gas Co.

On March 28, 1978, Transcontinental Gas Pipe Line Corp. (Transco) filed a motion on behalf of the joint applicants in this proceeding to extend further the time for filing certain transportation applications, required by letter order issued September 29, 1977, and extended by letter order issued November 11, 1977, in the above referenced proceeding.

The instant motion states that a substantial part of the preliminary work for filing the pertinent transportation applications has been accomplished, but the remaining details cannot be completed within the time required by the Commission's November 11, 1977, letter order.

Upon consideration, notice is hereby given that an extension of time is granted to and including May 22, 1978, within which the joint applicants shall file the necessary transportation applications.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9656 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. CP78-17]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Amendment to Application

APRIL 4, 1978.

Take notice that on March 25, 1978, Transcontinental Gas Pipe Line Corp. (Applicant), P.O. Box 1396, Houston, Tex. 77001, filed in Docket No. CP78-17 an amendment to its application filed in the instant docket pursuant to section 7(c) of the Natural Gas Act so as to provide for the construction and operation of a 3,695 horsepower turbine compressor in proposed Station No. 44 on its Southwest Louisiana Gathering System, instead of the 4,600 horsepower compressor unit as originally proposed herein, all as more fully set forth in the amendment on file with the Commission and open to public inspection.

Applicant indicates that in its original filing in the instant docket it requested authorization to construct and operate 8.43 miles of 36-inch loop line and a 4,600 horsepower centrifugal compressor unit, and appurtenant facilities, to expand the capacity of its Southwest Louisiana gathering system to accommodate increased volumes of purchased gas available in the northern High Island and Galveston Areas, offshore Texas, for Applicant's general system supply and transportation services for others which are projected to be handled through this system.

Applicant now proposes to install and operate a solar turbine capable of delivering 3,695 horsepower in Station No. 44, instead of a 4,600 horsepower unit, initially proposed herein. Applicant states that the solar turbine was selected following evaluation of bids from several compressor manufacturers for a compressor unit meeting the design criteria of Station No. 44 that could be delivered in time to meet the projected construction schedule for the station this year. It is stated that the proposed facilities would increase the capacity of the Southwest Louisiana Gathering System by 222,062 Mcf a day, instead of 233,038 Mcf a day as shown in the original application.

It is indicated that the estimated cost of the proposed facilities reflecting the installation of the solar turbine unit is \$10,000,000 instead of the estimated \$10,200,000 for the facilities as proposed in the original application.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before April 27, 1978, file with the Federal Energy Regulatory 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 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. All persons who have heretofore filed need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9657 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. RP74-52, (PGA78-1)]

TRANSWESTERN PIPELINE CO.

Filing

APRIL 3, 1978.

Take notice that on March 16, 1978, Transwestern Pipeline Co. (Transwestern) filed with this commission a list of emergency purchases reflected in Transwestern's March 7, 1978 PGA filing. The Company states that the rates paid for the subject emergency purchases were not in excess of the level established in FPC Opinion Nos. 770 and 770-A.

Any person desiring to be heard or to protest said filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before April 17, 1978. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9682 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-271]

UNION ELECTRIC CO.

Proposed Revised Service Schedule

APRIL 4, 1978.

Take notice that on March 27, 1978, Union Electric Co. (Union) tendered for filing a notice to Illinois Power Co., revising the rate for transactions under the Boundary Line Agreement between the parties.

Union requests a proposed effective date of March 27, 1978, and therefore requests waiver of the Commission's notice requirements.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory 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 17, 1978. 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. 78-9658 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-272]

UNION ELECTRIC CO.

Proposed Revised Service Schedule

APRIL 4, 1978.

Take notice that on March 27, 1978, Union Electric Co. (Union) tendered for filing a notice to Missouri Power & Light Co., revising the rate transactions under the Boundary Line Agreement between the parties.

Union requests a proposed effective date of March 27, 1978, and therefore requests waiver of the Commission's notice requirements.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory 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 17, 1978. 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. 78-9683 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-277]

UNION ELECTRIC CO.

Notice of Filing

APRIL 5, 1978.

Take notice that on March 28, 1978, Union Electric Co. (Union) tendered for filing a notice to the city of Far-

mington, Mo., revising the rate for transactions under the Boundary Line Agreement between the parties.

Union requests a proposed effective date of March 27, 1978, and therefore requests waiver of the Commission's notice requirements.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory 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 17, 1978. 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. 78-9659 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. ER78-276]

UTAH POWER & LIGHT CO.

Notice of Filing

APRIL 5, 1978.

Take notice that Utah Power & Light Co. (Utah), Salt Lake City, Utah, on March 28, 1978, tendered for filing, an agreement dated March 17, 1978, but effective July 15, 1977, providing for the sale and/or purchase of economy energy between Utah and Southern California Edison Co. (Edison).

Utah states that the agreement provides for the sale of energy, interruptible without prior notification, on a scheduled basis to be arranged by each party's dispatchers.

Utah further states that the charges are to be determined as follows:

The price for Economy Energy purchased by Edison from Utah shall be the average of Edison's Incremental Energy Value and Utah's Incremental Energy Cost.

The price for Economy Energy purchased by Utah from Edison shall be 115 percent of Edison's Incremental Energy Cost.

Utah requests an effective date of July 15, 1977, and therefore requests waiver of the Commission's notice requirements.

According to Utah copies of this filing were served on Edison and on the Utah Public Service Commission.

Any person desiring to be heard or to protest said filing should file a peti-

tion to intervene or protest with the Federal Energy Regulatory 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 17, 1978. 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. 78-9660 Filed 4-11-78; 8:45 am]

[6740-02]

[Docket No. CP78-257]

WESTERN GAS INTERSTATE CO.

Application

APRIL 5, 1978.

Take notice that on March 24, 1978, Western Gas Interstate Co. (Applicant), 1800 First International Building, Dallas, Tex. 75270, filed in Docket No. CP78-257 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas in interstate commerce and the sale of such gas to Southern Union Co. (Southern Union) through Southern Union's gas distribution divisions, Gas Company of New Mexico and Southern Union Gas Co., all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes: (a) to deliver to El Paso Natural Gas (El Paso) natural gas which is attributable to Barker Dome Reservoir production for transportation by El Paso and (b) after redelivery of such gas to Applicant by El Paso, to sell the volumes to Southern Union, through Gas Company of New Mexico and Southern Union Gas Co., pursuant to a gas sales and purchase agreement dated January 20, 1978.

The application states that Supron Energy Corp. (Supron) is producing gas from the Barker Dome Dakota Reservoir underlying certain lands in San Juan County, N. Mex., and is selling said gas in commerce to Southern Union Gathering Co. (Gathering Company) pursuant to a natural gas purchase contract dated January 1, 1961, as supplemented and amended. The application further states that the remaining recoverable reserves in the Barker Dome Dakota Reservoir are estimated to be 4,000,000 Mcf as of September 12, 1977, and that the current

rate of production and sale is approximately 1100 Mcf per day (at 14.73 psia), and that the current rate is \$1.10 per Mcf. It is stated that all of this gas is currently being sold by Gathering Company to Gas Company of New Mexico; and, until the signing of certain contractual documents related to El Paso's Barker Dome Storage Project, all of such gas was restricted by contract to intrastate use. It is further stated that none of the Barker Dome gas has ever been available for sale in interstate commerce except for a three-year period when Gathering Company made a limited sale of some of its intrastate volumes under an order which carried with it pre-granted abandonment.

It is indicated that because of the increasing depth of curtailment on El Paso's interstate system, it wishes to use the aforementioned Barker Dome Dakota Reservoir as a gas storage reservoir to protect its east of California (EOC) Priority 1 and 2 customers. Applicant states that in order to establish its fundamental authority to use the reservoir from which Supron is now selling production to Gathering Company for purposes of operating a storage project, El Paso has entered into, first, a gas storage lease agreement, dated September 12, 1977, with the lessors of the reservoir, the Ute Mountain Tribe of the Ute Mountain Reservation; and, second, a sublease agreement, dated January 20, 1978, with Supron. Together, these documents give El Paso the necessary contractual authority to move ahead with its Barker Dome Storage Project, it is assented.

Applicant indicates that an equally important set of contractual arrangements allows continuation of the sale and purchase of production attributable to Barker, delivery of such production to the purchaser, and the sale of a portion of the production in interstate commerce, and that to that end, Applicant has entered into arrangements by which it has or would:

(a) Acquire the Natural Gas Purchase Contract with Supron presently owned by Gathering Company;

(b) Receive deliveries of gas attributable to that Contract at delivery points other than the Barker Dome Field; and

(c) Arrange to deliver and sell to Southern Union the gas attributable to Barker Dome Production.

It is indicated that Applicant, Supron, El Paso, Southern Union Gas Company of New Mexico (GCNM) and Gathering Company have entered into proposed contractual arrangements, contingent upon the obtaining by each of all necessary certificates or authorization necessary, as follows:

A. (1) Supron and Gathering Company have amended the Natural Gas Purchase Contract between them to

provide for interstate sale and pricing of said volumes;

(2) Gathering Company has assigned its interest in the Natural Gas Contract to Western;

B. (1) Gathering Company and El Paso have amended the Composite Supplemental Agreement to Gas Purchase Agreement originally dated May 1, 1975 (Gathering Company's FERC Gas Rate Schedule No. 2) to provide for the delivery of the 4 Bcf of remaining recoverable reserves attributable to Barker Dome to Gathering Company for Applicant's account at certain wellhead delivery points;

(2) Applicant and Gathering Company have entered into a Gas Gathering Agreement to provide for gathering of gas received by Gathering Company for Applicant's account and for delivery of that gas to a purchaser or transporter;

(3) Gathering Company and El Paso have amended the Composite Supplemental Agreement to Natural Gas Contract originally dated May 1, 1975 (Gathering Company's FERC Gas Rate Schedule No. 1) to provide for delivery to El Paso of a portion of the gas attributable to Barker Dome at the two delivery points still in service under that Rate Schedule;

C. (1) Applicant and El Paso have entered into a Gas Transportation Agreement which provides for transportation by El Paso of volumes to be sold to Southern Union by means of the Gas Sales and Purchase Agreement;

(2) Applicant and Southern Union have entered into a Gas Sales and Purchase Agreement providing for the interstate sale of portions of the Barker Dome volumes; and

(3) Applicant and GCNM have entered into a Gas Sales and Purchase Agreement providing for intrastate sale of a portion of the Barker Dome volumes.

Applicant states that the gas which is the subject to this application is currently being produced and sold in the intrastate market and would continue to be so produced and sold until El Paso begins injecting gas into the Barker Dome Storage Reservoir. Applicant further states that at the time of first injection, El Paso would begin delivery of the remaining recoverable reserves (4,000,000 Mcf, less accumulated production since September 12, 1977) at the wellhead delivery points listed in the gas gathering agreement dated January 20, 1978, between Applicant and Gathering Company. This gas, treated for all purposes as Barker Dome production, would be delivered at an even daily rate of 1120 Mcf at the wellhead delivery points, and Gathering Company would gather and compress the volumes and deliver them to Applicant at the delivery points, it is stated. It is further stated

that the volumes to be sold intrastate by Applicant to GCNM would be delivered into facilities of GCNM at the three GCNM delivery points, and that the volumes to be first transported by El Paso, redelivered to Applicant, and then sold by Applicant to Southern Union under authority sought in this application would be delivered into facilities of El Paso at the two El Paso delivery points. There are no present plans to use the Northwest Pipeline Co. delivery point, although the delivery point might possibly prove useful in the future, it is said.

It is indicated that the volumes of gas which Supron would sell to Western would be resold by Applicant under two different contracts, and that Applicant would sell to GCNM, on an intrastate basis, those volumes which it does not sell to Southern Union on an interstate basis. Applicant states that it would sell to Southern Union, on an interstate basis, at least one-third of the annual volumes attributable to the Barker production, and that this sale would be made under the contract which Applicant would file as Rate Schedule X-2 to its FERC Gas Tariff, Original Volume No. 2.

It is stated that these arrangements, therefore, commit a minimum of 136,266 Mcf of natural gas per year to interstate commerce that would otherwise be sold in the intrastate market, and that Applicant would deliver the remaining 272,534 Mcf per year of gas to either its interstate market or its intrastate market, as the market requirements for gas develop.

Applicant indicates that it would charge Gas Company of New Mexico a price for the purchase of the subject gas as follows:

(1) Applicant's weighted average wellhead cost of gas per Mcf delivered hereunder, which cost shall be adjusted by a ratio, the numerator of which shall be the weighted average Btu content of gas delivered hereunder during the billing period and the denominator of which shall be the weighted average Btu content of the wellhead gas received by Applicant during the billing period (said ratio to adjust for any difference in Btu content between gas received by Applicant and gas delivered to Buyer); plus

(2) The average cost (if any) per Mcf incurred by Applicant, during the billing period in which the sale of gas hereunder has occurred, for bringing such Gas to contract quality and delivering it or causing it to be delivered to Gas Company of New Mexico.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 28, 1978, file with the Federal Energy Regulatory 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 157.70). 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 Energy Regulatory 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 and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9684 Filed 4-11-78; 8:45 am]

[6740-02]

[Project No. 1984]

WISCONSIN RIVER POWER CO.

Extension of Time

APRIL 5, 1978.

On March 29, 1978, Wisconsin River Power Co. (WRPCo.) filed requests to extend the time to answer the Petitions to Intervene filed by the Petenwell Lakes Property Owners Association on March 21, 1978, and by the Wisconsin Department of Natural Resources on March 22, 1978, in the above referenced project. The requests filed March 29, 1978, state that WRPCo. requires the extension of time to complete its review of studies and comments that are pertinent to each Petitioner's Intervention.

Upon consideration, notice is hereby given that an extension of time is granted to and including May 9, 1978, within which to answer the Petitions to Intervene filed by the Petenwell

Lakes Property Owners Association and the Wisconsin Department of Natural Resources.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 78-9685 Filed 4-11-78; 8:45 am]

[3128-01]

Office of Hearings and Appeals

APPLICATIONS FOR EXCEPTION FILED BY
CERTAIN FIRMS OPERATING IN PUERTO RICO

Public Hearing

AGENCY: Office of Hearings and Appeals, Department of Energy.

ACTION: Notice of public hearing.

SUMMARY: The Office of Hearings and Appeals of the Department of Energy (DOE) gives notice of a public hearing to be held in Puerto Rico to receive comments with respect to five Applications for Exception filed by firms operating in the Commonwealth of Puerto Rico. Three of these applications request exception relief from the license fee requirements of the Mandatory Oil Import Program (MOIP), while the other two seek exception relief from the entitlements program. The purpose of this hearing is to provide all firms that operate refineries in Puerto Rico, the Commonwealth of Puerto Rico, and any other interested persons an opportunity to make oral presentations regarding the application to firms operating in Puerto Rico of the license fee provisions of the MOIP, the exception relief requested with respect to the entitlements program, and general considerations involving those exception applications which were filed by the Commonwealth Oil Refining Co.

DATES: Hearing: April 26 and 27, 1978, 10 a.m.

ADDRESSES: Hearing location: Second Floor, South Building, Minillas Government Center, Santurce, Puerto Rico 00940.

FOR FURTHER INFORMATION CONTACT:

Thomas L. Wieker, Assistant Director, Office of Hearings and Appeals, 2000 M Street NW., Room 8014, Washington, D.C. 20461, 202-254-9681.

SUPPLEMENTARY INFORMATION:

There are currently pending before the Office of Hearings and Appeals five Applications for Exception filed by firms operating in the Commonwealth of Puerto Rico. Three of these applications request relief from the license fee requirements of the Mandatory Oil Import Program (MOIP). These submissions were filed by the

Commonwealth Oil Refining Co., Inc., the Phillips Petroleum Co., and the Puerto Rico Olefins Co. The other two exception applications, which were filed by the Commonwealth Oil Refining Co., Inc. (Corco) and Sun Co., Inc. of Puerto Rico, (Sun), relate to the DOE crude oil entitlements program.

In the past, long-term allocations were granted to firms that operated refineries in Puerto Rico under Presidential Proclamation 3279, as amended. The allocations enabled those firms to import crude oil and naphtha on a fee-free basis. However, the fee-free allocations have either expired or are scheduled to expire in the near future. Consequently, in the absence of exception relief or other action by the DOE, the refiners involved presently are or will soon be required to pay the license fees set forth in 10 CFR, Part 213, for each barrel of crude oil or naphtha imported into Puerto Rico. At the present time, a fee of \$0.21 is assessed on each barrel of imported crude oil which is subject to the license fee requirement, while a fee of \$0.63 is assessed on each barrel of an imported unfinished oil such as naphtha.

The refiners who are subject to these fee requirements have requested exception relief. In their submissions to the DOE, the refiners maintain that the underlying regulatory objective which led to the general assessment of license fees is not furthered by requiring fees to be paid by refiners that operate in Puerto Rico. Several firms have urged the DOE to reevaluate on an industry-wide basis its general policy of applying the license fee requirements to Puerto Rican firms, rather than analyzing the impact of the fees on a particular firm on a case-by-case basis as the DOE has done in the past. In addition, the Commonwealth of Puerto Rico has filed comments in which it maintains that the imposition of license fees to any refiner located in Puerto Rico should be reappraised since it believes that the DOE's policy may be inconsistent with the intent of the MOIP.

The Office of Hearings and Appeals is also considering requests filed by the Commonwealth Oil Refining Company, Inc. (Corco) and the Sun Co., Inc. of Puerto Rico (Sun) for exception relief from the DOE crude oil entitlements program. Under the provisions of section 211.67(i)(4), a refiner which processes imported crude oil receives an entitlement benefit which is \$0.21 per barrel less than the benefit which it would receive if it utilized domestic, price-controlled crude oil. Certain firms that operate refineries in Puerto Rico contend that they have no feasible economic alternative to the use of imported crude oil. Those firms allege that the imposition of the 21 cent per barrel figure specified in sec-

tion 211.67(i)(4) in effect constitutes a penalty. The Commonwealth of Puerto Rico has urged the DOE to consider whether this 21-cent reduction in entitlement benefits is inequitable as applied to Puerto Rican refiners.

The Applications for Exception filed by these refiners present related issues of fact and law. In addition, it appears that the resolution of any one application could establish a precedent which would be applied to the remaining cases. Consequently, the DOE believes that it would prove beneficial to convene a single hearing at which all firms that operate refineries in Puerto Rico, as well as the Commonwealth of Puerto Rico and any other interested parties, will have an opportunity to make oral presentations regarding the issues raised in the exception applications. The Office of the Governor of the Commonwealth of Puerto Rico has urged that any such hearing be held in Puerto Rico. Since it appears that the parties which would be significantly affected by any DOE action in these matters are located in Puerto Rico, we believe it is appropriate to accede to the Commonwealth's request.

In addition to a discussion of the issues outlined above, we believe that a general discussion of Corco's position with regard to the DOE price and allocation regulations, as well its role in the Puerto Rican economy, would prove useful. Corco has experienced substantial financial difficulties since the imposition of the Arab oil embargo, despite the exception relief which has been granted to it from the crude oil entitlements program, the naphtha entitlements program, and the MOIP. On March 2, 1978, Corco voluntarily filed for bankruptcy under Chapter XI of the Bankruptcy Act. The DOE is aware of the position which Corco occupies in the Puerto Rican economy and is desirous of soliciting views as to the type of relief, if any, which might appropriately be made available to it through the exceptions process. The DOE is also interested in identifying appropriate conditions, if any, which should be attached to the approval of any exception relief.

The DOE has scheduled hearings on April 26 and April 27 in Puerto Rico at the location set forth above in order to discuss the issues described above. The April 26 session will be limited to a discussion of the application to Puerto Rican refiners of the license fee provisions of the MOIP. At that session, the DOE will receive comments regarding any of the applications for exception and the general standards that the DOE should utilize in granting fee exempt licenses to Puerto Rican refiners. The April 27 session will involve a discussion of the exception relief from the crude oil entitlements program

which Corco and Sun have requested, as well as general considerations involving the Corco exception applications.

Any party that wishes to make an oral presentation at the April 26-27 hearings should contact the individual whose name appears at the beginning of this notice. The Office of Hearings and Appeals reserves the right to limit the number of persons to be heard and to establish the procedures governing the conduct of the hearing. The Director of the Office of Hearings and Appeals will preside at these hearings.

At the hearings, representatives from each of the firms which has applied for exception relief will be afforded an opportunity to make an initial statement. Following those statements, representatives from the Office of the Governor of the Commonwealth of Puerto Rico and other interested parties will be permitted to make statements, subject to reasonable time constraints. There will be no cross-examination of persons presenting statements. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

If any person wishes to ask a question at the hearings, that person may submit the question, in writing, to the presiding officer. The presiding officer will determine whether the question is relevant and whether the time limitations permit it to be presented for answer.

A transcript of the hearings will be made and may be purchased from the reporter. The entire record of the hearings will be retained by DOE and will be made available for inspection at the Office of Hearings and Appeals Public Docket Room, Room B-120, 2000 M Street NW., Washington, D.C. 20461, between the hours of 1 p.m. and 5 p.m., e.d.t., Monday through Friday.

Any further procedural rules needed for the proper conduct of the hearings will be announced at the commencement of the hearing.

Issued in Washington, D.C., April 6, 1978.

MELVIN GOLDSTEIN,
Director, Office of
Hearings and Appeals.

[FR Doc. 78-9614 Filed 4-11-78; 8:45 am]

[6712-01]

**FEDERAL COMMUNICATIONS
COMMISSION**

**TV BROADCAST APPLICATIONS READY AND
AVAILABLE FOR PROCESSING; CORRECTION**

Adopted: March 17, 1978.

Released: March 22, 1978.

Notice is hereby given, pursuant to § 1.572(c) of the Commission's rules, that on May 23, 1978, the TV broadcast applications listed in the attached appendix will be considered as ready and available for processing. Pursuant to § 1.227(b)(1) and Section 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 May 22, 1978 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 May 22, 1978.

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

FEDERAL COMMUNICATIONS
COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

- BPCT-5124, new, Santa Fe, N. Mex., New Mexico Media Co., Channel 2, ERP: Vis.: 29 kW, HAAT 4141 ft.
- BPCT-5125, new, Honolulu, Hawaii, Mauna Kea Broadcasting Co., Channel 26, ERP: Vis.: 12.1 kW, HAAT 2171 ft.
- BPCT-5127, WDRB-TV, Louisville, Ky., Consolidated Broadcasting Co., Channel 41, change channel from 41 to 21 and change ERP: Vis.: 1100 kW.
- BPCT-5128, new, Portland, Oreg., Channel 24, Christian Television, Inc., Channel 24, ERP: Vis.: 1000 kW, HAAT 365.5 ft.
- BPCT-5129, new, Clearwater, Fla., Christian Television Corp., Channel 22, ERP: Vis.: 2080 kW, HAAT 1413 ft.
- BPCT-5150, WSNL-TV, Patchogue, N.Y., Suburban Broadcasting Corp., Channel 67, change station location from Patchogue, N.Y., to Smithtown, N.Y.
- BPCT-5152, WCMC-TV, Wildwood, N.J., S. Jersey Broadcasting Corp., Channel 40, change ERP: Vis.: 1706.1 kW, HAAT 416.6 ft; change transmitter site and studio location.
- BPCT-5154, KTBN-TV, Fontana, Calif., International Panorama TV, Inc., Channel 40, change station location to Santa Ana, Calif.
- BPCT-5112, new, Santa Rosa, Calif., Sonoma Broadcasting, Inc., Channel 50, ERP: Vis.: 300 kW, HAAT 3079 ft.
- BMPCT-7720, WMVW-TV, Hanover, N.H., Taft Broadcasting Corp., Channel 31, change ERP: Vis.: 1230 kW, HAAT 480 ft.
- BMPCT-7726, WEQA-TV, Red Lion, Pa., Red Lion Broadcasting Co., Inc., Channel 49, change ERP: Vis.: 574 kW, HAAT 580 ft; change transmitter location and studio location.
- BPET-596, new, Flint, Mich., Regents of the University of Michigan, Channel 28, ERP: Vis.: 1127 kW, HAAT 823 ft.
- BPET-597, KVCR-TV, San Bernardino, Calif., San Bernardino Community Col-

lege District, Channel 24, change ERP: Vis.: 1067 kW (Max.) and HAAT 1643 ft; change transmitter site.

[FR Doc. 78-9593 Filed 4-11-78; 8:45 am]

[6730-01]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder
License No. 1717]

KAM INTERNATIONAL, INTERNATIONAL KAM, INC., DBA

Order of Revocation

On March 31, 1978, Kam International, International Kam, Inc., dba, 3400 Montrose Blvd., Suite 506, Houston, Tex. 77006, voluntarily surrendered its Independent Ocean Freight Forwarder License No. 1717 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised), Section 5.01(c), dated August 8, 1977.

It is ordered, That Independent Ocean Freight Forwarder License No. 1717 issued to Kam International, International Kam, Inc., dba be and is hereby revoked effective April 1, 1978, without prejudice to reapply for a license in the future.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Kam International, International Kam, Inc., dba.

ROBERT M. SKALL,
*Deputy Director, Bureau of
Certification and Licensing.*

[FR Doc. 78-9764 Filed 4-11-78; 8:45 am]

[6210-01]

FEDERAL RESERVE SYSTEM

COMMERCE COMPANIES, INC.

Formation of Bank Holding Company

Commerce Companies, Inc., Topeka, Kans. has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 80 per cent or more of the voting shares of Commerce Bank and Trust, Topeka, Kans. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than May 3, 1978.

Board of Governors of the Federal Reserve System, April 6, 1978.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc. 78-9767 Filed 4-11-78; 8:45 am]

[6210-01]

GREAT SOUTHWEST BAN CORP., INC.

Formation of Bank Holding Company

Great Southwest Ban Corp., Inc., Dodge City, Kans., has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 81.67 per cent of the voting shares of Bank of the Southwest, Dodge City, Kans. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1843(c)).

Great Southwest Ban Corp., Inc., has also applied, pursuant to § 4(c)(8) of the Bank Holding Company Act (12 U.S.C. § 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR § 225.4(b)(2)), for permission to acquire voting shares of Southwest Agency, Inc., Dodge City, Kans., and to continue to engage itself in certain insurance agency activities. Notice of the applications was published on March 27, 1978, in The High Plains Journal, a newspaper circulated in Ford County, Kans.

Applicant states that the proposed subsidiary would engage in the activities of leasing personal property and that Great Southwest Ban Corp., Inc., proposes to continue to engage in the sale of credit, life, accident, and health insurance and term credit life insurance relating to extensions of credit by its subsidiaries. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 3, 1978.

Board of Governors of the Federal Reserve System, April 6, 1978.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc. 78-9766 Filed 4-11-78; 8:45 am]

[6210-01]

OTTO BREMER COMPANY

Acquisition of Bank

Otto Bremer, Co., St. Paul, Minn., has applied for the Board's approval under §3(a)(3) of the Bank Holding Company Act (12 U.S.C. §1842(a)(3)) to acquire 68.2 per cent of the voting shares of The First National Bank of Crookston, Crookston, Minn. The factors that are considered in acting on the application are set forth in §3(c) of the Act (12 U.S.C. §1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 2, 1978.

Board of Governors of the Federal Reserve System, April 5, 1978.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc. 78-9769 Filed 4-11-78; 8:45 am]

[6210-01]

PHELPS COUNTY BANCSHARES, INC.

Acquisition of Bank

Phelps County Bancshares, Inc., Rolla, Mo., has applied for the Board's approval under §3(a)(3) of the Bank Holding Company Act (12 U.S.C. §1842(a)(3)) to acquire 80 percent or more of the voting shares of Phelps County Bank, Rolla, Mo. The factors that are considered in acting on the application are set forth in §3(c) of the Act (12 U.S.C. §1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than May 3, 1978.

Board of Governors of the Federal Reserve System, April 6, 1978.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc. 78-9768 Filed 4-11-78; 8:45 am]

[1610-01]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Notice of Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on April 6, 1978. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed ICC request are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed request, comments (in triplicate) must be received on or before May 1, 1978, and should be addressed to Mr. John M. Lovelady, Assistant Director, Regulatory Reports Review, U.S. General Accounting Office, Room 5106, 441 G Street NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-275-3532.

INTERSTATE COMMERCE COMMISSION

The ICC requests reinstatement and an extension without change clearance of Form OP-WC-10, Application for Exemption from part III of the Interstate Commerce Act under section 302(e) or section 303(h). This form's clearance expired March 31, 1978. Form OP-WC-10 is used by persons seeking exemption from part III of the Interstate Commerce Act under sections 302(e) or 303(h). The contents of the application form have been reviewed closely and the Commission has determined that the information called for is necessary to effectuate the objectives of part III of the Act. The ICC estimates that approximately between 100 and 200 applications will be filed annually and that time to prepare the application Form OP-WC-10 will average 10 hours. The ICC states that each such application may lead to a formal proceeding before the Commission.

NORMAN F. HEYL,
*Regulatory Reports
Review Officer.*

[FR Doc. 78-9690 Filed 4-11-78; 8:45 am]

[6820-22]

GENERAL SERVICES
ADMINISTRATION

[Temporary Regulation E-49, Supplement
1]

FEDERAL PROPERTY MANAGEMENT
REGULATIONS

To: Heads of Federal agencies; Subject: Acquisition of exchange/sale automatic data processing equipment (ADPE) through the ADP Fund.

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation E-49 to November 30, 1978.

2. *Effective date.* This regulation is effective April 30, 1978.

3. *Expiration date.* This regulation expires November 30, 1978.

4. *Explanation of change.* The expiration date shown in paragraph 3 of FPMR Temporary Regulation E-49 is revised to read November 30, 1978. Additional time is required to complete the review of the operation of the program before codifying it.

Dated: April 4, 1978.

ROBERT T. GRIFFIN
*Acting Administrator of
General Services.*

[FR Doc. 78-9688 Filed 4-11-78; 8:45 am]

[4110-12]

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

Office of the Secretary

SECRETARY'S ADVISORY COMMITTEE ON THE
RIGHTS AND RESPONSIBILITIES OF WOMEN

Meeting

The Secretary's Advisory Committee on the Rights and Responsibilities of Women, which is established to provide advice to the Secretary of Health, Education, and Welfare on the impact of the policies, programs, and activities of the Department on the status of women will meet on Thursday, May 4, 1978 from 9 a.m. to 5 p.m., and, on Friday, May 5, 1978 from 9 a.m. to 3 p.m., in Room 703-A, HEW-Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, D.C. The agenda will include Reports from Title IX, Health and Family Policy Task Forces and action decisions based upon those reports.

Further information on the Committee may be obtained from: Susan C. Lubick, Executive Secretary, telephone 202-245-8454. These meetings are open to the public.

Dated: April 6, 1978.

SUSAN C. LUBICK,
*Executive Secretary, Secretary's
Advisory Committee on the
Rights and Responsibilities of
Women.*

[FR Doc. 78-9729 Filed 4-11-78; 8:45 am]

[4110-12]

**SECRETARY'S ADVISORY COMMITTEE ON THE
RIGHTS AND RESPONSIBILITIES OF WOMEN**

Meeting

The Secretary's Advisory Committee on the Rights and Responsibilities of Women, which is established to provide advice to the Secretary of Health, Education, and Welfare on the impact of the policies, programs, and activities of the Department on the status of women, will hold its Health Task Force meeting on Wednesday, May 3, 1978 from 9 a.m. to 5 p.m., in Room 624-D, HEW-Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. The agenda will include a briefing on health issues pertaining to HEW.

Further information on the Committee may be obtained from: Susan C. Lubick, Executive Secretary, telephone 202-245-8454. These meetings are open to the public.

Dated: April 6, 1978.

SUSAN C. LUBICK,
*Executive Secretary, Secretary's
Advisory Committee on the
Rights and Responsibilities of
Women.*

[FR Doc. 78-9730 Filed 4-11-78; 8:45 am]

[4210-01]

**HOUSING AND URBAN
DEVELOPMENT**

Office of Assistant Secretary for Housing—
Federal Housing Commissioner

[Docket No. N-78-803]

MATERIALS BULLETIN NO. 74

Revision of Use

AGENCY: Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner.

ACTION: Notice.

SUMMARY: This Notice promulgates a revision of HUD's new Use of Materials Bulletin No. 74, which sets forth the conditions for acceptance of foamed urea-based insulation, and stipulates certain limitations for its use. The revision changes the wording of Paragraph 3.5 to accommodate acceptance of dry mix urea-based resins as well as pre-mixed liquid mixtures.

EFFECTIVE DATE: April 12, 1978.

**FOR FURTHER INFORMATION
CONTACT:**

Donald K. Baxter, Chief, Materials Acceptance Branch, Architecture and Engineering Division, Office of Technical Support, Department of Housing and Urban Development, Washington, D.C. 20410, 202-755-5929.

SUPPLEMENTARY INFORMATION: Paragraph 3.5 of UM 74 required shipment of resin in a pre-mixed liquid state. In order to accommodate dry mix resins, Paragraph 3.5 is revised to read as follows:

3.5 Because the chemical content of water can vary geographically the manufacturer shall provide a quality control system to test mixing water to assure product consistency.

A Finding of Inapplicability respecting the National Environmental Policy Act of 1969 has been made in accordance with HUD procedures. A copy of this Finding of Inapplicability will be available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Office of the Secretary, Room 5218, Department of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20411.

NOTE.—It is hereby certified that the economic and inflationary impact have been carefully evaluated in accordance with Executive Order No. 11821.

Issued at Washington, D.C. on April 5, 1978.

LAWRENCE B. SIMONS,
*Assistant Secretary, Housing-
Federal Housing Commission-
er.*

[FR Doc. 78-9613 Filed 4-11-78; 8:45 am]

[4210-01]

Office of the Secretary

PRIVACY ACT OF 1974

[Docket No. N-78-819]

Notice of System of Records

AGENCY: Department of Housing and Urban Development.

ACTION: Adoption of new notice of system of records.

SUMMARY: As required by law, the Secretary is adopting a new system of records that is maintained by the Department. The proposed new records system "Parking Permit Application Files," consists of applications submitted by Federal employees requesting parking permits, for government-owned parking spaces.

EFFECTIVE DATE: May 12, 1978.

ADDRESS: Rules Docket Clerk, Office of the General Counsel, Room 5218, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

**FOR FURTHER INFORMATION
CONTACT:**

Mr. Harold Rosenthal, Departmental Privacy Act Officer, 202-755-5192.

SUPPLEMENTARY INFORMATION: A notice proposing this new system of records was published in the FEDERAL REGISTER on December 6, 1977, at 42 FR 61847. No comments were received.

The prefatory statement listing the general routine uses applicable to this system was printed at 42 FR 54756 (October 7, 1977). Appendix A which lists the addresses of HUD field offices was published at 42 FR 54777 (October 7, 1977).

The Department has determined that an Environmental Impact Statement is not required with respect to this notice. A copy of the Finding of Inapplicability is available for inspection at the address listed above.

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

HUD/DEPT-54

System name:

Parking Permit Application Files.

System location:

Headquarters Office.

Categories of individuals covered by the system:

Headquarters and other Federal employees who made application to park at Headquarters location.

Categories of records in the system:

Application forms that contain information about the vehicles owned by and addresses of the principal applicant and carpool members.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Routine Uses paragraphs in prefatory statement. Other Routine Uses: To parking management company—for billing purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

8" by 5" card file.

Retrievability:

Name and permit number.

Safeguards:

Lockable file cabinets.

Retention and disposal:

(1) For individuals issued permits, as long as permits are valid; (2) for individuals on the waiting list, approximately 2 years.

System manager and address:

Director, Office of Organization and Management Information, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

Notification procedure:

For information, assistance, or inquiry about existence of records, contact the Privacy Act Officer at the Headquarters location, in accordance with 24 CFR part 16. This location is given in appendix A.

Record access procedure:

The Department's rules for providing access to records to the individual concerned appear in 24 CFR part 16. If additional information or assistance is required, contact the Privacy Act Officer at the Headquarters location. This location is given in appendix A.

Contesting record procedures:

The Department's rules for contesting the contents of records and appealing initial denials, by the individuals concerned, appear in 24 CFR part 16. If additional information or assistance is needed, it may be obtained by contacting: (i) in relation to contesting contents of records, the Privacy Act Officer at the Headquarters location (this location is given in appendix A); (ii) in relation to appeals of initial denials, the HUD Departmental Privacy Appeals Officer, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

Record source categories:

Parking Permit Applicants.

AUTHORITY: 5 U.S.C. 552a, 88 Stat. 1896; sec. 7(d) Department of HUD Act (42 U.S.C. 3535(d)).

Issued at Washington, D.C., March 29, 1978.

PATRICIA ROBERTS HARRIS,
*Secretary of Housing and
Urban Development.*

[FR Doc. 78-9612 Filed 4-11-78; 8:45 am]

[4310-84]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

SHOSHONE DISTRICT GRAZING ADVISORY BOARD**Meeting**

Notice is hereby given that the Shoshone District Grazing Advisory Board of the Bureau of Land Management will meet on May 17, 1978, at 9 a.m., in the Conference Room of the district office, 400 West F Street, Shoshone, Idaho. The purpose of the meeting will be to organize the Board, hold an

open discussion on the functions and responsibilities of the Board, discuss current grazing plans, review the range betterment funds, and disburse the Advisory Board Funds for fiscal year 1979 (October 1, 1978 to September 30, 1979).

The public is invited to attend and make written or oral statements which should not exceed 15 minutes in length. Requests for these statements should be made to the official listed below at least five days prior to the meeting.

Further information concerning this meeting may be obtained from the Shoshone District Manager, Bureau of Land Management, P.O. Box 2B, Shoshone, Idaho 83352, telephone 208-886-2208. Minutes of the meeting will be available for public inspection and copying three weeks after the meeting at the Shoshone District Office, Shoshone, Idaho.

Dated: April 4, 1978.

RULON G. McRAE,
Acting District Manager.

[FR Doc. 78-9687 Filed 4-11-78; 8:45 am]

[8230-01]

INTERNATIONAL COMMUNICATION AGENCY

[Delegation Order No. 78-1]

ASSOCIATE DIRECTOR FOR BROADCASTING**Delegation of Authority**

Pursuant to the authority vested in me as Director of the International Communication Agency by Reorganization Plan No. 2 of 1977, and by the Executive Order 12048 of March 27, 1978, there is hereby delegated to the Associate Director for Broadcasting the following described authority:

1. The authority to direct radio broadcasting conducted by the Voice of America, including its broadcasting studios, and radio transmitting and radio relay stations within the United States or in foreign countries.

2. The authority to make arrangements domestically and in foreign countries for the collection of news and information on current affairs; to analyze and to make preparation for the broadcasting thereof.

3. The authority for technical aspects of the planning, design, preparation of specifications, and construction of radio transmitting and radio relay stations within the United States and in foreign countries.

4. The authority to implement any international radio regulations, executive agreements or treaties reached with foreign countries or international organizations to the extent involving the exercise of authorities granted under other paragraphs of this Order or to the extent specifically authorized by the Director.

5. The authority to prepare for and to participate in conferences or negotiations with foreign governments or international organizations on radio broadcasting, in association with other elements of the Agency as may be appropriate. The assistance and participation of the Office of the General Counsel shall be considered necessary in all negotiations of consequence.

6. The authority to exercise any authority or to discharge any responsibility arising out of any existing inter-agency agreement between the United States Information Agency and the Department of State, or between either of the foregoing and any other agency or department, or component thereof, which agreement was concluded under functions delegated or transferred to the Director of the Agency and is related to authorities granted herein.

7. The authority to enter into inter-agency agreements to further the discharge of the responsibilities set forth herein.

8. The authority to issue requisitions for personal property, services (including construction) and real property to be acquired by the Agency Contracting Officer. This Order does not include the authority to make contracts or grants.

9. The authority to redelegate any authority granted herein together with the power of further redelegation.

10. Notwithstanding any other provision of this Order, the Director may at any time exercise any function or authority delegated herein.

11. All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order, are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended or suspended.

This Order is effective as of April 1, 1978.

Dated: April 3, 1978.

JOHN E. REINHARDT,
*Director, International
Communication Agency.*

[FR Doc. 78-9604 Filed 4-11-78; 8:45 am]

[8230-01]

[Delegation Order No. 78-2]

ASSOCIATE DIRECTOR FOR PROGRAMS**Delegation of Authority**

Pursuant to the authority vested in me as Director of the International Communication Agency by Reorganization Plan No. 2 of 1977, and by Executive Order 12048 of March 27, 1978, there is hereby delegated to the Asso-

ciate Director for Programs the following described authority:

1. The authority to engage in policy liaison with the White House, the Department of State and other departments or agencies of the Government; to develop strategic policy options for Agency activities; to develop policy options on international communication issues; to provide policy guidance to Agency media elements; and to provide support to the Office of the Director in respect to country plan submissions from area elements and the recommendations of the Associate Director for Educational and Cultural Affairs.

2. The authority to engage in research and evaluation; to analyze media reaction; and to manage the Agency library.

3. The authority to analyze field program support requests in cooperation with area elements; to evaluate for the Director inspection reports and responses to them by field posts and area offices, identifying issues requiring the Director's attention or arbitration, and to monitor implementation of approved inspection recommendations; to develop and to maintain a repository of published program-relevant materials and information widely drawn from American society; to recruit voluntary speakers and American Specialists for overseas programs.

4. The authority to acquire or to produce program-relevant audio-visual or printed materials. The authority to acquire these materials from sources outside the International Communication Agency shall be exercised by means of requisitions issued in accordance with paragraph 11 of this order.

5. The authority to ensure that Americans appearing abroad in the Agency's behalf not only speak of the American experience but also have the opportunity to acquire foreign perspectives as well. In discharging the responsibilities described in this delegation, the Associate Director shall also ensure that Agency media products and speakers are obtained and utilized in mutually reinforcing ways.

6. The authority to prepare international exhibits; to manage and to coordinate foreign press centers.

7. The authority to develop and to coordinate field programs.

8. The authority to prepare for and to participate in conferences or negotiations with foreign governments or international organizations with respect to the functions delegated hereunder, in association with other elements of the Agency as may be appropriate. The assistance and participation of the Office of the General Counsel shall be considered necessary in all negotiations of consequence.

9. The authority to exercise any authority or to discharge any responsi-

bility arising out of any existing inter-agency agreement between the United States Information Agency and the Department of State, or between either of the foregoing and any other agency or department, or component thereof, which agreement was concluded under functions delegated or transferred to the Director or to the Agency and is related to the authorities granted herein.

10. The authority to enter into inter-agency agreements to further the discharge of the responsibilities set forth herein.

11. The authority to issue requisitions for personal property, services (including construction) and real property to be acquired by the Agency Contracting Officer. This Order does not include the authority to make contracts or grants.

12. The authority to redelegate any authority granted herein together with the power of further redelegation.

13. Except as otherwise expressly provided, all delegations of authority in force on March 31, 1978 and related to the exercise of functions and responsibilities herein granted to the Associate Director for Programs shall remain in force.

14. Notwithstanding any other provision of this Order, the Director may at any time exercise any function or authority delegated herein.

15. All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order, are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended or suspended.

This Order is effective as of April 1, 1978.

Dated: April 3, 1978.

JOHN E. REINHARDT,
Director, International
Communication Agency.

[FR Doc. 78-9605 Filed 4-11-78; 8:45 am]

[8230-01]

[Delegation Order No. 78-31]

**ASSOCIATE DIRECTOR FOR EDUCATIONAL
AND CULTURAL AFFAIRS**

Delegation of Authority

Pursuant to the authority vested in me as Director of the International Communication Agency by Reorganization Plan No. 2 of 1977, and by Executive Order 12048 of March 27, 1978, there is hereby delegated to the Associate Director for Educational and Cultural Affairs, the following described authority:

1. The authority to direct academic programs including academic rela-

tions, academic exchange programs, student and academic support services and American studies.

2. The authority to direct institutional relations, including cultural presentations, international visitor and private sector programs; and to develop and to coordinate official international educational and cultural exchanges policy.

3. The authority to conduct and to administer functions relating to the Board of Foreign Scholarships.

4. The authority to conduct and to administer programs with respect to studies abroad of the United States, including the authority to provide logistical support and to develop operating policies for libraries, Bi-National Centers and other centers; and to conduct book and English teaching programs.

5. The authority to conduct and to administer relations with respect to the East-West Center and the East-West Center Corporation, including the authority to request the initiation or continuation of grant-in-aid agreements with the East-West Center Corporation, to coordinate with representatives of the East-West Center Corporation annual budget presentations and other relations with Congress, and to be a Governor of the Corporation.

6. The authority to be an alternate member of the U.S. panel of the U.S.-Japan Friendship Commission and of the U.S.-Japan Conference on Cultural and Educational Exchange.

7. The authority to conduct and to administer relations with respect to international agreements involving programs in the field of educational and cultural affairs.

8. The authority to exercise the functions of section 102(a) (2) (iv) of the Mutual Educational and Cultural Exchange Act of 1961, as amended, for purposes of determining that the participation therein specified is in the national interest.

9. The authority to prepare for and to participate in conferences or negotiations with foreign governments or international organizations with respect to the functions delegated hereunder, in association with other elements of the Agency as may be appropriate. The assistance and participation of the Office of the General Counsel shall be considered necessary in all negotiations of consequence.

10. The authority to exercise any authority or to discharge any responsibility arising out of any existing inter-agency agreement between the United States Information Agency and the Department of State, or between either of the foregoing and any other agency or department, or component thereof, which agreement was concluded under functions transferred or delegated to the Director or to the Agency and is related to the authorities granted herein.

11. The authority to enter into inter-agency agreements to further the discharge of responsibilities set forth herein.

12. The authority to issue requisitions for personal property, services (including construction) and real property to be acquired by the Agency Contracting Officer; to identify potential recipients of grants and grants-in-aid; to initiate requisitions for the issuance of grants and grants-in-aid; to review grants and grants-in-aid and Bi-National Center loan proposals and to make recommendations thereon. This Order does not include the authority to make contracts, grants or grants-in-aid.

13. The authority to redelegate any authority granted herein together with the power of further redelegation.

14. Except as otherwise expressly provided, all delegations of authority in force on March 31, 1978 and related to the exercise of functions and responsibilities herein granted to the Associate Director for Educational and Cultural Affairs shall remain in force.

15. Notwithstanding any other provision of this Order, the Director may at any time exercise any function or authority delegated herein.

16. All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order, are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended or suspended.

This Order is effective as of April 1, 1978.

Dated: April 3, 1978.

JOHN E. REINHARDT,
*Director, International
Communication Agency.*

[FR Doc. 78-9606 Filed 4-11-78; 8:45 am]

[8230-01]

[Delegation Order No. 78-4]

**ASSOCIATE DIRECTOR FOR MANAGEMENT
DELEGATION OF AUTHORITY**

Pursuant to the authority vested in me as Director of the International Communication Agency by Reorganization Plan No. 2 of 1977, and by Executive Order 12048 of March 27, 1978, there is hereby delegated to the Associate Director for Management the following described authority:

1. The authority to provide administrative services, both domestically and overseas, to the various elements of the Agency and to its officers and employees wherever located; to supervise the making of contracts and grants, and otherwise to supervise the acquisi-

tion of property and services required by the various elements of the Agency for the conduct of its official business; and to make arrangements for communication and for automatic data processing equipment and services.

2. The authority to provide personnel services (including by appointment in the civil or foreign service, and by employment of foreign nationals both domestically and in foreign countries); to establish training and development programs with respect to any category of personnel; to conduct employee-management relations; and to administer systems for the resolution of employee grievances.

3. The authority to provide budgeting, fiscal control or other financial services, including the planning and preparation of annual budgets for submission to the Office of Management and Budget and to the Congress.

4. The authority to conduct inspections of Agency posts located in foreign countries or accredited to international organizations; to provide security services and to conduct investigations of alleged wrongdoing; to manage and to administer programs of equal employment opportunity; to investigate and to settle complaints of alleged discrimination; and to conduct audits of Agency activities and of contracts and grants inside and outside the United States.

5. The authority to prepare for and to participate in conferences or negotiations with foreign governments or international organizations with respect to the functions delegated hereunder, in association with other elements of the Agency as may be appropriate. The assistance and participation of the Office of the General Counsel shall be considered necessary in all negotiations of consequence.

6. The authority to exercise any authority or to discharge any responsibility arising out of any existing inter-agency agreement between the United States Information Agency and the Department of State, or between either of the foregoing and any other agency or department, or component thereof, which agreement was concluded under functions delegated or transferred to the Director or to the Agency and is related to the authorities granted herein.

7. The authority to enter into inter-agency agreements to further the discharge of responsibilities set forth herein.

8. The authority to issue requisitions for personal property, services (including construction) and real property to be acquired by the Agency Contracting Officer. This Order does not include the authority to make contracts or grants.

9. The authority to redelegate any authority granted herein together with the power of further redelegation.

10. Except as otherwise expressly provided, all delegations of authority in force on March 31, 1978, and related to the exercise of functions and responsibilities herein granted to the Associate Director for Management shall remain in force.

11. Notwithstanding any other provision of this Order, the Director may at any time exercise any function or authority delegated herein.

12. All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order, are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended or suspended.

This Order is effective as of April 1, 1978.

Dated: April 3, 1978.

JOHN E. REINHARDT,
*Director, International
Communication Agency.*

[FR Doc. 78-9607 Filed 4-11-78; 8:45 am]

[8230-01]

[Delegation Order No. 78-5]

**CHIEF OF THE CONTRACT AND PROCUREMENT
DIVISION DELEGATION OF AUTHORITY**

Pursuant to the authority vested in me as Director of the International Communication Agency by Reorganization Plan No. 2 of 1977, by the Federal Property and Administration Services Act of 1949 (hereinafter referred to as the "Act") and other Federal statutes, and by Executive Order 12048 of March 27, 1978, there is hereby delegated to the Chief of the Contract and Procurement Division (hereinafter called the "Agency Contracting Officer") of the Office of Administrative Services of the Associate Directorate for Management, the following described authority and responsibility:

1. The authority to acquire personal property, services (including construction) and real property by contract, grant or cooperative agreement and, in addition, the authority to make other types of grants (which shall hereafter be deemed to include grants-in-aid) and cooperative agreements. For purposes of this Order, the term contract shall include any acquisition by purchase, lease or barter. This authority is plenary and carries the full delegable authority of the Director insofar as permitted by law. The Agency Contracting Officer shall have full responsibility for insuring that Agency operations for contracts, grants and cooperative agreements are conducted in an efficient manner, consistent with applicable provisions of law, Executive Order and regulations.

2. The authority to redelegate any authority granted hereunder to the extent permitted by law, Executive Order, regulation or this Order. In the absence of a specific delegation of authority from the Director or redelegation of authority from the Agency Contracting Officer, no officer or employee of the Agency shall be authorized, on behalf of the Agency, to solicit bids or offers; to negotiate contracts; to enter into contracts; to make findings and determinations; to amend or to administer any contract, grant or cooperative agreement or to make commitments with respect thereto.

3. The authority to issue regulations, procedures and directives in the Manual of Operations and Administration regulating contracts, grants and cooperative agreements. To the extent necessary, this authority shall extend to the development, in cooperation with the Department of State and with the Agency for International Development (or any successor to the latter Agency), of uniform or joint regulations governing overseas contracts, grants and cooperative agreements.

4. The authority to determine sources, to solicit and to evaluate bids and offers, and to conduct all negotiations for the acquisition of personal property, services (including construction) and real property on behalf of the Agency, together with the authority to designate other Agency representatives to participate in specific negotiations of Agency contracts. The Agency Contracting Officer shall assume the responsibility of insuring in all negotiation full and proper participation of representatives of the affected offices and elements, including representatives of the Office of the General Counsel. In general, the assistance and participation of representatives of the requisitioning elements and of the Office of the General Counsel shall be considered necessary in all negotiations of consequence, unless it is obvious to all concerned that such assistance and participation are not needed.

5. The authority to determine recipients of grants, to conduct discussions with proposed recipients of grants, and to designate the Agency participants in such discussions. This authority shall not operate to limit the existing power of the Board of Foreign Scholarships to select recipients of grants.

6. The responsibility for designating and defining the authority of such Agency personnel as may be necessary to administer a contract, cooperative agreement, or grant. Any officer so designated shall be required to maintain appropriate records and to submit reports required by the Agency Contracting Officer. Inter alia, the Agency Contracting Officer shall define the authority of the "Authorized Representative of the Contracting Officer"

and designate the officer who will serve in that capacity and who will be responsible for supervising the prosecution of work by an Agency contractor.

7. The authority to prescribe records and reports which must be maintained as documentation of contract, cooperative agreement, or grant activities.

8. In exercising authority hereunder the Agency Contracting Officer shall obtain advice from the Office of General Counsel with respect to the form and legal sufficiency of documents pertaining to contracts, cooperative agreements or grants in accordance with applicable regulations, including regulations set forth in the Manual of Operations and Administration.

9. No authority is delegated to make determinations or decisions specified in paragraphs (12) and (13) of section 302(c) of the Act.

10. The following authorities are delegated only to the Agency Contracting Officer without power of redelegation:

a. Authority to authorize a cost or cost-plus-a-fixed-fee contract or an incentive-type contract, either within or outside the United States, its territories and possessions.

b. Authority to make determinations or decisions specified in paragraph (11) of section 302(c) of the Act, but only with respect to contracts which will not require the expenditure of more than \$25,000.

c. Authority to make the determinations and decisions specified in sections 304(b) and 305(c) of the Act.

d. Authority to make determinations with respect to mistakes in bids alleged or disclosed before or after award of contract as specified in section 1-2.406-3 and 1-2.406-4 of the Federal Procurement Regulations.

e. Authority to authorize deviations in contract clauses, forms, policies, procedures, or limitations prescribed in the Federal Procurement Regulations when, in the judgment of the Agency Contracting Officer, such deviations are necessary for the effective performance of Agency operations, provided that:

(1) Proposed deviations are coordinated with the Office of the General Counsel;

(2) In individual cases, a record is maintained of each deviation, disclosing the nature of the deviation and the reason therefor; and

(3) In classes of cases, deviations will be considered on an expedited basis jointly by the Agency Contracting Officer and the General Services Administration unless, in the considered judgment of the Agency Contracting Officer and with due regard to the objective of uniformity, circumstances preclude such joint effort, in which case the Agency Contracting Officer will notify the General Services Administration of the deviation.

11. The authority hereby delegated shall be exercised in accordance with all applicable provisions of law and subject to all applicable regulations, directives or instructions which are now in effect or may hereafter be issued by the International Communication Agency, or by any other Government agency of competent jurisdiction, governing the acquisition of personal property, services (including construction) and real property, cooperative agreements, or grants.

12. Nothing contained herein shall affect the validity of any contract or grant, executed on or before March 31, 1978 by duly authorized officials of the Department of State or of the United States Information Agency, and transferred to the International Communication Agency.

13. This delegation of authority supersedes all delegations of authority of the Department of State or of the United States Information Agency made on or before March 31, 1978, to the extent that they might relate to contracts or grants of the International Communication Agency.

14. Copies of any redelegation made by the Agency Contracting Officer will be sent to the Office of Comptroller.

15. Notwithstanding any other provision of this Order, the Director may at any time exercise any function or authority delegated herein.

16. All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order, are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended or suspended.

This Order is effective as of April 1, 1978.

Dated: April 3, 1978.

JOHN E. REINHARDT,
Director, International
Communication Agency.

[FR Doc. 78-9608 Filed 4-11-78; 8:45 am]

[8230-01]

CONTINUITY OF OPERATIONS

Transfer of Functions

Reorganization Plan No. 2 of 1977 provides for the transfer of all functions, components, officers, and employees of the United States Information Agency, together with the functions and the majority of officers and employees of the Bureau of Education and Cultural Affairs of the Department of State to the International Communication Agency. Foreign Service personnel of the Department of State temporarily assigned to the Bureau of Educational and Cultural

Affairs have been reassigned to the International Communication Agency but have not been permanently transferred. All officers and employees of the United States Information Agency have been transferred to the new Agency. Reorganization Plan No. 2 of 1977 was made effective as of April 1, 1978, by Executive Order 12048 of March 27, 1978.

CONTINUATION OF AUTHORITIES

Unless otherwise directed, after March 31, 1978, all officers and employees of the International Communication Agency will continue performing the functions previously performed by them. Except as may be inconsistent with Reorganization Plan No. 2 of 1977, Executive Orders 12047 and 12048, and Delegation Orders Nos. 78-1, 78-2, 78-3, 78-4, and 78-5, all regulations, rules, orders, policies, determinations, directions, authorizations, and other actions, associated with these functions shall remain in full force and effect, until modified, amended or superseded. In instances where any supervisory position is abolished or vacant, any matters to be referred should be referred to the officer succeeding to the responsibility, to the supervisor next above the officer which is vacant or to the Director, as may be appropriate, unless otherwise directed in any applicable directive or regulation.

All matters to be referred to the Director as noted above should be addressed to the Director through the appropriate Associate Director or office head.

This directive is effective as of April 1, 1978.

JOHN E. REINHARDT,
Director, International
Communication Agency.

[FR Doc. 78-9603 Filed 4-11-78; 8:45 am]

[6820-35]

LEGAL SERVICES CORPORATION

GRANTS AND CONTRACTS

APRIL 6, 1978.

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. 2996-2996L, as amended, Pub. L. 95-222 (December 28, 1977). Section 1007(f) provides: "At least 30 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 * * * such grant, contract or project."

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Aid Society of Ventura County in Oxnard, Calif., to serve Southern Santa Barbara county.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at:

Legal Services Corporation, San Francisco Regional Office, American Savings Building, Suite 700, 690 Market Street, San Francisco, Calif. 94104.

THOMAS EHRLICH,
Director.

[FR Doc. 78-9635 Filed 4-11-78; 8:45 am]

[4510-30]

NATIONAL COMMISSION ON UNEMPLOYMENT COMPENSATION

MEETING

The second meeting of the National Commission on Unemployment Compensation will be held in Room N4437a-d, U.S. Department of Labor Building, Second and Constitution Avenue NW., Washington, D.C. 20210, beginning at 10 a.m., Wednesday, April 26, 1978. This session will conclude at 5:15 p.m. and resume at 8:30 a.m., on Thursday, April 27, 1978. The tentative agenda follows:

AGENDA

WEDNESDAY, APRIL 26, 10 A.M.

1. Approval of minutes of previous meeting.
 2. Announcements—10:30 a.m. A. Chairman. B. Commission members.
 3. Arrangements for May meeting—10:45 a.m.
 4. Plans for future meetings—11:30 a.m. A. 1978. B. 1979.
 5. Lunch—Department of Labor Cafeteria—12:30 p.m.
 6. Visit to District of Columbia Unemployment Compensation Office—1:30 p.m.
 7. Discussion on original objectives of Unemployment Compensation Program—2:45 p.m.
- Dr. Ewan Clague, former Director, Bureau of Employment Security and Commissioner, Bureau of Labor Statistics.
Mr. Saul Blaustein, Upjohn Foundation.
Mr. Curtis Harding, former Executive Director, Utah Employment Security Agency.

ADJOURNMENT—5:15 P.M.

THURSDAY, APRIL 27, 8:30 A.M.

8. Discussion of past and present financing of unemployment insurance.
Dr. James Van Erden, Supervisory Actuary, Division of Actuarial Services, UIS.
Mr. James Manning, Chief, Division of Actuarial Services, UIS.
9. Discussion of work of National Commission on Employment and Unemployment Statistics—11 a.m.
Deputy Assistant Secretary, Peter Henle, ASPER.
10. Commissioner Julius Shiskin, BLS.
Dr. Sar Levitan, Chairman, NCEUS.
10. Lunch—Department of Labor Cafeteria—12:30 p.m.

11. Dates and places of meetings of committees—1:30 p.m. A. Women and families. B. Minorities. C. Other committees.
 12. Old business—further consideration of General Rules—2:00 p.m.
 13. New business—2:30 p.m.
 14. Discussion of past, present and future costs of unemployment insurance—3:00 p.m.
- Research staff: California. Michigan. New York.
- Adjournment—5 p.m.

Telephone inquiries and communications concerning this meeting should be directed to:

Mr. James M. Rosbrow, Interior Executive Director, National Commission on Unemployment Compensation, Room 7000, Patrick Henry Building, 601 D Street NW., Washington, D.C. 20212, phone: area code 202-376-7034.

Signed at Washington, D.C., this 5th day of April 1978.

JAMES M. ROSBROW,
Interim Executive Director, National
Commission on Unemployment
Compensation.

[FR Doc. 78-9590 Filed 4-11-78; 8:45 am]

[7590-01]

NUCLEAR REGULATORY COMMISSION

ABNORMAL OCCURRENCE REPORT

Eleventh Report Submitted to the Congress

Notice is hereby given that pursuant to the requirements of Section 208 of the Energy Reorganization Act of 1974, as amended, the Nuclear Regulatory Commission has published and issued the eleventh periodic report to Congress on abnormal occurrences (NUREG-0090-10). The release date is April 5, 1978.

Under the Energy Reorganization Act of 1974, which created the NRC, an abnormal occurrence is defined as "an unscheduled incident or event which the Commission (NRC) determines is significant from the standpoint of public health or safety." The NRC has made a determination, based on criteria published in the FEDERAL REGISTER (42 FR 10950) on February 24, 1977, that events involving an actual loss or significant reduction in the degree of protection against radioactive properties of source, special nuclear, and byproduct materials are abnormal occurrences.

The eleventh report to Congress is for the fourth quarter of 1977. The report is based upon occurrences or events that the Commission determined were significant. The report indicates that the following incidents or events were determined by the Commission to be significant and reportable:

- (a) There were three abnormal occurrences at the 66 nuclear power

plants licensed to operate. The first involved management and procedural control deficiencies. The second (a generic incident) involved a design deficiency of certain engineered safety features. The third (a generic concern) involved environmental qualifications of safety-related electrical equipment inside containment. The latter item was determined reportable during report preparation and therefore has not previously been noticed in the FEDERAL REGISTER. Using the abnormal occurrence criteria published in the FEDERAL REGISTER on February 24, 1977 (42 FR 10950), the item satisfies example I.D.4 of Appendix A: Series of events (where individual events are not of major importance), recurring incidents, and incidents with implications for similar facilities (generic incidents), which create major safety concerns.

(b) There were no abnormal occurrences at fuel cycle facilities (other than nuclear power plants).

(c) There were two abnormal occurrences at other licensee facilities. One incident involved an occupational overexposure of a radiographer; the other involved an occupational overexposure at an irradiator facility.

The incidents involved temporary reductions in margins of safety normally provided.

The eleventh report to the Congress also contains updating information on abnormal occurrences reported in previous reports.

The report also contains information on activities in those states which have entered into agreements with the NRC for the assumption of certain regulatory authority pursuant to Section 274 of the Atomic Energy Act, as amended.

Interested persons may review the report at the NRC's Public Document Room, 1717 H Street NW., Washington, D.C. or at any of the 130 local Public Document Rooms throughout the country. The report, designated NUREG-0090-10, may be purchased from the National Technical Information Service, Springfield, Va. 22161, at \$4.50 a copy on or about April 19, 1978.

Dated at Washington this 6th day of April, 1978.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary to the Commission.

[FR Doc. 78-9691 Filed 4-11-78; 8:45 am]

[7590-01]

[Docket No. 50-3481]

ALABAMA POWER CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 5 to Facility Operating License No. NPF-2, issued to Alabama Power Co. (the licensee), which revised the license and the appended Technical Specifications for operation of the Joseph M. Farley Nuclear Plant, Unit No. 1 (the facility) located in Houston County, Ala. The amendment is effective as of its date of issuance.

The Amendment consists of administrative changes to the Technical Specifications for the facility to:

1. Delete the requirement for an Annual Operating Report, while retaining the specific requirement for an Annual Report of Occupational Exposure;

2. Modify the format for the content of the Monthly Operating Report; and

3. Add a narrative summary of operating experience that describes the operation of the facility, including major safety related maintenance for the monthly report period.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR Section 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of the amendment.

The further details with respect to this action, see (1) the application for amendment dated November 23, 1977, (2) Amendment No. 5 to License No. NPF-2, and (3) the Commission's related Safety Evaluation supporting Amendment No. 5 to License No. NPF-2. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555, and at the George S. Houston Memorial Library, 212 W. Vurdeshaw Street, Dothan, Ala. 35301. A copy of items (2) and (3) may be obtained upon re-

quest addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management.

Dated at Bethesda, Maryland, this 31st day of March 1978.

For the Nuclear Regulatory Commission.

JOHN F. STOLZ,
Chief, Light Water Reactor
Branch No. 1, Division of Project Management.

[FR Doc. 78-9648 Filed 4-11-78; 8:45 am]

[7590-01]

[Docket Nos. 50-325 and 50-324]

CAROLINA POWER & LIGHT CO.

Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 13 and 40 to Facility Operating License Nos. DPR-71 and DPR-62, respectively, issued to Carolina Power & Light Co. (the licensee) for operation of the Brunswick Steam Electric Plant, Unit Nos. 1 and 2 (the facility), located in Brunswick County, N.C. The amendment is effective as of its date of issuance.

These amendments revise the currently approved industrial security plan incorporated in the licenses for the Brunswick Steam Electric Plant.

The application for amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of the amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of the amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration, or environmental impact appraisal need not be prepared in connection with issuance of the amendments.

Pursuant to 10 CFR § 2.790(d), the licensee's request for amendment dated October 15, 1976, and the security plan are being withheld from public disclosure because they are deemed to be commercial or financial information within the meaning of 10 CFR § 9.5(a)(4). The withheld information is subject to disclosure in accordance with the provisions of 10 CFR § 9.12.

For further details with respect to this action, see (1) Amendment Nos. 13 and 40 to License Nos. DPR-71 and DPR-62, and (2) the Commission's related letter to the licensee dated April 5, 1978. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555, and at the Southport-Brunswick County Library, 109 West Moore Street, Southport, N.C. 28461. A copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 5th day of April 1978.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of Operating Reactors.

[FR Doc. 78-9651 Filed 4-11-78; 8:45 am]

[7590-01]

[Dockets Nos. 50-295 and 50-304]

COMMONWEALTH EDISON CO.

Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 37 and 34 to Facility Operating License Nos. DPR-39 and DPR-48 issued to Commonwealth Edison Co. (the licensee) which revised Technical Specifications for operation of the Zion Station Units Nos. 1 and 2, located in Zion, Ill. The amendments are effective as of the date of issuance.

These amendments revise operating limits for operation of Zion Unit 2 in fuel Cycle 3.

The application for these amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission had made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Notice of Proposed Issuance of Amendments to Facility Operating Licenses in connection with this action was published in the FEDERAL REGISTER on September 22, 1977 (42 FR 47898). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact

appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated December 12, 1977, as supplemented January 24, February 6, February 22, and March 15, 1978, (2) Amendment Nos. 37 and 34 to License Nos. DPR-39 and DPR-48, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555, and at the Zion-Benton Public Library District, 2600 Emmans Avenue, Zion, Ill. 60099. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 22nd day of March 1978.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Operating Reactors
Branch No. 1, Division of Operating Reactors.

[FR Doc. 78-9650 Filed 4-11-78; 8:45 am]

[7590-01]

[Docket No. 27-48]

NUCLEAR ENGINEERING CO., INC.

Availability of Applicant's License Application, and Opportunity To Request a Hearing

Please take notice that Nuclear Engineering Company (NECO), Inc., P.O. Box 7246, Louisville, Ky., 40207, has filed an updated renewal application for the handling and disposal of special nuclear material as defined in 10 CFR 20.3 by land burial at its facility located on the Hanford Reservation near Richland, Wash. Activities are currently conducted under License No. 13-10042-01, Docket No. 27-39.

Special Nuclear Material has been buried at the Richland site since 1965, when the facility was first licensed by the Atomic Energy Commission (AEC) by Amendment 2 to License No. 13-10042-01. At that time, burial of source and byproduct material was also licensed by the AEC. However, in 1966 the State of Washington assumed licensing and regulation of source and byproduct material when Washington became an Agreement State. Source and byproduct material are not included in the current renewal application.

A copy of the application is being made available for public inspection in the Nuclear Regulatory Commission's Public Document Room located at 1717 H Street NW., Washington, D.C. 20555, and at the Richland Public Library, Reference Department, Swift

and Northgate Streets, Richland, Wash., 99352.

Pursuant to 10 CFR 2.105, by May 12, 1978, the licensee may file a request for a hearing with respect to the issuance of the license renewal, and any person whose interest may be affected by this application may file a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

A petition for leave to intervene must be filed under oath or affirmation in accordance with provisions of 10 CFR 2.714. As required in 10 CFR 2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555. A copy of the petition and/or request should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to James N. Neel, President and Chief

Executive Officer of NECO, the applicant.

A petition for leave to intervene which is not timely will not be granted unless the Commission, the presiding officer, or the Atomic Safety and Licensing Board designated to rule on the petition determines that the petitioner has made a substantial showing of good cause for failure to file on time and after considering those factors specified in 10 CFR 2.714(a) (1)-(4) and 2.714(d).

For The Nuclear Regulatory Commission.

Dated at Silver Spring, Md., this 29th day of March 1978.

MICHAEL J. BELL,
Chief, Low-Level Waste Branch
Division of Fuel Cycle and Material Safety.

[FR Doc. 78-9692 Filed 4-11-78; 8:45 am]

[7590-01]

[Docket No. STN 50-546 and STN 50-547]

**PUBLIC SERVICE CO. OF INDIANA, INC.,
WABASH VALLEY POWER ASSOCIATION,
INC., MARBLE HILL NUCLEAR GENERATING
STATION, UNITS 1 and 2**

Issuance of Construction Permits

Notice is hereby given that, pursuant to the Partial Initial Decision dated August 22, 1977, the Partial Initial Decision dated December 9, 1977, and the Initial Decision dated April 4, 1978, of the Atomic Safety and Licensing Board, the Nuclear Regulatory Commission (the Commission) has issued Construction Permits Nos. CPPR-170 and CPPR-171 to Public Service Co. of Indiana, Inc. and Wabash Valley Power Association, Inc. for construction of two pressurized water nuclear reactors at the applicants' site in Saluda Township, Jefferson County, Ind. The proposed facility is known as the Marble Hill Nuclear Generating Station, Units 1 and 2. Each unit is designed for a rated power of 3411 megawatts thermal with a net electrical output of 1130 megawatts.

The Initial Decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with this Decision may be reviewed by the Commission.

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

and the Commission's rules and regulations.

Each construction permit is effective on the date of issuance. The earliest date for completion of Unit 1 is January 1, 1982, and the latest date for completion is January 1, 1984. The earliest date for completion of Unit 2 is January 1, 1984, and the latest date for completion is January 1, 1986. The permits shall expire on the latest date for completion of each unit.

A copy of (1) the Partial Initial Decisions dated August 22, 1977 and December 9, 1977, and Initial Decision dated April 4, 1978; (2) Construction Permits Nos. CPPR-170 and CPPR-171; (3) the report of the Advisory Committee on Reactor Safeguards dated October 22, 1976; (4) the Office of Nuclear Reactor Regulation's Safety Evaluation Report (NUREG-0115) dated June 1977, and Supplement 1 dated July 1977; (5) the Preliminary Safety Analysis Report and amendments thereto; (6) the applicant's Environmental Report and amendments thereto; (7) the Draft Environmental Statement (NUREG-0048) dated March 1976; (8) the Final Environmental Statement (NUREG-0097) dated September 1976, are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. 20555, and at the Madison-Jefferson County Public Library, 420 West Main Street, Madison, Ind. 47250. A copy of the construction permits may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Project Management.

Copies of the Safety Evaluation Report and supplement, and the Final Environmental Statement may be purchased, at current rates, from the National Technical Information Service, Department of Commerce, 5285 Port Royal Road, Springfield, Va. 22161.

Dated at Bethesda, Md., this 4th day of April 1978.

For the Nuclear Regulatory Commission.

CARL STAHL,
Acting Chief, Light Water Reactors Branch 4, Division of Project Management.

[FR Doc. 78-9652 Filed 4-11-78; 8:45 am]

[7590-01]

[NUREG-75/087]

REVISION TO THE STANDARD REVIEW PLAN

Issuance and Availability

As a continuation of the updating program for the Standard Review Plan (SRP) previously announced (FEDERAL REGISTER notice dated December 8, 1977), the Nuclear Regula-

tory Commission's (NRC's) Office of Nuclear Reactor Regulation has published revision No. 1 to section No. 8.1 (which now includes Table 8-1) of the SRP for the NRC staff's safety review of applications to build and operate light-water-cooled nuclear power reactors. The purpose of the plan, which is composed of 224 sections, is to improve both the quality and uniformity of the NRC staff's review of applications to build new nuclear power plants, and to make information about regulatory matters widely available, including the improvement of communication and understanding of the staff review process by interested members of the public and the nuclear power industry. The purpose of the updating program is to revise sections of the SRP for which changes in the review plan have been developed since the original issuance in September 1975 to reflect current practice.

Copies of the Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants, which has been identified as NUREG-75/087, are available from the National Technical Information Service, Springfield, Va. 22161. The domestic price is \$70, including first-year supplements. Annual subscriptions for supplements alone are \$30. Individual sections are available at current prices. The domestic price for Revision No. 1 to Section No. 8.1 is \$4. Foreign price information is available from NTIS. A copy of the Standard Review Plan including all revisions published to date is available for public inspection at the NRC's Public Document Room at 1717 H Street NW., Washington, D.C. 20555 (5 U.S.C. 552(a).)

Dated at Bethesda this 31st day of March, 1978.

For the U.S. Nuclear Regulatory Commission.

ROGER J. MATTSON,
Director, Division of Systems
Safety, Office of Nuclear Reactor Regulation.

[FR Doc. 78-9644 Filed 4-11-78; 8:45 am]

[7590-01]

[NUREG-75/087]

REVISION TO THE STANDARD REVIEW PLAN

Issuance and Availability

As a continuation of the updating program for the Standard Review Plan (SRP) previously announced (FEDERAL REGISTER notice dated December 8, 1977), the Nuclear Regulatory Commission's (NRC's) Office of Nuclear Reactor Regulation has published revision No. 1 to section No. 6.2.2 of the SRP for the NRC staff's safety review of applications to build and operate light-water-cooled nuclear power reactors. The purpose of the

plan, which is composed of 224 sections, is to improve both the quality and uniformity of the NRC staff's review of applications to build new nuclear power plants, and to make information about regulatory matters widely available, including the improvement of communication and understanding of the staff review process by interested members of the public and the nuclear power industry. The purpose of the updating program is to revise sections of the SRP for which changes in the review plan have been developed since the original issuance in September 1975 to reflect current practice.

Copies of the Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants, which has been identified as NUREG-75/087, are available from the National Technical Information Service, Springfield, Va. 22161. The domestic price is \$70, including first-year supplements. Annual subscriptions for supplements alone are \$30. Individual sections are available at current prices. The domestic price for Revision No. 1 to Section No. 6.2.2 is \$4. Foreign price information is available from NTIS. A copy of the Standard Review Plan including all revisions published to date is available for public inspection at the NRC's Public Document Room at 1717 H Street NW., Washington, D.C. 20555 (5 U.S.C. 552 (a)).

Dated at Bethesda this 3d day of April, 1978.

For the U.S. Nuclear Regulatory Commission.

R. J. MATTSON,
Director, Division of Systems
Safety, Office of Nuclear Reactor Regulation.

[FR Doc. 78-9645 Filed 4-11-78; 8:45 am]

[7590-01]

[NUREG-75/087]

REVISION TO THE STANDARD REVIEW PLAN

Issuance and Availability

As a continuation of the updating program for the Standard Review Plan (SRP) previously announced (FEDERAL REGISTER notice dated December 8, 1977), the Nuclear Regulatory Commission's (NRC's) Office of Nuclear Reactor Regulation has published revision No. 1 to section No. 10.4.4 of the SRP for the NRC staff's safety review of applications to build and operate light-water-cooled nuclear power reactors. The purpose of the plan, which is composed of 224 sections, is to improve both the quality and uniformity of the NRC staff's review of applications to build new nuclear power plants, and to make information about regulatory matters widely available, including the im-

provement of communication and understanding of the staff review process by interested members of the public and the nuclear power industry. The purpose of the updating program is to revise sections of the SRP for which changes in the review plan have been developed since the original issuance in September 1975 to reflect current practice.

Copies of the Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants, which has been identified as NUREG-75/087, are available from the National Technical Information Service, Springfield, Va. 22161. The domestic price is \$70, including first-year supplements. Annual subscriptions for supplements alone are \$30. Individual sections are available at current prices. The domestic price for revision No. 1 to section No. 10.4.4 is \$4. Foreign price information is available from NTIS. A copy of the Standard Review Plan including all revisions published to date is available for public inspection at the NRC's Public Document Room at 1717 H Street NW., Washington, D.C. 20555 (5 U.S.C. 552(a)).

Dated at Bethesda this 31st day of March, 1978.

For the U.S. Nuclear Regulatory Commission.

ROGER J. MATTSON,
Director, Division of Systems
Safety, Office of Nuclear Reactor Regulation.

[FR Doc. 78-9646 Filed 4-11-78; 8:45 am]

[7590-01]

[NUREG-75/087]

REVISION TO THE STANDARD REVIEW PLAN

Issuance and Availability

As a continuation of the updating program for the Standard Review Plan (SRP) previously announced (FEDERAL REGISTER notice dated December 8, 1977), the Nuclear Regulatory Commission's (NRC's) Office of Nuclear Reactor Regulation has published revision No. 1 to section No. 10.4.1 of the SRP for the NRC staff's safety review of applications to build and operate light-water-cooled nuclear power reactors. The purpose of the plan, which is composed of 224 sections, is to improve both the quality and uniformity of the NRC staff's review of applications to build new nuclear power plants, and to make information about regulatory matters widely available, including the improvement of communication and understanding of the staff review process by interested members of the public and the nuclear power industry. The purpose of the updating program is to revise sections of the SRP for which changes in the review plan have been

developed since the original issuance in September 1975 to reflect current practice.

Copies of the Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants, which has been identified as NUREG-75/087, are available from the National Technical Information Service, Springfield, Va. 22161. The domestic price is \$70, including first-year supplements. Annual subscriptions for supplements alone are \$30. Individual sections are available at current prices. The domestic price for Revision No. 1 to Section No. 10.4.1 is \$4. Foreign price information is available from NTIS. A copy of the Standard Review Plan including all revisions published to date is available for public inspection at the NRC's Public Document Room at 1717 H Street NW., Washington, D.C. 20555 (5 U.S.C. 552(a)).

Dated at Bethesda this 31st day of March, 1978.

For the U.S. Nuclear Regulatory Commission.

ROGER J. MATTSON,
Director, Division of Systems
Safety, Office of Nuclear Reactor Regulation.

[FR Doc. 78-9647 Filed 4-11-78; 8:45 am]

[7590-01]

[Dockets Nos. 50-280 and 50-281]

VIRGINIA ELECTRIC & POWER CO.

Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the commission) has issued Amendments Nos. 37 and 36 to Facility Operating Licenses Nos. DPR-32 and DPR-37, issued to Virginia Electric & Power Co. (the licensee), which revised Technical Specifications for operation of the Surry Power Station, Unit Nos. 1 and 2 (the facilities) located in Surry County, Va. The amendments are effective as of the date of issuance.

These amendments permit the installation of new fuel storage racks in the spent fuel pool which will increase the pool's storage capacity from 464 to 1044 fuel assemblies.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Provisional Operating License in connection with this action was published in the FEDERAL REGISTER on June 20, 1977 (42 FR 31202). No re-

quest for a hearing or petition for leave to intervene was filed following notice of proposed action.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no significant environmental impact attributable to this action.

For further details with respect to this action, see (1) the application for amendment dated May 27, 1977, as supplemented August 10, 1977, September 15, 1977, September 29, 1977, December 7, 1977, and February 8, 1978, (2) Amendments Nos. 37 and 36 to License Nos. DPR-32 and DPR-37, respectively, (3) the Commission's related Safety Evaluation and (4) the Commission's Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Swen Library, College of William and Mary, Williamsburg, Va. A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 23rd day of March 1978.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Operating Reactors
Branch No. 1, Division of Operating Reactors.

[FR Doc. 78-9649 Filed 4-11-78; 8:45 am]

[3110-01]

OFFICE OF MANAGEMENT AND BUDGET

PRIVACY ACT

Notice of New Systems

The purpose of this notice is to list reports on new systems filed with the Office of Management and Budget to give members of the public the opportunity to make inquiries about them and to comment on them.

The Privacy Act of 1974 requires the agencies to give advance notice to the Congress and the Office of Management and Budget of their intent to establish or modify systems of records subject to the Act (5 U.S.C. 552a(o)). During the period March 20 through March 30, 1978, the Office of Management and Budget received the following reports on new (or revised) systems of records.

DEPARTMENT OF DEFENSE

System names:

- (1) Noncombatant Information Card;
- (2) Personnel file.

Report date:

March 17, 1978.

Point-of-contact:

Mr. William Cavaney, Defense Privacy Board, Department of Defense, Washington, D.C. 20314.

Summary:

The Defense Communications Agency will use the Noncombatant Information Card system to "provide accounting for, briefing, alerting, assembling, and evaluating noncombatants in an emergency situation" from the Federal Republic of Germany. The second system will "maintain selected information on all military and civilian employees assigned to Headquarters, DCA European Area in performance of official duties."

System name:

Personnel Exposed to Radiation from Atmospheric Nuclear Tests.

Report date:

March 28, 1978.

Point-of-contact:

Mr. William Cavaney, Defense Privacy Board, Department of Defense, Washington, D.C. 20314.

Summary:

This system, to be maintained by the Defense Nuclear Agency, will include records on individuals who may have been exposed to ionizing radiation during atmospheric testing programs conducted by the U.S. Government in the Pacific or at the Nevada Test Site, and will be used primarily for epidemiological studies and follow-up medical programs.

UNITED STATES COAST GUARD

System name:

Reserve Personnel Management Information Program.

Report date:

March 17, 1978.

Point-of-contact:

Captain K. R. Murphy, G-RA, U.S. Coast Guard Headquarters, Washington, D.C. 20590.

Summary:

This system represents a proposed consolidation of two previous Coast Guard systems of records.

DEPARTMENT OF THE INTERIOR

System names:

- (1) Payroll, (2) Travel Advance File, (3) Travel Vouchers and Authorizations, (4) Property, (5) Personnel Identification, (6) Safety Files, and (7) Personnel Security Files.

Report date:

March 22, 1978.

Point-of-contact:

Warren Dahlstrom, Departmental Privacy Act Officer, Officer of Administration and Management Policy, Department of the Interior, Washington, D.C. 20240.

Summary:

Systems (1)-(7) are being established by the Office of Surface Mining Reclamation and Enforcement for administrative purposes. The eighth system, maintained by the Office of the Secretary, is being expanded to add the Office of Surface Mining Reclamation and Enforcement to its coverage.

VELMA N. BALDWIN,
Assistant to the Director
for Administration.

[FR Doc. 78-9599 Filed 4-11-78; 8:45 am]

[8010-01]

SECURITIES AND EXCHANGE COMMISSION

[File No. 81-321]

AIR CALIFORNIA

Application and Opportunity for Hearing

APRIL 5, 1978.

Notice is hereby given that Air California ("Applicant") has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended, (the "1934 Act") for an order exempting Applicant from the provisions of section 13 and 15(d) of that Act.

The Applicant states, in part:

1. That it became subject to section 15(d) of the 1934 Act as a result of a registration statement filed by it pursuant to the Securities Act of 1933 with respect to its common stock which was declared effective on June 29, 1967.

2. That the registration of its common stock under section 12(g) of the 1934 Act became effective on June 29, 1969.

3. That the Applicant also offered and sold an issue of 7 percent Convertible Subordinated Debentures due 1988 ("Subordinated Debentures") pursuant to a registration statement which became effective on May 24, 1968. The registration of such Subordinated Debentures under section 12(g) of the 1934 Act became effective

on June 29, 1969. As of August 10, 1976, all of the Subordinated Debentures had been redeemed.

4. That on October 12, 1977, Air California was merged with and into Westgate-Wacco, Inc., a California corporation, which is wholly-owned by Westgate-California Corp., a Nevada corporation, which is the Debtor in a Chapter X case under the Federal Bankruptcy laws.

As a result of the merger, Westgate-California Corp. acquired 100 percent ownership of the Applicant. All of the common stock outstanding prior to the merger has been cancelled or exchanged.

In the absence of an exemption, Applicant would be required to file a report on Form 10-K for the period ended December 31, 1977. Applicant believes that its request for an order exempting it from the provisions of sections 13 and 15(d) of the Act is appropriate in view of the facts that it is now a wholly-owned subsidiary and it has no publicly held securities, it would be unduly burdensome to the management and employees, it would be unnecessarily time consuming and expensive, and it would not appear to serve the public interest or provide for the protection of investors.

For a more detailed statement of the information presented, all persons are referred to the application which may be examined at the Commission's Public Reference Section, 1100 L Street N.W., Washington, D.C. 20549.

Notice is further given that any interested person, not later than May 1, 1978, may submit to the Commission in writing his view or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed to Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary

[FR Doc. 78-9600 Filed 4-11-78; 8:45 am]

[8010-01]

[File No. 81-314]

WISCONSIN MICHIGAN POWER CO.

Application and Opportunity for Hearing

APRIL 5, 1978.

Notice is hereby given that Wisconsin Electric Power Co. ("Wisconsin Electric") on behalf of Wisconsin Michigan Power Co. ("Applicant") has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended, (the "1934 Act") seeking an exemption from the requirements to file reports pursuant to sections 13 and 15(d) of the Exchange Act.

The Applicant states, in part:

1. The Applicant is a Wisconsin corporation subject to the reporting provisions of sections 13 and 15(d) of the 1934 Act.

2. On December 31, 1977, the Applicant was merged into its parent, Wisconsin Electric, which owned all of the common stock of the Applicant.

3. On June 30, 1977, the Applicant had redeemed all of its 4½ percent Series Preferred Stock, the only equity securities which it had registered under 12(g) of the 1934 Act.

4. On the date of the merger, Wisconsin Electric assumed all of the Applicant's First Mortgage Bonds which had been registered under the Securities Act of 1933.

In the absence of an exemption, Applicant is required to file pursuant to sections 13 and 15(d) of the 1934 Act and the rules and regulations thereunder, an Annual Report on Form 10-K for the Year ending December 31, 1977. Applicant believes that its request for an order exempting it from the provisions of sections 13 and 15(d) of the 1934 Act is appropriate in view of the fact that Applicant believes that the time, effort and expense involved in preparation of additional periodic reports would be disproportionate to any benefit to the public.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the offices of the Commission at 500 North Capitol Street N.W., Washington, D.C.

Notice is further given that any interested person not later than May 1, 1978, may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street N.W., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application

which he desires to controvert. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) any any postponements thereof. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

For the Commission, by the Division of Corporation Finance pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary

[FR Doc. 78-9601 Filed 4-11-78; 8:45 am]

[8025-01]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area No. 1441; Amendment No. 3]

CALIFORNIA

Declaration of Disaster Loan Area

The above numbered Declaration (See 43 FR 9546), Amendment No. 1 (See 43 FR 12413) and Amendment No. 2 (See 43 FR 14196) are amended by extending the filing date for physical damage until the close of business on May 20, 1978, and for economic injury until the close of business on December 22, 1978.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008).

Dated: March 28, 1978.

A. VERNON WEAVER,
Administrator

[FR Doc. 78-9736 Filed 4-11-78; 8:45 am]

[8025-01]

[Declaration of Disaster Loan Area No. 1454]

INDIANA

Declaration of Disaster Loan Area

As a result of the President's declaration of March 29, 1978 and Federal Disaster Assistance Administration's designation of Allen and Adams Counties within the State of Indiana, I find that these counties constitute a disaster area because of damage resulting from severe storms and flooding beginning about March 15, 1978. The Small Business Administration will accept applications for disaster relief loans from victims within the above-named counties, and adjacent counties within the State of Indiana. Eligible persons, firms, and organizations may file applications for loans for physical damage until the close of business on May 29, 1978, and for economic injury until the close of business on December 29, 1978, at:

Small Business Administration, Disaster Office, New Federal Building, 575 North

Pennsylvania Street, Indianapolis, Ind. 46204.

or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008).

Dated: April 4, 1978.

PATRICIA M. CLOHERTY,
Acting Administrator.

[FR Doc. 78-9741 Filed 4-11-78; 8:45 am]

[8025-01]

[Application No. 04/04-5138]

MERIT FUNDING, INC.

Application for License to Operate as a Small Business Investment Company

An application for a license to operate as a small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), has been filed by Merit Funding, Inc. (applicant), with the Small Business Administration (SBA), pursuant to 13 C.F.R. 107.702 (1977). The officers, directors, and stockholders of the applicant are as follows:

Roger L. Cohen, 8 Pinehurst Drive, Purchase, N.Y. 10577, Chairman of the Board, President—4 percent stockholder.

George E. Maloof, 16 Rock Ledge Road, Saddle River, N.J. 07458, Secretary, Director—32 percent stockholder.

Richard Fuchs, 120 Hilaire Circle, White Plains, N.Y. 10605, Vice President, Treasurer, Director—32 percent stockholder.

Peter Schneider, 15 Wildwood Road, Scarsdale, N.Y. 10583—32 percent stockholder.

The applicant, a New York corporation, with its principal place of business located at 340 Biscayne Boulevard, Miami, Fla. 33132, will begin operations with \$500,000 of paid-in capital and paid-in surplus derived from the sale of 1,000 shares of common stock.

The applicant will conduct its activities principally in the State of Florida, and in other areas within the United States of America.

Applicant intends to provide assistance to all qualified socially or economically disadvantaged small business concerns as the opportunity to profitably assist such concerns is presented.

As a small business investment company under Section 301(d) of the Act, the applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the Small Business Investment Act of 1958, as amended from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system

is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed management, and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and SBA Rules and Regulations.

Any person may, not later than April 27, 1978, submit to SBA written comments on the proposed applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Miami, Fla.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

Dated: April 4, 1978.

PETER F. MCNEISH,
Deputy Associate Administrator for Investment.

[FR Doc. 78-9740 Filed 4-11-78; 8:45 am]

[8025-01]

[Declaration of Disaster Loan Area No. 1439; Amendment No. 1]

NEW YORK

Declaration of Disaster Loan Area

The above numbered Declaration (See 43 FR 9401), is amended by adding Orange County and adjacent counties within the State of New York, and the time for filing applications is extended to May 31, 1978 for physical damage and December 29, 1978 for economic injury.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: April 4, 1978.

PATRICIA M. CLOHERTY,
Acting Administrator.

[FR Doc. 78-9737 Filed 4-11-78; 8:45 am]

[8025-01]

[Declaration of Disaster Loan Area No. 1456]

OHIO

Declaration of Disaster Loan Area

Lake County and adjacent counties within the State of Ohio constitute a disaster area as a result of damage caused by record breaking snows melted rapidly during the period March 11, 1978 through March 13, 1978, causing massive ice jams which

in turn resulted in extensive flooding on March 14, 1978. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on June 5, 1978, and for economic injury until the close of business on January 4, 1979, at:

Small Business Administration, District Office, AJC Federal Building, Room 317, 1240 East Ninth Street, Cleveland, Ohio 44199.

or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008).

Dated: April 4, 1978.

PATRICIA M. CLOHERTY,
Acting Administrator.

[FR Doc. 78-9739 Filed 4-11-78; 8:45 am]

[8025-01]

[Declaration of Disaster Loan Area No. 1455]

WISCONSIN

Declaration of Disaster Loan Area

The area of the 1300 Block of Water Street (on the west side of the street) in the City of Stevens Point, Portage County, Wis., constitutes a disaster area because of damage resulting from a fire which occurred on December 4, 1977. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on June 5, 1978, and for economic injury until the close of business on January 4, 1979, at:

Small Business Administration, District Office, 122 West Washington Avenue, Room 700, Madison, Wis. 53703.

or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: April 4, 1978.

PATRICIA M. CLOHERTY,
Acting Administrator.

[FR Doc. 78-9738 Filed 4-11-78; 8:45 am]

[4710-07]

DEPARTMENT OF STATE

[Public Notice CM-8/42]

SHIPPING COORDINATING COMMITTEE

SUBCOMMITTEE ON SAFETY OF LIFE AT SEA

Meeting

The ad hoc working group on Nuclear Ships of the Subcommittee on Safety of Life at Sea (SOLAS), a component of the Shipping Coordinating Committee (SHC), will conduct an open meeting on Wednesday, May 3, 1978 at 9:30 a.m. in Room 8332 of the Department of Transportation, 400 Seventh Street SW., Washington, D.C.

The purpose of this meeting is to:

Discuss the results of the March meeting of the Working Group on Nuclear Ships of the Intergovernmental Maritime Consultative Organization (IMCO), at which Chapters 3, 5, 6, and 8 of the proposed Code of Safety for Nuclear Ships were discussed; and Consider Chapters 4 and 7 in preparation for the next IMCO meeting.

Requests for further information should be directed to commander John Deck III, U.S. Coast Guard (G-MMT-4/82), Washington, D.C. 20590, telephone 202-426-2197.

The Chairman will entertain comments from the public as time permits.

CARL TAYLOR, Jr.,
Acting Chairman,

Shipping Coordinating Committee,

APRIL 4, 1978.

[FR Doc. 78-9592 Filed 4-11-78; 8:45 am]

[6820-32]

**U.S. ARMS CONTROL AND
DISARMAMENT AGENCY**

GENERAL ADVISORY COMMITTEE

**Availability of Report on Closed Meeting
Activities**

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I, and OMB Circular A-63 (Revised March 27, 1974), a report on the activities of the General Advisory Committee on Arms Control and Disarmament covering closed meetings held in 1977 has been prepared and is available for public inspection as follows:

Library of Congress, Microfilm Reading Room, Room MB-140B, Main Building, 10 First Street SE., Washington, D.C.

U.S. Arms Control and Disarmament Agency, ACDA Library, Room 804, State Annex 6, 1700 North Lynn Street, Rosslyn, Va.

Dated: April 6, 1978.

SIDNEY D. ANDERSON,
*Advisory Committee,
Management Officer.*

[FR Doc. 78-9693 Filed 4-11-78; 8:45 am]

[6820-32]

GENERAL ADVISORY COMMITTEE

Meeting

Notice is hereby given in accordance with Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. I, (the Act) and paragraph 8b of Office of Management and Budget Circular No. A-63 (Revised March 27, 1974) (the OMB Circular), that a meeting of the General Advisory Committee (GAC) is scheduled to be held on May 11, 1978 from 9 a.m. to 6 p.m. and on May 12, 1978 from 9 a.m. to 6 p.m. at

2201 C Street NW., Washington, D.C., in Room 7516.

The purpose of the meeting is for the GAC to receive briefings and hold discussions concerning arms control and related issues which will involve national security matters classified in accordance with Executive Order 11652 dated March 10, 1972.

The meeting will be closed to the public in accordance with the determination of even date made by the Director of the U.S. Arms Control and Disarmament Agency pursuant to Section 10(d) of the Act and paragraph 8d(2) of the OMB Circular that the meeting will be concerned with matters of the type described in 5 U.S.C. 552(b)(1). This determination was made pursuant to a delegation of authority from the Office of Management and Budget dated June 25, 1973 issued under the authority of Executive Order 11769 dated February 21, 1974.

Dated: April 5, 1978.

SIDNEY D. ANDERSON,
*Advisory Committee,
Management Officer.*

[FR Doc. 78-9694 Filed 4-11-78; 8:45 am]

[6820-32]

**ENVIRONMENTAL MODIFICATION
CONVENTION**

**Availability of Draft Environmental
Assessment**

Notice is hereby given that the Department of State and the U.S. Arms Control and Disarmament Agency have prepared a Draft Environmental Assessment related to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, signed by the United States on May 18, 1977.

The requirements of Section 102(2)(C) of the National Environmental Policy Act do not apply to this Assessment. However, the Assessment is available for inspection by the public on weekdays between the hours of 8:45 a.m. and 5:30 p.m. local time at the Office of Environmental Affairs, Department of State, Room 7820, 2201 C Street, NW., Washington, D.C. 20520. Requests for copies of the Draft Environmental Assessment should be sent to the above office addressed to the attention of William H. Mansfield.

Interested persons and organizations may submit written comments on the Draft Environmental Assessment. Comments must be received by May 15, 1978, to be considered in the preparation of the final environmental assessment and should be addressed as indicated above.

Dated: April 6, 1978.

THOMAS GRAHAM, Jr.,
General Counsel.

[FR Doc. 78-9695 Filed 4-11-78; 8:45 am]

[4810-33]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

[Delegation Order 20]

**ORDER OF SUCCESSION TO ACT AS
COMPTROLLER**

By virtue of the authority contained in 12 U.S.C. 4 and by Treasury Department Order No. 129 (Rev. No. 2) dated April 22, 1955, it is hereby ordered as follows:

A. During the absence or disability of the Comptroller of the Currency, or during a vacancy in such office, the First Deputy Comptroller of the Currency shall possess the power and perform the duties attached by law to the office of the Comptroller as provided by 12 U.S.C. 4. The order of succession following the First Deputy Comptroller of the Currency shall be as follows:

- (1) Deputy Comptroller for Operations—Mr. H. Joe Selby.
- (2) Deputy Comptroller for Bank Supervision—Mr. Paul M. Homan.
- (3) Deputy Comptroller for Policy Planning—Mr. Cantwell Faulkner Muckenfuss III.

B. In the event of an enemy attack on the continental United States, all regional administrators of national banks, including any acting regional administrators, are authorized in their respective regions to perform any function of the Comptroller of the Currency, or the Secretary of the Treasury, whether or not otherwise delegated, which is essential to the carrying out of responsibilities otherwise assigned to them. The respective officers will be notified when they are to cease exercising the authority delegated in this paragraph.

C. Delegation Order No. 19 is hereby repealed.

Dated: April 4, 1978.

JOHN G. HEIMANN,
Comptroller of the Currency.

[FR Doc. 78-9716 Filed 4-11-78; 8:45 am]

[4810-22]

Office of the Secretary

PHOTOGRAPHIC COLOR PAPER FROM JAPAN

Antidumping Proceeding

AGENCY: Treasury Department.

ACTION: Initiation of Antidumping Investigation.

SUMMARY: This notice is to advise the public that a petition in proper form has been received and an antidumping investigation is being initiated for the purpose of determining whether imports of photographic color paper from Japan are being, or are likely to be, sold at less than fair

value within the meaning of the Anti-dumping Act, 1921, as amended. There appears to be substantial doubt that imports of the subject merchandise at less than fair value are the cause of present, or likely future, injury to an industry in the United States, however, and the case is being referred to the U.S. International Trade Commission for further review.

EFFECTIVE DATE: April 12, 1978,

FOR FURTHER INFORMATION CONTACT:

Stephen Nyschot, Operations Officer, U.S. Customs Service, Office of Operations, Duty Assessment Division, Technical Branch, 1301 Constitution Avenue, NW., Washington, D.C. 20229, telephone 202-566-5492.

SUPPLEMENTARY INFORMATION: On March 6, 1978, information was received in proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), from counsel acting on behalf of the Minnesota Mining and Manufacturing Co., St. Paul, Minn., indicating a possibility that photographic color paper from Japan is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

For purposes of this notice, "photographic color paper" means silver halide color negative photographic papers, sensitized but not exposed, provided for in item 723.30, Tariff Schedules of the United States.

The margin of dumping alleged, based on a comparison of sales to the U.S. with prices in the home market, is approximately 121 percent.

There is evidence on record concerning injury or likelihood of injury from the alleged less than fair value imports. This evidence also indicates, however, that petitioner's sales, profits, employment, capacity utilization and share of the market have improved since 1975. Therefore, on the basis of such evidence it has been concluded that there is substantial doubt of injury, or likelihood of injury, to an industry in the United States by virtue of such imports from Japan. Accordingly, the U.S. International Trade Commission is being advised of such doubt pursuant to section 201 (c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Com-

mission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being, or is likely to be, injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the **FEDERAL REGISTER**, a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 CFR 153.30).

ROBERT H. MUNDHEIM,
General Counsel of the Treasury.

APRIL 5, 1978.

[FR Doc. 78-9610 Filed 4-11-78; 8:45 am]

[4810-22]

PHOTOGRAPHIC COLOR PAPER FROM WEST GERMANY

Antidumping Proceeding

AGENCY: Treasury Department.

ACTION: Initiation of Antidumping Investigation.

SUMMARY: This notice is to advise the public that a petition in proper form has been received and an antidumping investigation is being initiated for the purpose of determining whether imports of photographic color paper from West Germany are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. There appears to be substantial doubt that imports of the subject merchandise at less than fair value are the cause of present, or likely future, injury to an industry in the United States, however, and the case is being referred to the U.S. International Trade Commission for further review.

EFFECTIVE DATE: April 12, 1978.

FOR FURTHER INFORMATION CONTACT:

Mary S. Clapp, Operations Officer, U.S. Customs Service, Office of Operations, Duty Assessment Division, Technical Branch, 1301 Constitution Avenue NW., Washington, D.C. 20229, telephone, 202-566-5492.

SUPPLEMENTARY INFORMATION: On March 6, 1978, information was received in proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), from counsel acting on behalf of the Minnesota Mining and Manufacturing Co., St. Paul, Minn., indicating a possibility that photographic color paper from West Germany is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act,

1921, as amended (19 U.S.C. 160 et seq.).

For purposes of this notice, "photographic color paper" means silver halide color negative photographic papers, sensitized but not exposed, provided for in item 723.30, Tariff Schedules of the United States.

The margin of dumping alleged, based on a comparison of sales to the U.S. with prices in the home market, is approximately 44 percent.

There is evidence on record concerning injury or likelihood of injury from the alleged less than fair value imports. This evidence also indicates, however, that petitioner's sales, profits, employment, capacity utilization, and share of the market have improved since 1975. Therefore, on the basis of such evidence it has been concluded that there is substantial doubt of injury, or likelihood of injury, to an industry in the United States by virtue of such imports from West Germany. Accordingly, the U.S. International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being, or is likely to be, injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the **FEDERAL REGISTER** a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 CFR 153.30).

ROBERT H. MUNDHEIM,
General Counsel of the Treasury.

APRIL 5, 1978.

[FR Doc. 78-9611 Filed 4-11-78; 8:45 am]

[7035-01]

**INTERSTATE COMMERCE
COMMISSION**

[Notice No. 632]

ASSIGNMENT OF HEARINGS

APRIL 7, 1978.

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.

FD 28585 (Sub-No. 1 and Sub-No. 2), Burlington Northern, Inc.—Contol and Merger—St. Louis San Francisco Railway Co. and MC-F-13500, Burlington Northern, Inc.—Control—Frisco Transportation Co., are now assigned for hearing May 16, 1978 at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 56679 (Sub-No. 94), Brown Transport, Corp., now assigned May 5, 1978, at Miami, FL is postponed indefinitely.

MC 56679 (Sub-No. 92), Brown Transport, Corp., now assigned May 8, 1978, at Atlanta, GA is postponed indefinitely.

MC 4963 (Sub-No. 54), Alleghany Corp., d.b.a. Jones Motor, now assigned May 23, 1978 at Washington, D.C., is canceled and transferred to modified procedure.

MC 139495 (Sub-No. 263), National Carriers, Inc., now assigned April 11, 1978 at Chicago, IL, is canceled and transferred to modified procedure.

MC 52680 (Sub-No. 3), T. W. Express of Ind., Inc., is now assigned for hearing June 5, 1978 (1 week) at Indianapolis, IN, in a hearing room to be later designated.

MC-C-9725, Woodline Motor Freight, Inc. v. Arkansas Best Freight Systems, Inc. and MC-C-9726, Woodline Motor Freight, Inc. v. Ryder Truck Lines, Inc., now assigned May 2, 1978 at Little Rock, AR, will be held in the Transportation Commission Hearing Room, Justice Building, State Capitol, 1500 block of West Seventh Street.

MC 111231 (Sub-No. 214), Jones Truck Lines, Inc., now assigned May 9, 1978 at Little Rock, AR, will be held in Room 3406, Federal Building, 700 West Capitol.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-9755 Filed 4-11-78; 8:45 am]

[7035-01]

[Investigation and Suspension Docket No. 8962]

**BULK GRAIN IN BARGELOADS, MIDDLEWEST,
SOUTH AND SOUTHWEST**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Interim Report and Order.

SUMMARY: This interim report establishes a rebuttable presumption that all dry bulk commodities except sugar presently being moved by water carriers have moved prior to that date and are exempt from regulation.

DATES: Petitions for reconsideration or modification by any party with an interest in the subject matter in this proceeding are due 30 days from date of publication in FEDERAL REGISTER.

ADDRESS: Send petitions to: Office of Proceedings, Room 5342, Interstate Commerce Commission, Washington, D.C. 20423.

**FOR FURTHER INFORMATION
CONTACT:**

Deputy Director Rosenak, Section of Rates, Office of Proceedings, Interstate Commerce Commission, Washington, D.C. 20423, phone 202-275-7693.

SUPPLEMENTARY INFORMATION: The 1973 amendments to section 303(b) of the Interstate Commerce Act (49 U.S.C. §903(b)) by Pub. L. 93-201, December 27, 1973, effectively eliminated all dry bulk commodities from regulation. The sole exception to such exemption was the retention in the amended section 303(b) of the so-called custom-of-the-trade provision. In deciding in the prior report and order in this proceeding at 351 ICC 422, whether the proposed cancellation (now effective) of Waterways Freight Bureau, Agent, Tariff No. 7, ICC 10, was justified in light of the amended section 303(b), the Commission, Division 2, adopted a reinterpretation of the custom-of-the-trade provision. This reinterpretation would have exempted any dry bulk commodity susceptible of being handled in the same manner as such commodities were handled on June 1, 1939, (except sugar). In *Association of American Railroads v. United States, et al.*, D.C. Cir., No. 76-1623, decided July 29, 1977, the U.S. Court of Appeals found that Congress in retaining the custom-of-the-trade provision had expressed an affirmative intent to adopt this Commission's long standing interpretation of the provision which precluded any radical change.

Traditional Interpretation of the Custom-of-the-Trade Provision: Only those commodities which were actually moved in bulk by any transportation mode on or before June 1, 1939, were exempt from regulation. Documentation of such pre-June 1, 1939 movements has proved to place an undue and unnecessary burden on parties in proceedings before this Commission.

U.S. Department of Transportation, the Barge Mixing Rule Problem: A Report to the Congress (1973): This two year study found that sugar was the only commodity affected by the

custom-of-the-trade provision and will be considered as creating a rebuttable presumption that all dry bulk commodities except sugar currently susceptible to bulk water carriage have moved in bulk on or before June 1, 1939, and consequently are exempt from our regulation.

Additional commodities: Parties avering the existence of additional post June 1, 1939 commodities which move in substantial quantities on the inland waterways (or new commodities as they are introduced to water carrier transport) will be required to show under the traditional interpretation of the custom-of-the-trade provision as set forth in *A. L. Mechling Barge Lines, Inc., Investigation*, 325 ICC 745, 750 (1965), that such commodity did not move in bulk by any transportation mode on or prior to June 1, 1939, and that such commodity is not merely a substantial similar derivative of or in slightly different form to commodities which did move in bulk on or before that date. Following is the order entered by the Commission.

Any party with an interest in the subject matter of this proceeding may file a petition for reconsideration or modification within 30 days from the date of publication of notice.

This notice was adopted by the Commission on March 9, 1978, Commissioner Murphy concurring.

H. G. HOMME, Jr.
Acting Secretary.

Commissioner Murphy, concurring:

I am in accord with the majority's decision to allow interested parties to comment on the issues herein. That was my position in acting on the petition seeking a finding of general transportation importance. See, the order in I. & S. No. 8962, served June 16, 1976.

The majority's instant proposals would place the burden of proving that a commodity was not exempt prior to June 1, 1939 on a protesting party. But that approach is little more than the prior position soundly rejected by the court. Moreover, I find no such purpose evinced by the Congress when it amended Section 308(b) of the Interstate Commerce Act. If it is intended to deregulate (exempt) the movement of all bulk commodities, except sugar, then the proper avenue is to seek specific legislation or general authority. Cf. Section 207, Pub. L. 94-210.

Since interested persons will now have an opportunity to comment on the proposals herein, I shall reserve my ultimate decision thereon pending my review of those statements.

[FR Doc. 78-9774 Filed 4-11-78; 8:45 am]

[7035-01]

[Exemption Under Provision of Rule 19 of the Mandatory Car Service Rules Ordered in Ex Parte No. 241, Thirty-Ninth Revised Exemption No. 90]

CAR SERVICE ORDERS

To all railroads: *It appearing*, That certain of the railroads named below

own numerous 50-ft. plain boxcars; that under present conditions, there are substantial surpluses of these cars on their lines; that return of these cars to the owners would result in their being stored idle; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of these cars, resulting in unnecessary loss of utilization of such cars; and

It further appearing, That there are substantial shortages of 50-ft. plain boxcars throughout the country; that the carriers identified in this exemption by the symbol () have 150 or more of their ownership of these cars on their lines; and that such a disproportionate use of the total supply of such cars causes shippers served by other lines to be deprived of their proper share of such cars.

It is ordered, That, pursuant to the authority vested in me by Car Service Rule 19, 50-ft. plain boxcars described in the Official Railway Equipment Register, ICC-R.E.R. No. 406, Issued by W. J. Trezise, or successive issues thereof, as having mechanical designation "XM", and bearing reporting marks assigned to the railroads named below, shall be exempt from provisions of Car Service Rules 1, 2(a), and 2(b).

Apalachicola Northern Railroad Co. Reporting Marks: AN.
 Atlanta & Saint Andrews Bay Railway Co. Reporting Marks: ASAB.
 The Baltimore and Ohio Railroad Co. Reporting Marks: BO.
 Bessemer and Lake Erie Railroad Co. Reporting Marks: BLE.
 Camino, Placerville & Lake Tahoe Railroad Co. Reporting Marks: CPLT.
 The Chesapeake and Ohio Railway Co. Reporting Marks: CO-PM.
 Chicago & Illinois Midland Railway Co. Reporting Marks: CIM
 Chicago, Rock Island and Pacific Railroad Co. Reporting Marks: RI-Rock.
 City of Prineville. Reporting Marks: COP.
 The Clarendon and Pittsford Railroad Co. Reporting Marks: CLP.
 Consolidated Rail Corp. Reporting Marks: CR-DLW-EL-ERIE-LV-NH-NYC-P&E-PAE-PC-PCA-PRR-RDG.
 Delaware and Hudson Railway Co. Reporting Marks: DH.
 Duluth, Missabe and Iron Range Railway Co. Reporting Marks: DMIR.
 Florida East Coast Railway Co. Reporting Marks: FEC.
 Grand Trunk Western Railroad Co. Reporting Marks: GTW.
 Greenville and Northern Railway Co. Reporting Marks: GRN.
 Greenwich & Johnsonville Railway Co. Reporting Marks: GJ.
 Lake Erie, Franklin & Clarion Railroad Co. Reporting Marks: LEF.
 Louisville and Wadley Railway Co. Reporting Marks: LW.
 Louisville, New Albany & Corydon Railroad Co. Reporting Marks: LNAC.
 McCloud River Railroad Co. Reporting Marks: MR.
 Middletown and New Jersey Railway Co., Inc. Reporting Marks: MNJ.

Minneapolis, Northfield and Southern Railway. Reporting Marks: MNS.
 Municipality of East Troy, Wis. Reporting Marks: METW.
 New Orleans Public Belt Railroad. Reporting Marks: NOPB.
 Norfolk and Western Railway Co. Reporting Marks: ACY-N&W-NKP-WAB.
 Pearl River Valley Railroad Co. Reporting Marks: PRV.
 Providence and Worcester Co. Reporting Marks: PW.
 Raritan River Rail Road Co. Reporting Marks: RR.
 Sacramento Northern Railway. Reporting Marks: SN.
 St. Johnsbury & Lamoille County Railroad. Reporting Marks: SJL.
 St. Lawrence Railroad. Reporting Marks: NSL.
 Sierra Railroad Co. Reporting Marks: SERRA.
 Terminal Railway, Alabama State Docks. Reporting Marks: TASD.
 Tidewater Southern Railway Co. Reporting Marks: TS.
 Toledo, Peoria & Western Railroad Co. Reporting Marks: TPW.
 WCTU Railway Co. Reporting Marks: WCTR.
 Western Maryland Railway Co. Reporting Marks: WM.
 Western Railway of Alabama. Reporting Marks: WA.
 *Youngstown & Southern Railway Co. Reporting Marks: YS.
 Yreka Western Railroad Co. Reporting Marks: YW.

Effective March 15, 1978, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., March 14, 1978.

INTERSTATE COMMERCE
 COMMISSION
 ROBERT S. TURKINGTON,
Agent.

[FR Doc. 78-9758 Filed 4-11-78; 8:45 am]

[7035-01]

[Notice No. 52]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 30, 1978.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on

*Addition
 Carriers having 150 or more of ownership on line.

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 ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 11207 (Sub-No. 421 TA), filed March 16, 1978. Applicant: DEATON, INC., P.O. Box Birmingham, AL 35201. Applicant's representative: Kim D. Mann, 7101 Wisconsin Avenue, Suite 1010, Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polyethylene products*, (except in bulk), from the facilities of Coastal Bag Co., located at or near Jacksonville, FL, to points in AL, AR, GA, KY, LA, MS, NC, SC, TN, and VA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Coastal Bag Company, 627 North Lane Avenue, Jacksonville, FL 32205. Send protests to: Mabel E. Holston Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 50935 (Sub-No. 15TA), filed February 23, 1978. Applicant: WOLVERINE TRUCKING CO., 949 Ladd Road, Walled Lake, MI 48088. Applicant's representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, MI 48080. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising materials*, from the facilities of Pabst Brewing Co., at Peoria, IL, to Detroit, MI, and points in its commercial zone; Saginaw, MI, and points in its commercial zone; and Toledo, OH, and points in its commercial zone; and from the facili-

ties of Pabst Brewing Co., at Milwaukee, WI, to Toledo, OH, and points in its commercial zone; and (2) *empty malt beverage containers, pallets and rejected shipments of malt beverages*, from Detroit, MI, and points in its commercial zone; Saginaw, MI, and points in its commercial zone; and Toledo, OH, and points in its commercial zone to the facilities of Pabst Brewing Co., at Peoria, IL, and from Toledo, OH, and points in its commercial zone to the facilities of Pabst Brewing Co., at Milwaukee, WI, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Pabst Brewing Co., 917 West Juneau Avenue, Milwaukee, WI 53201 (R. A. Trampe, General Traffic Manager); (2) City Beverage Co., 1020 Doris Road, Pontiac, MI 48057 (G. Dave Anderson, Sales Manager); (3) Becker Distributing Co., Inc., 1543 Veterans Memorial Highway, Saginaw, MI 48606 (William R. Becker, Secretary-Treasurer). Send protests to: Timothy S. Quinn, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 604 Federal Building and U.S. Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226.

No. MC 52704 (Sub-No. 165TA), filed March 15, 1978. Applicant: GLENN McCLENDON TRUCKING CO., INC., P.O. Drawer "H", Opelika Hwy, Lafayette, AL 36862. Applicant's representative: Archie B. Culbreth, 2200 Century Parkway, Suite 202, Atlanta, GA 30345. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Eden, NC, to points in AL, FL, GA, SC, TN, and KY, and (2) *materials, supplies and equipment* used in the manufacture, sale, and distribution of malt beverages, and used malt beverage containers, from points in AL, FL, GA, SC, TN, and KY, to Eden, NC, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Miller Brewing Co., 3939 West Highland Boulevard, Milwaukee, WI 53208. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 60430 (Sub-No. 27TA), filed February 21, 1978. Applicant: FRIEDMAN'S EXPRESS, INC., P.O. Box 480, Wilkes-Barre (Dorance), PA 18703. Applicant's representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household

goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Doylestown, PA, and Riegelsville, NJ, serving all intermediate points, and the off-route points of Stockton and Milford, NJ, and those within 5 miles of Doylestown, PA: From Doylestown over U.S. Hwy 202 to New Hope, PA, then over PA Hwy 32 to Riegelsville, PA, and then across the Delaware River to Riegelsville, NJ, and return over the same route. Between Philadelphia, PA, and Riegelsville, PA, serving all intermediate points between Doylestown and Riegelsville, PA, including Doylestown, and the off-route points within 5 miles of Doylestown, and those in PA within 3 miles of U.S. Hwy 611 between Doylestown and Riegelsville, PA: From Philadelphia over U.S. HWY 611 to Riegelsville, and return over the same route. Also over alternate routes in connection with carrier's present authority in MC 60430, as follows: Over U.S. Route 22 from Philipsburg and Newark, NJ, to the junction of NJ, Route 31, then south on Route 31 to the junction with U.S. Route 202, then across the Delaware River Bridge near Lambertville, NJ, to the junction of U.S. Routes 202 and 611 near Doylestown, PA, then south on U.S. Route 611 to Philadelphia, PA, and return over the same routes, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (65) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 314 U.S. Post Office Building, Scranton, PA 18503.

No. MC 105007 (Sub-No. 41TA), filed March 16, 1978. Applicant: MATSON TRUCK LINES, INC., P.O. Box 328, 1407 St. John, Albert Lea, MN 56007. Applicant's representative: Robert S. Lee, 1000 First National Bank Building, Minneapolis, MN 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meats and packinghouse products*, from Albert Lea, MN, to MS and LA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Wilson Foods Corp. 4545 Lincoln Boulevard, Oklahoma City, OK 73105. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Courthouse, 110 South 4th Street, Minneapolis, MN 55401

No. MC 106398 (Sub-No. 797TA), filed March 15, 1978. Applicant: NA-

TIONAL TRAILER CONVOY, INC., 525 South Main, P.O. Box 3329, Tulsa, OK 74103. Applicant's representative: Irvin Tull, 525 South Main, Tulsa, OK 74103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard and/or composition board*, from the facilities of Allied International, Inc., at Burns Harbor, IN, to all points in AR, IL, IA, KS, KY, MI, MN, MS, MO, NE, NY, OH, OK, PA, TN and WI, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Allied International, Inc., P.O. Box 56, Charlestown, MS 02129. Send protests to: Connie Stanley, Transportation Assistant, Room 240 Old Post Office and Courthouse Building, 215 NW., 3rd, Oklahoma City, OK 73102.

No. MC 107515 (Sub-No. 1130TA), filed March 17, 1978. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road, SE., P.O. Box 308, Forest Park, GA 30050. Applicant's representative: Bruce E. Mitchell, 3379 Peachtree Road NE., Suite 375, Atlanta, GA 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Drugs, medicines, toilet preparations*; (2) *compounds, weed killing*; (3) *feed supplements, animal or poultry*; (4) *printed advertising material*; and (5) *fungicides*, from the facilities of Eli Lilly & Co., at or near Indianapolis, Lafayette, and Clinton, IN, to Memphis, TN, Atlanta, GA, and Raleigh, NC, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Eli Lilly & Co., 5944 Peachtree Corners East, Norcross, GA 30091. Send protests to: Sara K. Davis, Transportation Assistant, Interstate Commerce Commission, 1252 West Peachtree Street NW., Room 300, Atlanta, GA 30309

No. MC 110878 (Sub-No. 38TA), filed March 16, 1978. Applicant: ARGO TRUCKING COMPANY, INC., P.O. Box 55, Lower Heard Street, Elberton, GA 30635. Applicant's representative: Frank D. Hall, 3384 Peachtree Road NE., Suite 713, Atlanta, GA 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Granite and marble*, between Elberton, GA, and points within 15 miles thereof, and Tate, GA, and points within 20 miles thereof, on the one hand, and, on the other, Savannah, GA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (11) 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: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 West Peachtree Street NW., Room 300, Atlanta, GA 30309.

No. MC 118159 (Sub-No. 254TA), filed March 16, 1978. Applicant: NATIONAL REFRIGERATED TRANSPORT, INC., P.O. Box 51366, Dawson Station, Tulsa, OK 74151. Applicant's representative: Warren Taylor, P.O. Box 51366, Dawson Station, Tulsa, OK 74151. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Candy or confectionery, from the facilities of Peter Paul, Inc., at or near Frankfort, IN, to points in AR and TX, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Peter Paul, Inc., Box 669, Frankfort, IN 46041. Send protests to: Connie Stanley, Transportation Assistant, Room 240, Old Post Office and Courthouse Building, 215 NW., 3rd, Oklahoma City, OK 73102.

No. MC 127478 (Sub-No. 7TA), filed March 17, 1978. Applicant: WILLIAM M. HAYES, d.b.a. HAYES TRUCKING CO., P.O. Box 31, Winterville, GA 30683. Applicant's representative: Virgil H. Smith, 1587 Phoenix Boulevard, Suite 12, Atlanta, GA 30349. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs, from the facilities of CFS Continental Inc., at Chicago, IL, to Atlanta and Macon, GA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): CFS Continental Inc., 2550 North Clyburn Avenue, Chicago, IL 60614. Send protests to: Sara K. Davis, Transportation Assistant, Interstate Commerce Commission, 1252 Peachtree Street NW., Room 300, Atlanta, GA 30309.

No. MC 134300 (Sub-No. 19TA), filed March 16, 1978. Applicant: TRIPLE R EXPRESS, INC., 498 First Street SW., P.O. Box 12866, New Brighton, MN 55112. Applicant's representative: Samuel Rubenstein, 301 North Third Street, Minneapolis, MN 55403. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foodstuffs and commodities, which are otherwise exempt under section 203(b)(6) of the Interstate Commerce Act, in the same vehicle with frozen foodstuffs, from Syracuse, NY, to points in MI, OH, and PA, for 180 days. Supporting shipper(s): Empire Freezers of Syracuse, Inc., Box 4892, Syracuse, NY 13221. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building

and U.S. Courthouse, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 134300 (Sub-No. 20TA), filed March 17, 1978. Applicant: TRIPLE R EXPRESS, P.O. Box 12866, 498 First Street SW., New Brighton, MN 55112. Applicant's representative: Samuel Rubenstein, 310 North Third Street, Minneapolis, MN 55403. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses, as described in sections A, B, and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (except hides and commodities in bulk), from Mason City, IA, and its commercial zone, to points in WV, VA, PA (except Erie), CT, MA, VT, NH, and NY (except Buffalo), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Armour Food Co., Phoenix, AZ. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building, U.S. Courthouse, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 135684 (Sub-No. 69TA), filed March 17, 1978. Applicant: BASS TRANSPORTATION CO., INC., P.O. Box 391, Old Croton Road, Flemington, NJ 08822. Applicant's representative: Herbert A. Dubin, 1320 Fenwick Lane, Silver Spring, MD 20910. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, from Battle Creek, MI, Lancaster and Sharonville, OH, to plantsites and storage facilities of Ralston Purina Co. at or near Dunkirk, NY, and Mechanicsburg, PA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Ralston Purina Co., Checkerboard Square, St. Louis, MO 63188. Send protests to: District Supervisor, Interstate Commerce Commission, 428 East State Street, Room 204 Trenton, NJ 08608.

No. MC 135797 (Sub-No. 102TA), filed February 17, 1978. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, U.S. Hwy 71, Lowell, AR 72745. Applicant's representative: Paul A. Maestri, P.O. Box 200, Lowell, AR 72745. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting:

(1) Trash or refuse collection bins, collection boxes for deposit of clothing and other reusable commodities, stoves or fireplaces, chimney assemblies and spark arresters, hearths, and other equipment and supplies used in the in-

stallation or use thereof, in containers or on pallets, from the facilities of Chinook Manufacturing Co., Inc., Santa Cruz, CA, to points in the United States (except AK and HI), and

(2) Machinery, materials, equipment, and supplies used in or in connection with the manufacture, distribution, application, or use of the commodities named in (1) above (except liquids in bulk), between points in the United States (except AK and HI), on the one hand, and, on the other, the facilities of Chinook Manufacturing Co., Inc., Santa Cruz, CA, for 180 days. Supporting shipper(s): Chinook Manufacturing Co., Inc., 1100 Fair Avenue, Santa Cruz, CA 95060. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Building, 700 West Capitol, Little Rock, AR 72201.

No. MC 138328 (Sub-No. 62TA), filed March 15, 1978. Applicant: CLARENCE L. WERNER d.b.a. WERNER ENTERPRISES, I-80 and Hwy 50, P.O. Box 37308, Omaha, NE 68137. Applicant's Representative: Donna Ehrlich (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Metal farm buildings, knocked down or in sections, and materials, equipment, and supplies used in the installation and sale of metal farm buildings, from the facilities of the Ceco Corp. at Broadview, IL, to points in CO, IN, IA, KS, MS, MN, MO, MT, NE, ND, OH, PA, SD, WI, and WY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): D. R. D'Argento, Traffic Manager, The Ceco Corp., 5601 West 26th Street, Chicago, IL 60650. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th Street, Omaha, NE 68102.

No. MC 138882 (Sub-No. 55TA), filed March 16, 1978. Applicant: WILEY SANDERS, INC., P.O. Drawer 707, Troy, AL 36081. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Rotary cut lumber (veneer), from the facilities of Capital Veneer Works, Inc., located at Montgomery, AL, to points in NY, VT, MD, SC, NC, GA, FL, TN, KY, OH, MS, AZ, UT, CO, CA, AR, IN, IL, MO, and IA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Capital Veneer Works, Inc., P.O. Box 3145, Montgomery, AL 36109. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 138882 (Sub-No. 56TA), filed March 16, 1978. Applicant: WILEY SANDERS, INC., P.O. Drawer 707, Troy, AL 36081. Applicant's representative: George A. Olsen, Transportation Consultant, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials*, from the facilities of Pabst Brewing Co. at Pabst (Houston County), GA, to points in IL, IN, OH, and MS, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Pabst Brewing Co., GA Hwy 247 Spur, Pabst, GA 31069. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 138882 (Sub-No. 57TA), filed March 16, 1978. Applicant: WILEY SANDERS, INC., P.O. Drawer 707, Troy, AL 36081. Applicant's representative: George A. Olsen, Transportation Consultant, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from Heinz USA, Division of H. J. Heinz Co., Pittsburgh, PA, to KY, GA, AL, LA, NC, SC, FL, MS, and TN, and from Heinz USA, Division of H. J. Heinz Co., Fremont, OH, to FL, NC, SC, GA, TN, MS, AL, and LA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): H. J. Heinz Co., P.O. Box 57, Pittsburgh, PA 15230. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 138882 (Sub-No. 58TA), filed March 16, 1978. Applicant: WILEY SANDERS, INC., P.O. Drawer 707, Troy, AL 36081. Applicant's representative: George Olsen, Transportation Consultant, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floor, wall, and ceiling tile*, from the facilities of Summitville Tiles, Inc., located at Summitville and Minerva, OH, to the facilities of Robert F. Henry Tile Co., Inc., located at Birmingham and Montgomery, AL, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Robert F. Henry Tile Co., P.O. Box 2230, Montgomery, AL 36103. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room

1616, 2121 Building, Birmingham, AL 35203.

No. MC 144202TA, filed January 16, 1978. Applicant: COOK & SONS, INC., P.O. Box 21, Newsoms, VA 23874. Applicant's representative: Blair P. Wakefield, Suite 1001, First and Merchants Bank Building, Norfolk, VA 23510. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(A) *Liquid fertilizer and liquid fertilizer materials*, in bulk, in tank vehicles, from Wilmington and Mount Olive, NC, to points in VA located on and East of U.S. Hwy No. 29;

(B) *Liquid fertilizer and liquid fertilizer materials*, in bulk, in tank vehicles, from Norfolk, Portsmouth, and Chesapeake, VA, to Snow Hill and Salisbury, MD;

(C) (1) *Liquid fertilizer and liquid fertilizer materials*, in bulk, in tank vehicles, and

(2) *Fertilizer and fertilizer materials*, in bulk and in bags, between points in VA East of U.S. Hwy 29 and in NC North of U.S. Hwy 70, for 180 days. Supporting shippers: There are approximately nine (9) statements of support attached to the application which may be examined at the field office named below. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10 502 Federal Building, 400 North Eighth Street, Richmond, VA 23240.

No. MC 144318TA, filed February 17, 1978. Applicant: KEITH PADDOCK & SONS, INC., Route 17 and 36, Jasper, NY 14855. Applicant's representative: S. Michael Richards, Raymond A. Richards, 44 North Avenue, P.O. Box 225, Webster, NY 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(1) *Feed and feed ingredients*, from the facilities of Agway, Inc., Feed Division at Kennedy, NY, to points in Bradford, Clinton, Columbia, Lycoming, Potter, Sullivan, and Tioga Counties, PA, and

(2) *Dry fertilizer and dry fertilizer materials*, from the facilities of Agway, Inc., Fertilizer-Chemical Division, at Big Flats, NY, to points in Bradford, Clinton, Columbia, Lycoming, Potter, Sullivan, and Tioga Counties, PA, and

(3) *Feed*, from the facilities of Agway, Inc., Feed Division at Erwins, NY, to points in Bradford, Potter, and Tioga Counties, PA, for 180 days. The purpose of this application is to convert the applicant's existing contract carrier authority to that of common carrier authority. Applicant presently holds authority as a contract carrier in Permits MC 136560 (Sub-Nos. 2, 3, and 4) to transport the following. Support-

ing shipper(s): Agway, Inc., P.O. Box 4933, Syracuse, NY 13221. Sent protests to: Interstate Commerce Commission, U.S. Courthouse and Federal Building, 100 South Clinton Street, Room 1259, Syracuse, NY 13260.

No. MC 144318 (Sub-No. 1TA), filed March 16, 1978. Applicant: KEITH PADDOCK & SONS, INC., Routes 17 and 36, Jasper, NY 14855. Applicant's representative: S. Michael Richards, Raymond A. Richards, 44 North Avenue, P.O. Box 225, Webster, NY 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and feed ingredients and animal health and sanitation products*, from Lewisburg, PA, to all points in the NY Counties of Allegany, Albany, Broome, Cattaraugus, Cayuga, Chemung, Chenango, Cortland, Delaware, Erie, Fulton, Genesee, Greene, Livingston, Madison, Montgomery, Oneida, Ontario, Onondaga, Oswego, Otsego, Schoharie, Schuyler, Seneca, Steuben, Sullivan, Tioga, Tompkins, Ulster, Wayne, Wyoming, and Yates, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Ralston-Purina Co. P.O. Box 248, Camp Hill, PA 17011. Send protests to: Interstate Commerce Commission, U.S. Courthouse and Federal Building, 100 South Clinton Street, Room 1259, Syracuse, NY 13260.

No. MC 144440 TA, filed March 17, 1978. Applicant: RICHARD D. DOMBACH, 58 South Duke Street, Millersville, PA 17551. Applicant's representative: May and May, John W. Metzger, 48 North Duke Street, Lancaster, PA 17602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt sealing coatings of a non-flammable nature, packaged and in 30 and 55 gallon drums*, from Baltimore, MD, to the facilities of Hen Breneman in or near Lancaster, PA, under a continuing contract, or contracts, with Hen Breneman, for 180 days. Supporting shipper(s): Hen Breneman, 853 South Prince Street, Lancaster, PA 17603. Send protests to: Charles F. Myers, District Supervisor, Interstate Commerce Commission, P.O. Box 869, Federal Square Station, Harrisburg, PA 17108.

No. MC 144444 TA, filed March 17, 1978. Applicant: ROBERTO HERMANDEZ, d.b.a. R. H. TRANSFER, 310 NW. Bolivar, Miami, FL 33126. Applicant's representative: John P. Bond, 2766 Douglas Road, Miami, FL 33133. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (except commodities which because of size or weight require special equipment,

Classes A and B explosives, commodities in vehicles with mechanical refrigeration, household goods as defined by the Commission, and commodities in bulk), between points in the Miami, FL, commercial zone. All shipments having a prior or subsequent movement by water, for 180 days. There is no environmental impact involved in this application. Supporting shipper(s): There are approximately (5) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. Send protests to: Donna M. Jones, Transportation Assistant, Interstate Commerce Commission, Montetrey Building, Suite 101, 8410 NW. 53rd Terrace, Miami, FL 33166.

No. MC 144446 TA, filed March 13, 1978. Applicant: PRODUCER'S SERVICE, INC., 68 East Church Street, Xenia, OH 45385. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic products*, from the shipper's facilities located in German Township, Clark County, OH, to points in the United States, (except AK and HI); and (2) *equipment, materials and supplies* used in the manufacture of plastic products, from points in the United States, (except AK and HI), to the facilities of the supporting shippers, under a continuing contract, or contracts, with Tech II, Inc., and Encon, Inc., for 180 days. Supporting shipper(s): (1) Tech II, Inc., Gerald A. Shiffer, President, P.O. Box 1468, Springfield, OH 45501. (2) Encon, Inc., David Hockaday, Plant Manager, P.O. Box 1342, Springfield, OH 45501. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514-B Federal Building, 550 Main Street, Cincinnati, OH 45202.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-9759 Filed 4-11-78; 8:45 am]

[7035-01]

[Notice No. 53]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 29, 1978.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application

may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, DC, and also in the ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 297 (Sub-No. 8TA), filed March 16, 1978. Applicant: WOODLAND TRUCK LINE, INC., 635 Park Street, P.O. Box 87, Woodland, WA 98674. Applicant's representative: Lawrence V. Smart, Jr., 419 NW 23rd Avenue, Portland, OR 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Doors*, from the facilities of Simpson Timber Co. at Vancouver, WA, to Salem, Eugene, Grants Pass, Roseburg, Medford, Klamath Falls, and Bend, OR, and their commercial zones, (2) *door components*, from White City and Medford, OR, to Vancouver and Longview, WA, and their commercial zones, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Simpson Timber Co., 3261 NW. Lower River Road, Vancouver, WA 98660. Down River Forest Products, Inc., 1497 Down River Drive, Woodland, WA 98674. Send protests to: R. V. Dubay, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, OR 97204.

No. MC 45163 (Sub-No. 11TA), filed March 7, 1978. Applicant: CARL J. EDDY, dba. CARL J. EDDY TRUCKING, Rural Route 1, Independence, IA 50644. Applicant's representative:

James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Waterloo, IA, to Charles City, IA, restricted to the transportation of shipments having a prior movement by rail in other than TOFC service, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): White Farm Equipment Co., 300 Lawler Street, Charles City, IA 50616. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 Federal Building, Des Moines, IA 50309.

No. MC 56244 (Sub-No. 56TA), filed March 9, 1978. Applicant: KUHN TRANSPORTATION CO., INC., P.O. Box 98, R.F.D. No. 2, Gardner, PA 17324. Applicant's representative: John M. Musselman, Thoads, Sinon & Henderson, P.O. Box 1146, Harrisburg, PA 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by lawn and garden care centers*, (except commodities in bulk), from the facilities of O. M. Scott & Sons Co. at or near Marysville, and Columbus, OH, to points in DE, MD, NJ, PA and Washington, D.C., for 180 days. Supporting shipper(s): O. M. Scott & Sons Co., Marysville, OH 43040. Send protests to: Charles F. Myers, District Supervisor, Interstate Commerce Commission, P.O. Box 869, Federal Square Station, 228 Walnut Street, Harrisburg, PA 17108.

No. MC 67450 (Sub-No. 67TA), filed March 8, 1978. Applicant: PETERLIN CARTAGE CO., 9651 South Ewing Avenue, Chicago, IL 60617. Applicant's representative: Joseph Winter, 33 North LaSalle Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Newsprint paper and groundwood paper*, from the facilities of Bowater Southern Paper Corp. at or near Calhoun, TN, to points in IL and IN and Adrian, Borne City and Niles, MI, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Bowater Southern Paper Corp., George C. Lessig, Assistant Transportation and Distribution Manager, Calhoun, TN 37309. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett KcKinley Dirksen Building, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

No. MC 86247 (Sub-No. 11TA), filed March 3, 1978. Applicant: I.C.L. INTERNATIONAL CARRIERS LTD.,

1333 College Avenue, Windsor, Ontario, Canada. Applicant's representative: Joseph P. Allen, 7701 West Jefferson, Detroit, MI 48209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magnesite and high temperature bonding mortar* (in bulk, in dump vehicles, and magnesite and high temperature bonding mortar in packages), from the facilities of the Martin Marietta Chemicals, Manistee, MI, to the international boundary between the United States and Canada, at Detroit and Port Huron, MI, restricted to foreign traffic, destined to various points in Ontario, Canada, for 180 days. Applicant intends to track with their MC 86247 authority. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (4) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. Send protests to: Timothy S. Quinn, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 604 Federal Building and U.S. Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226.

No. MC 109154 (Sub-No. 11TA), filed March 3, 1978. Applicant: BAYLOR TRUCKING, INC., Rural Route 1, Milan, IN 47031. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Building, Indianapolis, IN 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by manufacturers of fasteners, staples, nails, and pneumatic tool* (except commodities in bulk), between the facilities of Senco Puoducts, Inc., at or near Cincinnati, OH, on the one hand, and, on the other, AZ, CA, ID, MT, NV, NM, OR, UT, WA, and WY, for 180 days. Supporting shipper(s): Senco Products, Inc., 8485 Broadwell Road, Cincinnati, OH. Send protests to: Beverly J. Williams, Transportation Assistant, Interstate Commerce Commission, Federal Building and U.S. Courthouse, 46 East Ohio Street, Room 429, Indianapolis, IN 46204.

No. MC 109397 (Sub-No. 402TA), filed March 10, 1978. Applicant: TRISTATE MOTOR TRANSIT CO., P.O. Box 113, East on Interstate Business Route 44, Joplin, MO 64801. Applicant's representative: Max G. Morgan, 223 Ciudad Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent fuel elements and radioactive material handling containers*, from the Florida Power & Light Co.'s Turkey Point Nuclear Power Plant,

Dade County, FL, to Battelle's Columbus Laboratories, West Jefferson, OH, with return of the radioactive material handling container, from Battelle to Turkey Point, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): United States Department of Energy, Property Management Division, Nevada Operations Office. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 600 Federal Office Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 111201 (Sub-No. 28TA), filed January 12, 1978. Applicant: J. N. ZELNER & SON TRANSFER CO., P.O. Box 91247, East Point, GA 30364. Applicant's representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic containers*, restricted to movement in special 45 foot swingdoor trailers with rear door opening and inside height of 110% inches, between the facilities of Sewell Plastics, Inc., located at or near Atlanta, GA, Arlington, TX, Charlotte, NC, Collierville, TN, Havre de Grace, MD, Hollywood, FL, Kansas City, KS, Jackson, MS, Orlando, FL, and Reserve, LA, and from such facilities of Sewell Plastics, Inc., to points in AL, AR, FL, GA, KY, LA, MS, MO, NC, OK, SC, TN, TX, VA, WV, and DC. (2) *Plastic preforms or plastic base cups for plastic containers* from the facilities of Sewell Plastics, Inc., located at or near Atlanta, GA, the plantsite and facilities of Coats & Clark, Inc., at or near Seneca, SC, and the facilities of Southeastern Kusan, Inc., at or near Greenville, SC, to the facilities of Sewell Plastics, Inc., located at or near Atlanta, GA, Arlington, TX, Charlotte, NC, Collierville, TN, Havre de Grace, MD, Hollywood, FL, Kansas City, KS, Jackson, MS, Orlando, FL, and Reserve, LA. (3) *Materials, equipment, and supplies* used in the manufacture and distribution of plastic containers or parts therefor (except commodities in bulk), from points in the destination states named in (1) above to the facilities of Sewell Plastics, Inc., located at or near Atlanta, GA, Arlington, TX, Charlotte, NC, Collierville, TN, Havre de Grace, MD, Hollywood, FL, Kansas City, KS, Jackson, MS, Orlando, FL, and Reserve, LA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Sewell Plastics, Inc., 5111 Phillip Lee Drive, Atlanta, GA 30336. Send protests to: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 Peachtree Street NW., Room 300, Atlanta, GA 30309.

No. MC 111828 (Sub-No. 8TA), filed March 3, 1978. Applicant: GERHARD FETTES, d.b.a. FETTES MOTOR FREIGHT, P.O. Box 1247, 315 15th Street South, Fargo, ND 58102. Applicant's representative: Mike Miller, P.O. Box 1897, Fargo, ND 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined in 49 CFR 1056.1, (1) between points in ND, on the one hand, and, on the other, points in SD, MN, IA, WI, IL, and IN, (2) between points in SD, on the one hand, and, on the other, points in ND, MN, IA, WI, IL, and IN, and (3) between points in MN within 50 miles of Moorhead, MN, on the one hand, and, on the other, points in IA, WI, IL, and IN, (4) between points in MN, within 50 miles of New York Mills, MN, on the one hand, and, on the other, points in IA, WI, IL, and IN, (5) between points in MN within 75 miles of Breckenridge, MN, on the one hand, and, on the other, points in IA, WI, IL, and IN, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (6) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. Send protests to: Ronald R. Mau, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 268, Federal Building and U.S. Post Office, 657 2nd Avenue North, Fargo, ND 58102.

No. MC 118318 (Sub-No. 33TA), filed March 8, 1978. Applicant: IDA-CAL FREIGHT LINES, INC., P.O. Drawer M, 419 West Karcher Road, Nampa, ID 83651. Applicant's representative: Timothy R. Stivers, P.O. Box 162, Boise, ID 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in mechanically refrigerated equipment, from the facilities of Kraft, Inc., at Pocatello, ID, to points in AZ, for 180 days. Carrier does not intend to tack or interline authority. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Kraft, Inc., 500 Peshtigo Court, Chicago, IL 60690. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Suite 110, 1471 Shoreline Drive, Boise, ID 83706.

No. MC 118989 (Sub-No. 183TA), filed March 10, 1978. Applicant: CONTAINER TRANSIT, INC., 5223 South 9th Street, Milwaukee, WI 53221. Applicant's representative: Rolland K. Draves (same address as applicant). Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Plastic and/or steel pails*, from the facilities of Vulcan Containers, Inc., at or near Addison and West Chicago, IL, to Elizabethtown, KY; Lansing, MI; Buffalo, NY, and Cleveland, OH, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Vulcan Containers, Inc., 1700 Western Drive, West Chicago, IL 60185. (Jack Knudson.) Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, WI 53202.

No. MC119384 (Sub-No. 30TA), filed March 6, 1978. Applicant: MORTON TRUCK LINES, INC., 101 West Willis Avenue, Perry, IA 50220. Applicant's representative: Robert R. Rydell, 1014 Savings and Loan Building, Des Moines, IA 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products and meat by-products and articles distributed by meat packinghouses and such commodities* as are used by meat packers in the conduct of their business as defined in Appendix I, sections A, C, and D to the Commission's report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766, (except hides and commodities in bulk, in tank vehicles), (2) *foodstuffs* when in a mixed load with commodities described in (1) above, from the facilities of Oscar Mayer & Co., Inc., at Madison, WI, to Chicago, IL, Commercial Zone, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Oscar Mayer & Co., Inc., P.O. Box 7188, Madison, WI 53707. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 Federal Building, Des Moines, IA 50309.

No. MC 120427 (Sub-No. 13TA), filed March 1, 1978. Applicant: WILLIAMS TRANSFER, INC., P.O. Box 488, 2128 East Hwy 30, Grand Island, NE 68801. Applicant's representative: John K. Walker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain storage, drying and handling equipment, iron or steel articles, K. D. steel buildings*, items used in the manufacture of steel buildings, grain storage, drying and handling equipment, between Grand Island, NE, Webster City, IA; Crawfordsville, IN, and Greenville, MS; on the one hand, and on the other, points in the States of AL, AR, CO, GA, ID, IL, IN, IA, NE, KS, KY, LA, MI, MN, MS, MO, MT,

NY, ND, OH, OK, PA, SD, TN, TX, WI, and WY, for 180 days. Supporting shipper(s): W. E. Van Wyhe, Manager Central Division, Modern Farm Systems, Inc., 1811 West 2d Street, Webster City, IA 50595. Send protests to: Max H. Johnston District Supervisor, 285 Federal Building and Court House, 100 Centennial Mall North, Lincoln, NE 68508.

No. MC 120427 (Sub-No. 15TA), filed March 7, 1978. Applicant: WILLIAMS TRANSFER, INC., P.O. Box 488, 2128 East Hwy 30, Grand Island, NE 68801. Applicant's representative: John K. Walker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Irrigation pipe and irrigation systems, iron and steel articles*, items used in the manufacture and production of irrigation pipe and systems, between Grand Island, NE, on the one hand, and, on the other, points in AR, MN, ID, OR, WI, MI, MO, CO, WY, OH, IN, SD, KY, IA, IL, and MO, for 180 days. Supporting shipper(s): Gerlad L. Richards General Traffic Manager, Heinzman Manufacturing Co., West Hwy 30, Grand Island, NE 68801. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Building and Court House, 100 Centennial Mall North, Lincoln, NE 68508.

No. MC 123255 (Sub-No. 142TA), filed March 10, 1978. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Avenue, Newark, OH 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and container accessories and materials, equipment, and supplies* used in the manufacture and distribution of containers and container accessories, from the facilities of Brockway Glass Co., Inc., at Madison County, IN, to points in NC and VA, for 180 days. Supporting shipper(s): Brockway Glass Co., Inc., McCullough Avenue, Brockway, PA 15824. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, 220 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, OH 43215.

No. MC 125368 (Sub-No. 29TA), filed March 10, 1978. Applicant: CONTINENTAL COAST TRUCKING CO., INC., P.O. Box 26, Holly Ridge, NC 28445. Applicant's representative: C. W. Fletcher, P.O. Box 26, Holly Ridge, NC 28445. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, between the plantsite of Campbell Soup Co., Napoleon, OH, on the one hand, and, on the other, points IL, IN, KY, MI, NJ, NY, NC, PA, VA, and WV, for 180 days. Sup-

porting shipper(s): Campbell Soup Co., East Maumee Avenue, Napoleon, OH 43545. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, 624 Federal Building, 310 New Bern Avenue, P.O. Box 26896, Raleigh, NC 27611.

No. MC 127840 (Sub-No. 56TA), (amendment), Applicant: MONTGOMERY TANK LINES, INC., 17550 Fritz Drive, P.O. Box 382, Lansing, IL 60438. Applicant's representative: William H. Towle, 180 North LaSalle Street, Chicago, IL 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible lard*, in bulk, from Austin, MN, to Kansas City, MO for 180 days. Supporting shipper: Geo. A. Hormel & Co., Mark E. Matthews, Supervisor, Motor Carrier Services, P.O. Box 800, Austin, MN 55912. By order dated March 27, 1978, Division 2, acting as an Appellate Division, granted applicant's petition to reflect Kansas City, MO as the destination point in lieu of Kansas City, KS, as originally published in the FEDERAL REGISTER on October 25, 1977. Any interested party may file a petition for reconsideration within 30 days from the date this notice is published. Send petitions for reconsideration to: The Secretary, Interstate Commerce Commission, Washington, DC 20423.

No. MC 128633 (Sub-No. 17TA), filed March 10, 1978. Applicant: LAUREL HILL TRUCKING CO., 614 New County Road, Secaucus NJ 07094. Applicant's representative: Wm. J. Augello, P.O. Box Z, Huntington, NY 11743. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by department stores, from Boston, MA; Charlotte, NC, and Baltimore, MD, to Cleveland, OH, under a continuing contract, or contracts, with the May Co., Cleveland, OH, for 180 days. Supporting shipper(s): The May Co., 158218 Euclid Avenue, Cleveland, OH 44114. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Room 618, Newark, NJ 07102.

No. MC 134477 (Sub-No. 221TA), filed March 6, 1978. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouse*, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (except hides and com-

modities in bulk), from Emporia, KS, and its commercial zone to points in CT, DE, DC, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA, and WV, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Iowa Beef Processors, Inc., Dakota City, NE 68731. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Courthouse, 110 South 4th Street, Minneapolis, MN 55401.

No. MC 135797 (Sub-No. 104TA), filed March 6, 1978. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, U.S. Hwy 71, Lowell, AR 72745. Applicant's representative: Paul A. Maestri, P.O. Box 200, Lowell, AR 72745. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fireplace logs, extruded sawdust and paraffin combined* (except in bulk), from Lowell, AR, to points in AL, GA, IL, IN, KY, LA, MS, MO, OK, and TN, for 180 days. Supporting shipper: Durafume, Inc., Box 49, Stockton, CA 95201. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Building, 700 West Capitol, Little Rock, AR 72201.

No. MC 135874 (Sub-No. 102TA), filed March 8, 1978. Applicant: LTL PERISHABLES, INC., 550 East 5th Street South, South St. Paul, MN 55075. Applicant's representative: K. O. Petrick, 550 East 5th Street South, South St. Paul, MN 55075. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from LaPorte, IN, and its commercial zone to points in IA, KS, MN, MO, NE, ND, SD, and WI, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: American Home Foods, 685 Third Avenue, New York, NY 10017. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building, 110 South 4th Street, U.S. Courthouse, Minneapolis, MN 55401.

No. MC 135982 (Sub-No. 19TA), filed March 3, 1978. Applicant: S. L. HARRIS, d.b.a. P.B.I. P.O. Box 7130, Longview, TX 75601. Applicant's representative: Bernard H. English, 6270 Fifth Road, Fort Worth, TX 76116; Don Harris, P.O. Box 7130, Longview, TX 75601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(1) *Malt beverages and related advertising materials*, from Eden NC., to points in AL, FL, GA, KY, SC, LA, MS, TN, and TX, and

(2) *Materials, supplies, and equipment* used in the manufacture, sale,

and distribution of malt beverages, and returned empty malt beverage containers (except commodities in bulk), from points in AL, FL, GA, KY, SC, LA, MS, TN and TX, to Eden, NC.

(3) *Malt beverages and related advertising materials*, between Eden, NC, and Forth Worth, TX, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Miller Brewing Co., Milwaukee, WI 53208. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce Street, Room 13C12, Dallas, TX 75242.

No. MC 139206 (Sub-No. 19TA), filed March 2, 1978. Applicant: F.M.S. TRANSPORTATION, INC., 2564 Harley Drive, Box 1597, Maryland Heights, MO 63043. Applicant's representative: E. Stephen Heisley, 6666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel storage buildings, shelving and aluminum products*, (2) *materials, equipment and supplies* used in the manufacture or sale of the commodities in above, (except commodities in bulk), between the facilities of Arrow Group Industries, Inc., at or near Breese, IL, on the one hand, and on the other, points in the United States, (except AK and HI), under a continuing contract, or contracts, with Arrow Group Industries, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Arrow Group Industries, Inc., 100 Alexander Avenue, Pompton Plains, NJ 07444. Send protests to: Peter E. Binder, District Supervisor, Interstate Commerce Commission, 210 N. 12th Street, Room 1465, St. Louis, MO 63101.

No. MC 139273 (Sub-No. 2TA), filed March 6, 1978. Applicant: KINGS COUNTY TRUCK LINES, P.O. Box 1016, 754 South Blackstone, Tulare, CA 93274. Applicant's representative: Jack W. Ellingson, P.O. Box 1016, Tulare, CA 93274. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream, including ice cream mix, ice milk, water ice, sherbet and advertising materials*, from the facilities of Dreyer's Grand Ice Cream, Inc., located at or near San Leandro and Sacramento, CA, to Carson City, Reno and Sparks, NV, under a continuing contract, or contracts, with Dreyer's Grand Ice Cream, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Dreyer's Grand Ice Cream, Inc., 5929 College Avenue, Oakland, CA 94618. Send protests to: Walter W.

Strakosch District Supervisor, Interstate Commerce Commission, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 140421 (Sub-No. 18TA), filed March 3, 1978. Applicant: ACTION MOTOR EXPRESS, INC., 8307 Almonaster Avenue, P.O. Box 29102, New Orleans, LA 70189. Applicant's representative: Sandra H. Roberson, P.O. Box 29102, New Orleans, LA 70189. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Empty fibre drums and components*, from Van Wert, OH, to points in LA, TN, AR, MS, AL, and VA; (2) *materials and supplies* used in the manufacture of fibre drums, in LA, TN, AR, MS, AL, VA, WV, KY, IL, IN, and PA, to Van Wert, OH; (3) *paper and paper articles*, from Hodge, LA, to TN, LA, KY, OH, IN, IL and MO, and (4) *materials and supplies* used in the manufacture of paper and paper articles, from TN, LA, KY, OH, IN, IL, and MO, to Hodge, LA, under a continuing contract, or contracts, with The Continental Group, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The Continental Group, Inc., Transportation Offices At: Greenwich Oak Park II, Greenwich, CT 06830. Send protests to: Ray C. Armstrong, Jr., District Supervisor, Interstate Commerce Commission, T-9038 U.S. Postal Service Building, 701 Loyola Avenue, New Orleans, LA 70113.

No. MC 140665 (Sub-No. 27TA), filed March 6, 1978. Applicant: PRIME, INC., Rt. 1, Box 115-B, Urbana, MO 44266. Applicant's representative: Clayton Geer, P.O. Box 786, Ravenna, OH 44266. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint, paint products, aerosol products, adhesives, and materials and supplies* used in the manufacturing, distribution, or marketing of paint or paint products, from Dayton, Hubbard, Deshler, Brooklyn Heights, and Bedford Heights, OH; Fulton and Richmond, KY; and Chicago and Elgin, IL, to points in TX and CA, for 180 days. Supporting shipper(s): The Sherwin-Williams Company, 101 Prospect Avenue NW., Cleveland, OH 44115. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 141742 (Sub-No. 5TA), filed March 8, 1978. Applicant: FLOWERS TRANSPORTATION, INC., P.O. Box B, Station A, Auburn, CA 95603. Applicant's representative: Walter H. Walker, III, Handler, Baker & Greene, 100 Pine Street, Suite 2550, San Francisco, CA 84111. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, (1) from Rocklin, CA, to Phoenix and Tucson, AZ; and (2) from Cottonwood, Susanville, and Sacramento, CA, to Salt Lake City, UT and Denver, CO., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Old Town Lumber & Millwork, P.O. Box 763, Folsom, CA 95630. (2) The Nikkel Corp., 4243 Dominquez Road, Rocklin, CA 95627. (3) Rocklin Forest Products, Inc., P.O. Box 400, Roseville, CA 95678. Send protests to: W. J. Huetig District Supervisor, Interstate Commerce Commission, 203 Federal Building, 705 N. Plaza St., Carson City, NV 89701.

No. MC 142001 (Sub-No. 2TA), filed March 6, 1978. Applicant: RITE GUY HAULING, INC., 1909 Weber Drive, Madison, WI 53713. Applicant's representative: Clifford Roberts, 4537 Prairie Place, DeForest, WI 53532. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Light weight aggregate*, (in bulk), from the facilities of Carter-Water Co. at or near Centerville, IA, to points in WI on and south of WI Hwy 29, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Hemstock Concrete Products, Inc., 1702 Kramer Street, LaCrosse, WI 54601. (2) United Brick & Block, Inc., 1605 Holmberg Street, Madison, WI 53704. (3) Wisconsin Brick & Block Corp. P.O. Box 5009, 2840 University Avenue, Madison, WI 53705. Send protests to: Ronald A. Morken, District Supervisor, Interstate Commerce Commission, 139 W. Wilson Street, Room 202, Madison, WI 53703.

No. MC 142167 (Sub-No. 2TA), filed March 9, 1978. Applicant: MICHAEL-SEN TRUCK LINE, INC., 1619 South Garfield, Mason City, IA 50401. Applicant's representative: Steven C. Schoenebaum, 1200 Register & Tribune Building, Des Moines, IA 50399. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Soybean meal*, (except liquid commodities in bulk or in tank vehicles), from the facilities of Farmers Grain Dealers Association of Iowa, at or near Mason City, IA to Elburn, Hampshire, Poplar Grove, Marengo, Belvidere, and McHenry, IL, under a continuing contract, or contracts, with Farmers Grain Dealers Association of Iowa, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Farmers Grain Dealers Association of Iowa, P.O. Box 1338, Mason City, IA 50401. Send protests to: Herbert W. Allen, District Supervi-

sor, Bureau of Operations, Interstate Commerce Commission, 518 Federal Building, Des Moines, IA 50309.

No. MC 144359 (Sub-No. 1TA), filed March 6, 1978. Applicant: STANLEY G. DUNIGAN, d.b.a. DUNIGAN TRUCKING CO., 5721 Henderson Drive, Delaware, OH 43015. Applicant's representative: Anthony M. Heald, 125 North Sandusky Street, Delaware, OH 43015. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic signs and lighting fixtures*, from the facilities of Vacuform Corp., Columbus, OH, to points in AL, AZ, DE, FL, GA, IL, IN, KY, LA, MI, NJ, NM, NY, NV, NC, OK, PA, SC, TN, TX, VA, WI, and WV., under a continuing contract, or contracts, with Vacuform Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Vacuform Corp., 1877 East 17th Avenue, Columbus, OH 43219. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, 220 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, OH 43215.

No. MC 144403 (Sub-No. 1TA), filed March 13, 1978. Applicant: MRS. VERA LEE BURTIN, d.b.a. PALACE TRANSFER AND STORAGE CO., 101 7th Street, Alamogordo, NM 88310. Applicant's representative: Patricia M. Schnegg, Knapp, Stevens, Grossman & Marsh, 707 Wilshire Boulevard, Suite 1800, Los Angeles, CA 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in NM, restricted to the transportation of traffic having prior or subsequent movement in interstate or foreign commerce, further restricted to the performance of pickup and delivery service in connection with packing, crating, containerization, or unpacking, uncrating, or decontainerization of such traffic, for 180 days. Supporting shipper(s): (1) Sunpak Movers, Inc., 100 W. Harrison Plaza, Seattle, WA 98119. (2) Rocky Ford, 3811 W. Industrial, Midland, TX 79702. (3) FFI Worldwide Forwarders, Inc., 335 Valencia Street, San Francisco, CA 94103. Send protests to: Darrell W. Hammons, District Supervisor, Interstate Commerce Commission, 1106 Federal Office Building, 517 Gold Avenue, SW., Albuquerque, NM 87101.

No. MC 144442 TA, filed March 14, 1978. Applicant: ESSEX EXPRESS, INC., 1200 Hammondville Road, Pompano Beach, FL 33060. Applicant's representative: Clifton Peter Rose, Patton, Boggs, & Blow, 1200 17th Street NW, Washington, DC 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over ir-

regular routes, transporting: *Residential heating units and air-conditioners, and parts therefor*, in containers, between the General Electric Plant in Trenton, NJ, and the General Electric warehouses and dealers in Jacksonville, Miami, Orlando, Bradenton, Chattahoochee, Daytona Beach, De Land, Eustis, Fort Myers, Fort Pierce, Fort Walton Beach, Naples, Micanopy, Palm Beach, Pensacola, Plantation Key, Port Charlotte, Sarasota, Stuart, Tallahassee, Tampa, Venice, and Vero Beach, FL, under a continuing contract, or contracts, with General Electric Co., for 180 days. There is no environmental impact involved in this application. Supporting shipper(s): General Electric Co., 2231 East State Street, Trenton, NJ 08619. Send protests to: Donna M. Jones, Transportation Assistant, Interstate Commerce Commission, Monterey Building, Suite 101, 8410 N.W., 53rd Terrace, Miami, FL 33166.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-9757 Filed 4-11-78; 8:45 am]

[7035-01]

[Notice No. 54]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 31, 1978

The following are notices of filing of applications for temporary authority under Section 210(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the

quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 2202 (Sub-No. 555 TA), filed March 13, 1978. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, P.O. Box 471, Akron, OH 44309. Applicant's representative: William O. Turney, 7101 Wisconsin Avenue, Suite 1010, Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Texarkana, TX, as an off-route point in connection with applicant's present regular routes, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (41) 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: James Johnson, District Supervisor, Interstate Commerce Commission, 731 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 5470 (Sub-No. 141TA), filed March 15, 1978. Applicant: TAJON, INC., P.O. Box 146, R.D. 5, Mercer, PA 16137. Applicant's representative: Richard W. Sanguigni, R.D. No. 5, Mercer, PA 16137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum billets, blooms, ingots, pigs and slabs*, (in dump vehicles), from Massena, NY, to Cleveland, OH, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Aluminum Co. of America, 1501 Alcoa Building, Pittsburgh, PA 15219. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 19105 (Sub-No. 50TA), filed March 13, 1978. Applicant: FORBES TRANSFER CO., INC., P.O. Box 3544, Wilson, NC 27893. Applicant's representative: Edward G. Villalon, 1032 Pennsylvania Building, Pennsylvania Avenue and 13th Street NW., Washington, D.C. 20004. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and container accessories*, from Wilson, NC, to Williamsburg, VA, for 180 days. Supporting shipper: Kerr Glass Co., Box 97, Sand Springs, OK 74063. Send protests to: Mr. Archie W. Andres, District Supervisor, Interstate Commerce Commission, 624 Federal Building, 310 New Bern Avenue, P.O. Box 26896, Raleigh, NC 27611.

No. MC 24784 (Sub-No. 13TA), filed March 15, 1978. Applicant: BARRY, INC., 463 South Water Street, Olathe, KS 66061. Applicant's representative: Arthur J. Cerra, P.O. Box 19251, Kansas City, MO 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, having a prior or subsequent movement by rail, between Kansas City, MO, and points in KS, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Illinois Central Gulf Railroad, 616 East 1st Street, Kansas City, MO 64141. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 51146 (Sub-No. 585TA), filed March 14, 1978. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 2661 South Broadway, Green Bay, WI 54306. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers*, from Hamburg, PA, to Obetz, Columbus, and Zanesville, OH, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: National Can Corp., 8101 West Higgins Road, Chicago, IL 60631 (Joseph L. Rich). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, WI 53202.

No. MC 61825 (Sub-No. 78TA), filed March 16, 1978. Applicant: ROY STONE TRANSFER CORP., P.O. Box 385, V. C. Drive, Collinsville, VA 24078. Applicant's representative: John D. Stone, P.O. Box 385, Collinsville, VA 24078. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from the facilities of Midland Glass Co., Inc., at or near Terre Haute, IN, and Warner Robins, GA, to Eden, NC, and Martinsville, VA, and from the facilities of Midland Glass Co., Inc., at or near Martinsville,

VA, to Eden, NC, for 180 days. Supporting shipper(s): Midland Glass Co., Inc., P.O. Box 557, Cliffwood, NJ 07721. Send protests to: Irene W. Yost, Secretary, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, VA 24011.

No. MC 68860 (Sub-No. 34TA), filed February 27, 1978. Applicant: RUSSELL TRANSFER, INC., 5259 Aviation Drive NW., Roanoke, VA 24012. Applicant's representative: Liniel G. Gregory, Jr. (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel articles, viz, galvanized sheets, coils, roofing and roofing accessories*, from Dover, OH, to points in VA on or west of Interstate 81, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Empire-Detroit Steel Division, 137 Iron Avenue, Dover, OH 44622. Send protests to: Irene W. Yost, Secretary, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, VA 24011.

No. MC 69397 (Sub-No. 33TA), filed March 15, 1978. Applicant: JAMES H. HARTMAN & SON, INC., P.O. Box 85, U.S. Route 13, Pocomoke City, MD 21851. Applicant's representative: Wilmer B. Hill, 666 11th Street NW., Suite 805, Washington, DC. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from the Federalsburg Industrial Park, Federalsburg, MD, to all points on and east of the Mississippi River (except points in DE, MD, NJ, NY, those in PA, on and east of the Susquehanna River, and DC), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Great Northern Fence Co., Inc., 3180 Expressway Drive South, Central Islip, NY 11722. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, 12th and Constitution Avenue NW., Room 1413, Washington, DC 20423.

No. MC 97526 (Sub-No. 4TA), filed March 16, 1978. Applicant: NEVADA FREIGHT LINES, INC., 301 Commercial Row, Reno, NV 89502. Applicant's representative: Michael J. O'Neill, System 99, 8201 Edgewater Drive, Oakland, CA 94621. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Reno, NV, and its commercial zone on the one hand, and, on the other, points in

NV for 180 days. Supporting shipper(s): There are approximately (31) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, 203 Federal Building, 705 North Plaza Street, Carson City, NV 89701.

No. MC 104675 (Sub-No. 41TA), filed March 15, 1978. Applicant: FRONTIER DELIVERY, INC., 620 Elk Street, Buffalo, NY 14210. Applicant's representative: Kenneth J. Peake (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil* (in bulk, in tank vehicles), from Buffalo, NY, to Wilson, NY, and from Lockport, NY, to Wilson, NY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Hunt-Wesson Foods, Inc., 1645 West Valencia Drive, Fullerton, CA 92634. Send protests to: Interstate Commerce Commission, Bureau of Operations, 910 Federal Building, 111 West Huron Street, Buffalo, NY 14202.

No. MC 105813 (Sub-No. 236TA), filed March 15, 1978. Applicant: BELFORD TRUCKING CO., INC., P.O. Box 2009, 1759 Southwest 12th Street, Ocala, FL 32670. Applicant's representative: Arthur J. Sibik, 7025 South Pulaski Road, Chicago, IL 60629. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk, in refrigerated equipment), from Oswego, Fulton, Syracuse, NY; to Charlotte, NC; Memphis, TN; and Jacksonville, FL, for 180 days. Supporting shipper(s): The Nestle Co., Inc., 100 Bloomingdale Road, White Plains, NY 10605. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

No. MC 106674 (Sub-No. 299TA), filed March 16, 1978. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, U.S. Hwy 24 West, Remington, IN 47977. Applicant's representative: Jerry L. Johnson, P.O. Box 123, Remington, IN 47977. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation board*, from the facilities of Johns-Manville Sales Corp., at Woodstock, VA, to the facilities of Johns-Manville Sales Corp., at Alexandria, IN, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Johns-Manville Sales Corp., 200 North

Main Street, Manville, NJ 08835. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, Suite 113, Fort Wayne, IN 46802.

No. MC 107403 (Sub-No. 1068TA), filed March 16, 1978. Applicant: MATELACK, INC., 10 West Baltimore Ave., Lansdowne, PA 19050. Applicant's representative: Martin C. Hynes, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium phosphates*, (in bulk, in tank vehicles), from Kearny, NJ, to Geneva, NY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Monsanto Co., 800 North Lindbergh, St. Louis, MO 63166. Send protests to: T. M. Esposito, Transportation Assistant, 600 Arch Street, Room 3238, Philadelphia, PA 19106.

No. MC 109689 (Sub-No. 333TA), filed March 14, 1978. Applicant: W. S. HATCH CO., 643 South 800 West, Woods Cross, UT 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, UT 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium chlorate*, (in bulk), from Henderson, NV, to Church Rock, NM, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Kerr McGee Chemical Corp., 680 South Wilshire Place, Los Angeles, CA 90005. (Chapman G. Reynolds Transportation Supervisor, Western Region.) Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Building, 125 South State Street, Salt Lake City, UT 84138.

No. MC 112822 (Sub-No. 448TA), filed February 15, 1978, noticed in the FEDERAL REGISTER issue of March 14, 1978, and republished in this issue. Applicant: BRAY LINES INC., 1401 North Little Street, P.O. Box 1191, Cushing, OK 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from Blackfoot, Caldwell, Pocatello, Ririe, and Rupert, ID, to the facilities of Kraft, Inc., at Springfield, MO, and Atlanta, Decatur and Tucker, GA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. The purpose of this notice is to add Tucker, GA to the destination territory. Supporting shipper: Kraft, Inc., 500 Peshtigo Court, Chicago, IL 60690. Send protests to: Connie Stan-

ley, Transportation Assistant, Room 240, Old Post Office and Court House Building, 215 Northwest Third, Oklahoma City, OK 73101-2.

No. MC 113666 (Sub-No. 126TA), filed March 16, 1978. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, PA 16229. Applicant's representative: D. R. Smetanick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy bean meal*, (in bulk, in tank vehicles), from Louisville, KY, to Pearl River, NY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Lederle Laboratories, Division of American Cyanamid Co., Pearl River, NY 10965. Send protests to: John J. England, District Supervisor, Interstate Commerce Commission, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 113666 (Sub-No. 127TA), filed March 16, 1978. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, PA 16229. Applicant's representative: D. R. Smetanick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed intrinsic* (in bulk, in tank vehicles), from Willow Island, WV, to Pearl River, NY, for 180 days. Supporting shipper(s): Lederle Laboratories, Division of American Cyanamid Co., Pearl River, NY 10965. Send protests to: John J. England, District Supervisor, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 114632 (Sub-No. 152TA), filed March 9, 1978. Applicant: APPLE LINES, INC., 212 SW Second Street, P.O. Box 287, Madison, SD 57024. Applicant's representative: Michael L. Carter, 212 SW Second Street, Madison, SD 47042. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except commodities in bulk), from the facilities of General Foods Corp. located in points in MN, to points in the states of AR, IL, IA, KS, LA, MI, WI, MO, NE, ND, OH, OK, SD, and TX, restricted to traffic originating at the facilities of General Foods Corp., and destined to the named destination States, for 180 days. Supporting shipper(s): General Foods Corp., 250 North Street, White Plains, NY 10605. (Robert J. Byrne, Manager, Transportation Pricing.) Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 455, Federal Building, Pierre, SD 57501.

No. MC 116457 (Sub-No. 30TA), filed March 14, 1978. Applicant: GENERAL

TRANSPORTATION INC., 1804 South 27th Avenue, P.O. Box 6484, Phoenix, AZ 85009. Applicant's representative: D. Parker Crosby, 1710 South 27th Avenue, P.O. Box 6484, Phoenix, AZ 85005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated exterior wall panels*, from Maricopa County, AZ, to CA, NV, UT, CO, NM, and TX, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Baker-Thomas Lime & Cement Co., 1200 East Jackson Street, Phoenix, AZ. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Room 2020, Federal Building, 230 North First Avenue, Phoenix, AZ 85025.

No. MC 119443 (Sub-No. 38TA), filed March 13, 1978. Applicant: P. E. KRAMME, INC., Main Street, Monroeville, NJ 08343. Applicant's representative: Gerald A. Kramme, Main Street, Monroeville, NJ 08343. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chocolate products* (in bulk, in tank vehicles equipped with in-transit heat, from Jersey City and Newark, NJ, to Naugatuck, North Haven, Stamford, and Suffield, CT; Portland, ME; and Avon, Boston (Commercial Zone), Framingham, and Natick, MA, for 150 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Hooton Chocolate Co., Division W. R. Grace & Co., 339 North 5th Street, Newark, NJ 07107. (2) Van Leer Chocolate Corp., 110 Hoboken Avenue, Jersey City, NJ 07302. Send protests to: District Supervisor, Interstate Commerce Commission, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 125023 (Sub-No. 56TA), filed March 13, 1978. Applicant: SIGMA-4 EXPRESS, INC., 3825 Beech Avenue, P.O. Box 9117, Erie, PA 16504. Applicant's representative: Richard G. McCurdy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages, in containers, and related advertising materials, and materials, supplies and equipment* used in the manufacture, sale and distribution of malt beverages, and returned empty malt beverage containers (except commodities in bulk), from Eden, NC, to points in the States of DE, DC, MD, NJ, PA, VA and WV, and returned empty malt beverage containers, points in destination States to Eden, NC, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Miller Brewing Co.,

3939 Highland Boulevard, Milwaukee, WI 53208. Send protests to: John J. England, District Supervisor, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 129455 (Sub-No. 30TA), filed March 14, 1978. Applicant: CARRETTA TRUCKING, INC., South 160 Route 17 North, Paramus, NJ 07652. Applicant's representative: Charles J. Williams, 1815 Front Street, Scotch Plains, NJ 07076. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are produced or distributed by a manufacturer of toilet preparations, for the account of The Mennen Co., from Morristown, NJ, to Chicago, IL; Springfield, MO; Cleveland, OH; and Carrollton, TX; under a continuing contract, or contracts, with The Mennen Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The Mennen Co., East Hanover Street, Morristown, NJ 07960. Send protests to: Joel Morrrows, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Room 618, Newark, NJ 07102.

No. MC 133545 (Sub-No. 4TA), filed March 14, 1978. Applicant: DAVID LEMONS, d.b.a. LEMONS HOUSE MOVING, 1250 Houston Road, Idaho Falls, ID 83401. Applicant's representative: Timothy R. Stivers, P.O. Box 162, Boise, ID 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated modulars* in sections, without fixed undercarriages, from the facilities of Boise Cascade Corp. at or near Pocatello, ID, to points in Cache, and Box Elder, and Davis Counties, UT, for 180 days. Applicant does not intend to tack or interline authorities. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Boise Cascade Corp., P.O. Box 7747, Boise, ID 83707. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Suite 110, 1471 Shoreline Drive, Boise, ID 83706.

No. MC 138157 (Sub-No. 61TA), filed March 16, 1978. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, P.O. Box 9596, Chattanooga, TN 37412. Applicant's representative: Patrick E. Quinn, 2931 South Market Street, P.O. Box 9596, Chattanooga, TN. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (in packages), from Rouseville, Reno, and Karns City, PA, to points in AL and GA, and those points in KY and TN on and east of Hwy 65, for 180 days. Support-

ing shipper(s): Pennzoil Co., Drake Building, Oil City, PA 16301. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A-422 U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

No. MC 138328 (Sub-No. 58TA), filed February 14, 1978, published in the FEDERAL REGISTER issue of March 23, 1978, and republished this issue. Applicant: CLARENCE L. WERNER d.b.a. WERNER ENTERPRISES, I-80 and Highway 50, P.O. Box 37308, Omaha, NE 68137. Applicant's representative: Donna Ehrlich (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Calcium propionate, sodium propionate, and sodium diacetate* (except in bulk), from Verona, MO, to Phoenix, AZ; Fayetteville and Rogers, AR; Birmingham, AL; San Francisco, CA; Denver, CO; Indianapolis, IN; Sioux City, IA; Chicago, and Downers Grove, IL; Baltimore, MD; Minneapolis, MN; North Bergen, NJ; Brooklyn, NY; Philadelphia, Downingtown, and Harrisburg, PA; Memphis, TN; Aiken, SC; Dallas, TX; and Seattle, WA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. The purpose of this republication is to add sodium propionate to the commodity description. Supporting shipper: Evelyn Higgins, Director of Marketing, Federated Mills, Inc., 110 Kennedy Dr., Smithtown, NY 11787. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th St., Omaha, NE 68102.

No. MC 139482 (Sub-No. 41TA), filed March 16, 1978. Applicant: NEW ULM FREIGHT LINES, INC., County Road 29 West, New Ulm, MN 56073. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, MN 55403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Macaroni, spaghetti and noodle products*, from Jersey City, NJ, to points in MI, for 180 days. Supporting shipper(s): C. F. Mueller Co., 180 Baldwin Avenue, Jersey City, NJ 07306. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Courthouse, 110 South 4th Street, Minneapolis, MN 55401.

PASSENGER CARRIER

No. MC 109865 (Sub-No. 15TA), filed March 15, 1978. Applicant: VALLEY TRANSPORTATION, INC., 516 Oxford Road, Oxford, CT 06483. Applicant's representative: L. C. Major, Jr., Suite 400 Overlook Building, 6121 Lincolnia Road, Alexandria, VA 22312.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, from Springfield and W. Springfield, MA, and in New London County, CT, to points and places in the U.S., excluding HW, and return, restricted to charter tour movements being operated for tour brokers which also involve the pickup and discharge of tour passengers at points in the state of Connecticut other than New London County, for 180 days. Supporting shipper(s): Connecticut Pleasure Tours, Inc. d.b.a. Kaplan Tours, 140 Captain's Walk, New London, CT 06320. Send protests to: J. D. Perry, Jr., District Supervisor, Interstate Commerce Commission, 135 High Street, Room 324, Hartford, CT 06101.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-9761 Filed 4-11-78; 8:45 am]

[7035-01]

[Notice No. 55]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 31, 1978.

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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, DC, and also in the ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 5227 (Sub-No. 34TA), filed January 20, 1978. Applicant: ECKLEY TRUCKING, INC., P.O. Box 201, Mead, NE 68041. Applicant's representative: Gailyn L. Larsen, P.O. Box 81849, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Solar heating units, collectors and duct work, and equipment, materials and supplies* used in the manufacture, distribution and installation thereof, (1) From Janesville, WI, to points in AR, IL, IN, IA, KY, MD, MI, MN, MO, OH, TN, and WI, and (2) from Alamosa, CO, to points in AR, KS, MO, NE, NM, OK, OR, TX, WA, and WY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): James McAdams President Future Systems, Inc., 125000 West Cedar Drive, Lakewood, CO 80228. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Building and Court House, 100 Centennial Mall North, Lincoln, NE 68508.

No. MC 51146 (Sub-No. 584TA), filed March 8, 1978. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 2661 South Broadway, Green Bay, WI 54306. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gas and electrical appliances and parts, materials, supplies and equipment* used in the manufacture, distribution or repair of appliances, (except commodities in bulk), from the facilities of Whirlpool Corp. at Evansville, IN, to all points in the States of AL, AR, GA, IL, IA, KY, MI, MN, MS, MO, NC, OH, SC, TN, and WI, for 180 days. Supporting shipper(s): Whirlpool Corp., Administrative Center, Benton Harbor, MI 49022. (Carl R. Anderson) Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, WI 53202.

No. MC 61396 (Sub-No. 346TA), filed March 20, 1978. Applicant: HERMAN BROS., INC., 2565 St. Marys Avenue, P.O. Box 189, Omaha, NE 68101. Applicant's representative: John E. Smith, II (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Flour, from the facilities of ConAgra, Inc., at Fremont, NE, to points in IA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Edward S. Duncza, supervisor of fleet operations, ConAgra, Inc., 200 Kiewit Plaza, Omaha, NE. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th Street, Omaha, NE 68102.

No. MC 64808 (Sub-No. 34TA), filed March 8, 1978. Applicant: W. S. THOMAS TRANSFER, INC., 1854 Morgantown Avenue, P.O. Box 507, Fairmont, WV 26554. Applicant's representative: Henry M. Wick, Jr., Stanley E. Levine, 2310 Grant Building, Pittsburgh, PA 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising materials*, from Eden, NC, to points in the States of AL, DE, DC, KY, MD, TN, VA, and WV, and (2) *materials, supplies and equipment* used in the manufacture, sale and distribution of malt beverages, and returned empty malt beverage containers, (except commodities in bulk), from points in the States of AL, DE, DC, KY, MD, TN, VA, and WV, to Eden, NC, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Miller Brewing Co., 3939 W. Highland Boulevard, Milwaukee, WI 53208. Send protests to: J. A. Niggemyer, District Supervisor, Interstate Commerce Commission, 416 Old Post Office Building, Wheeling, WV 26003.

No. MC 109633 (Sub-No. 29TA), filed February 28, 1978. Applicant: ARBET TRUCK LINES, INC., 222 East 135th Place, Chicago, IL 60627. Applicant's representative: Arnold L. Burke, 189 North La Salle Street, Chicago, IL 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical and gas appliances, parts of electrical and gas appliances and equipment, materials, and supplies* used in the manufacture, distribution, and repair of electrical and gas appliances, from the facilities of Whirlpool Corp. at Evansville, IN, Clyde, OH, Marion, OH, Findlay, OH, and St. Joseph, MI, to all points in the States of AR, IL, IA, IN, KY, MI, MN, MO, NJ, NY, OH, PA, TN, VA, WV, and WI, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Whirlpool Corp., Carl R. Anderson, Director, Corporate Transportation, Administrative Center, Benton Harbor, MI 49022. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett Mc-

Kinley Dirkson Building, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

No. MC 110098 (Sub-No. 164TA), filed March 17, 1978. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, 1400 Ackerman Road, San Antonio, TX 78220. Applicant's representative: T. W. Cothren (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (except hides and commodities in bulk), from the facilities of Swift & Co., at Des Moines and Marshalltown, IA, to all points in AR, LA, OK, NM, and TX, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Swift & Co., 115 West Jackson Boulevard, Chicago, IL 60604. Send protests to: Richard H. Dawkins, District Supervisor, Interstate Commerce Commission, Room B-400, Federal Building, 727 East Durrango Boulevard, San Antonio, TX 78206.

No. MC 110825 (Sub-No. 5TA), filed March 9, 1978. Applicant: WESTERN KENTUCKY TRUCKING, INC., P.O. Box 397, 1245 R. Center Street, Henderson, KY 42420. Applicant's representative: Ron L. Ambrose (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer ingredients and solutions* (in bulk, in tank vehicles), between points in that part of IL on and south of U.S. Hwy 50 and on and east of U.S. Hwy 51, that part of IN on and south of U.S. Hwy 40 and on and west of Hwy Interstate 65, that part of TN on and west of Hwy Interstate 65, on and north of Hwy Interstate 40 between Nashville and Jackson, and on and north of TN Hwy 20 between Jackson and the Mississippi River; and Crittenden and Union Counties, KY, under a continuing contract, or contracts, with Circle 'O' Farm Center, and Gene's Ag Supply, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Edward O'Nan, Circle 'O' Farm Center, R.R. No. 7, #N60, Marion, KY 42064. Gene Odom, Gene's Ag Supply, P.O. Box 187, Sturgis, KY 42459. Send protests to: Linda H. Sypher, District Supervisor, Interstate Commerce Commission, 426 Post Office Building, Louisville, KY 40202.

No. MC 111201 (Sub-No. 28TA), filed January 12, 1978. Applicant: J. N. ZELLNER & SON TRANSFER CO., P.O. Box 91247, East Point, GA 30364.

Applicant's representative: Archie B. Culbreth, 2200 Century Parkway, Suite 202, Atlanta, GA 30345. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(1) *Plastic containers*, restricted to movement in special 45 foot swingdoor trailers with rear door opening and inside height of 110% inches, between the plantsites and facilities of Sewell Plastics, Inc., located at or near Atlanta, GA, Arlington, TX, Charlotte, NC, Collierville, TN, Havre de Grace, MD, Hollywood, FL, Kansas City, KS, Jackson, MS, Orlando, FL, and Reserve, LA, and from such plantsites and facilities of Sewell Plastics, Inc., to points in AL, AR, FL, GA, KY, LA, MS, MO, NC, OK, SC, TN, TX, VA, WV, and DC;

(2) *Plastic preforms or plastic base cups for plastic containers*, from the plantsites and facilities of Sewell Plastics, Inc., located at or near Atlanta, GA, the plantsite and facilities of Coasts and Clark, Inc., at or near Seneca, SC, and the plantsite and facilities of Southeastern Kusan, Inc., at or near Greenville, SC, to the plantsites and facilities of Sewell Plastics, Inc., located at or near Atlanta, GA, Arlington, TX, Charlotte, NC, Collierville, TN, Havre de Grace, MD, Hollywood, FL, Kansas City, KS, Jackson, MS, Orlando, FL, and Reserve, LA; and

(3) *Materials, equipment, and supplies* used in the manufacture and distribution of plastic containers or parts therefor (except commodities in bulk), from points in the destination States named in (1) above to the plantsites and facilities of Sewell Plastics, Inc., located at or near Atlanta, GA, Arlington, TX, Charlotte, NC, Collierville, TN, Havre de Grace, MD, Hollywood, FL, Kansas City, KS, Jackson, MS, Orlando, FL, and Reserve, LA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Sewell Plastics, Inc., 5111 Phillip Lee Drive, Atlanta, GA 30336. Send protests to: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 West Peachtree Street NW., Room 300, Atlanta, GA 30309.

No. MC 111729 (Sub-No. 735TA), filed March 17, 1978. Applicant: PURALOTOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, NY 11040. Applicant's representative: Elizabeth L. Henock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory supplies and business records*, between Birmingham, AL, on the one hand, and, on the other, points in LA, for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating author-

ity. Supporting shipper(s): Professional Laboratory Supply, 305 17th Street South, Birmingham, AL. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.

No. MC 113434 (Sub-No. 90TA), filed March 17, 1978. Applicant: GRA-BELL TRUCK LINE, INC., 679 Lincoln Avenue, Holland, MI 49423. Applicant's representative: Ms. Wilhelma Boersma, 1600 First Federal Building, Detroit, MI 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from the facilities of Del Monte Corp. at or near Frankfort, IN, to points in Michigan, Cincinnati, Dayton, West Carrollton, Woodlawn, and Xenia, OH, Covington, KY, Charleston and Huntington, WV, and the commercial zones of each of the above named destination cities, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Del Monte Corp., P.O. Box 89, Rochelle, IL 61068. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 225, Federal Building, Lansing, MI 48933.

No. MC 115331 (Sub-No. 454TA), filed March 20, 1978. Applicant: TRUCK TRANSPORT INC., 29 Clayton Hills Lane, St. Louis, MO 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, IL 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine and alcoholic liquors* (in bulk), from points in CA to Conesus, NY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Barry Wine Co., 7107 Vineyard Road, Conesus, NY 14435. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 210 North 12th Street, Room 1465, St. Louis, MO 63101.

No. MC 116073 (Sub-No. 369TA), filed March 17, 1978. Applicant: BARETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, P.O. Box 919, Moorhead MN 56560. Applicant's representative: John C. Barrett, P.O. Box 919, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Travel trailers, tent campers, fifth wheel travel trailers, and pick-up campers*, from the plantsite of AMF-Skamper Division located at or near Bristol, IN, to points and places in the United States (except AK and HI), for 180 days. Supporting shipper(s): AMF Skamper Division-AMF Corp., P.O.

Box 338, Bristol, IN 46507. Send protests to: Ronald R. Mau, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 268, Federal Building and U.S. Post Office, 657 2d Avenue North, Fargo, ND 58102.

No. MC 116254 (Sub-No. 200TA), filed March 20, 1978. Applicant: CHEM-HAULERS, INC., P.O. Box 339, Florence, AL 35630. Applicant's representative: Randy C. Luffman, P.O. Box 339, Florence, AL 35630. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid aluminum sulphate*, from Counce, TN, to Batesville and Osceola, AR, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Stauffer Chemical Co., Westport, CT 06880. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 121805 (Sub-No. 1TA), filed March 8, 1978. Applicant: ARKANSAS EXPRESS, INC., 1612 East 31st Street, North Little Rock, AR 72116. Applicant's representative: James M. Duckett, 1021 Pyramid Life Building, Little Rock, AR 72201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) Between Pine Bluff, AR, and the AR-LA State line, from Pine Bluff, over U.S. Hwy 65 to the intersection of AR Hwy 81, then over AR Hwy 81 to the AR-LA State line, and return over the same route, serving all intermediate points. (2) Between Warren, AR, and the AR-LA State line, from Warren over AR Hwy 15 to the intersection of AR Hwy 275, thence over AR Hwy 275 to the AR-LA State line, and return over the same route, serving all intermediate points. (3) Between the intersection of U.S. Hwy 65 and U.S. Hwy 165 to the AR-LA State line. From the intersection of U.S. Hwy 65 and U.S. Hwy 165 over U.S. Hwy 165 to the AR-LA State line, and return over the same route, serving all intermediate points. (4) Between Strong, AR, and the Mississippi River. From Strong over U.S. Hwy 82 to the Mississippi River, and return over the same route, serving all intermediate points. (5) Between Hamburg, AR, and the Mississippi River. From Hamburg over AR Hwy 8 to the Mississippi River, and return over the same route, serving all intermediate points. (6) Between Wilmot, AR, and Eudora, AR. From Wilmot over AR Hwy 52 to the intersection of AR Hwy 159, then over AR Hwy 159 to Eudora, and return over the same route, serving all intermediate points. (7) Between Eudora, AR, and the AR-LA

State line. From Eudora over AR Hwy 159 to the AR-LA State line, and return over the same route, serving all intermediate points. (8) Between Monticello, AR, and McGehee, AR. From Monticello over AR Hwy 4 to McGehee, and return over the same route, serving all intermediate points. (9) Between Jerome, AR, and the Mississippi River. From Jerome over AR Hwy 144 to the Mississippi River, and return over the same route, serving all intermediate points. (10) Between Pine Bluff, AR, and Marianna, AR over U.S. Hwy 79, for operating convenience only, serving no intermediate points, for 180 days. Applicant proposes to tack requested routes at all common points of joinder, and with existing authority. Applicant intends to tack the authority here applied for to its authority in MC 121805 R-2. Applicant intends to interline with other carriers at Little Rock, AR, primarily. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (5) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Building, 700 West Capitol, Little Rock, AR 72201.

No. MC 123407 (Sub-No. 435TA), filed January 30, 1978. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Hwy 6, Valparaiso, IN 46383. Applicant's representative: H. E. Miller, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Poultry and animal feeding and watering systems, and equipment and supplies relating thereto*; and (2) *agricultural building ventilation systems and equipment and supplies relating thereto*; from Milford, IN; Decatur, AL; and Watkinsville, GA, to points in the United States (except AK and HI), for 180 days. Supporting shipper(s): Chore-Time Equipment, Inc., Michael D. Geysler, Traffic Manager, Road No. 15 North, Milford, IN 46542. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

No. MC 127705 (Sub-No. 50TA), filed March 6, 1978. Applicant: KREVEDA BROS. EXPRESS, INC., P.O. Box 68, 501 South Broadway, Gas City, IN 46933. Applicant's representative: Donald W. Smith, 9000 Keystone Crossing, Suite 945, Indianapolis, IN 46240. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1)

Glass containers and accessories therefor, from the facilities of Anchor Hocking Corp., at Winchester and Richmond, IN, to Belleville, Granite City, Champaign, Argo, and Chicago, IL; Iowa City, IA; Bardstown, Clermont, Forks of Elkhorn, Frankfort, Lexington, Louisville, and Owensboro, KY; Battle Creek, Bridgeport, Carrollton, Detroit, Eaton Rapids, Flint, Frankenmuth, Inlay City, and Wayland, MI; St. Louis, MO; Defiance, Fremont, Leipsic, Marysville, and Sunbury, OH; Connellsville and Schenley, PA; Green Bay, Manitowoc, and Milwaukee, WI; Freehold, NJ; and New York, NY; and (2) *paper products*, from the facilities of Anchor Hocking Corp., at Newark, OH, to the facilities of Anchor Hocking Corp., at Winchester and Richmond, IN, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Anchor Hocking Corp., 109 North Broad Street, Lancaster, OH 43130. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, Suite 113, Fort Wayne, IN 46802.

No. MC 128205 (Sub-No. 48TA), filed March 8, 1978. Applicant: BULKMATIC TRANSPORT CO., 12000 South Doty Avenue, Chicago, IL 60628. Applicant's representative: Arnold L. Burke, 180 North LaSalle Street, Chicago, IL 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone and limestone products*, from the plantsite of Marblehead Lime Co., in Centre County, PA, to the following States: IL, IN, KY, MI, OH, WV, DE, DC, NJ, NY, CT, RI, MA, VT, NH, ME, and MD, for 180 days. Supporting shipper(s): Marblehead Lime Co., Donald C. Gustafson Assistant Traffic Manager, 300 West Washington Street, Chicago, IL 60606. Send protests to: Patricia A. Roscoe Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

No. MC 135884 (Sub-No. 12TA), filed January 30, 1978. Applicant: CALDWELL TRUCKING, INC., Holdman Route, Pendleton, OR 98701. Applicant's representative: Lawrence V. Smart, Jr., 419 NW., 23rd Avenue, Portland, OR 97210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned and/or packaged baby formula, soybeans, powdered soy milk, and vegetable protein*, from the facilities of Loma Linda Foods, located at or near Mt. Vernon, OH, to the facilities of Loma Linda Foods, located at or near Fort Worth, TX; Denver, CO; Lincoln, NE; and the

port of entry on the United States-Canada International Boundary located at or near Blain, WA, under a continuing contract, or contracts, with General Conference Corp., of Seventh Day Adventists, dba. Loma Linda Foods, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): General Conference Corp., of Seventh Day Adventists, dba. Loma Linda Foods, 11503 Pierce Street, Riverside, CA. 92515. Send protests to: R. V. Dubay District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, OR 97204.

No. MC 142059 (Sub-No. 20TA), filed March 8, 1978. Applicant: CARDINAL TRANSPORT, INC., 1830 Mound Road, P.O. Box 911, Joliet, IL 60436. Applicant's representative: Jack Riley, 1830 Mound Road, Joliet, IL 60436. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Hides, skins, and pelts and pieces therefrom* (except commodities in bulk), from the hide plant of Iowa Beef Processors, Inc., at or near Dakota City, NE, to points in the States of AL, AR, CA, DE, GA, IL, IN, KY, MD, MI, MS, NJ, NY, OH, PA, TN, VA, WV, and the ports of entry on the International Boundary Line between the United States and Canada located in MI and NY, for 180 days. Supporting shipper(s): Iowa Beef Processors, Inc., Robert E. Gillespie Manager Rates, and Regulatory Affairs, Dakota City, NE 68731. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

No. MC 142698 (Sub-No. 2TA), filed March 8, 1978. Applicant: B. A. STRICKLAND, 620 Old Highway 99 North, Burlington, WA 98233. Applicant's representative: Henry C. Winters, 235 Evergreen Building, Renton, WA 98055. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper articles*, from the plantsite of Everett Pad & Paper Co., Inc., Everett, WA, to Los Angeles, Compton, Riverside, Pomona, Santa Monica, Santa Barbara, Garden Grove, Costa Mesa, Pasadena, Culver City, San Francisco, Davis, Berkeley, Brisbane, Sacramento, Santa Clara, San Jose, Stockton, and San Diego, CA; and Portland, OR, and Salt Lake City, UT, restricted to transportation service to be performed, under a continuing contract, or contracts, with Everett Pad & Paper Co., Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Everett Pad & Paper Co.,

Inc., 2216 36th Street, Everett, WA 98201. Send protests to: Hugh H. Chaffee District Supervisor, Bureau of Operations, Interstate Commerce Commission, 858 Federal Building, Seattle, WA 98174.

No. MC 144202TA, filed January 16, 1978. Applicant: COOK & SONS, INC., P.O. Box 21, Newsoms, VA 23874. Applicant's representative: Blair P. Wakefield, Suite 1001, First and Merchants Bank Building, Norfolk, VA 23510. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *Liquid fertilizer and liquid fertilizer materials* (in bulk, in tank vehicles), from Wilmington and Mount Olive, NC, to all points in VA located on and east of U.S. Hwy No. 29, (b) *liquid fertilizer and liquid fertilizer materials* (in bulk, in tank vehicles), from Norfolk, Portsmouth, and Chesapeake, VA, to Snow Hill and Salisbury, MD, and, (C) (1) *liquid fertilizer and liquid fertilizer materials* (in bulk, in tank vehicles), (2) *fertilizer and fertilizer materials*, in bulk and in bags, between all points and places in VA east of U.S. Hwy 29, and in NC north of U.S. Hwy 70, for 180 days. Supporting shipper(s): There are approximately (9) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. Send protests to: Paul D. Collins, District Supervisor, Bureau of Operations, Room 10-502, Federal Building, 400 North Eighth Street, Richmond, VA 23240.

No. MC 144409TA, filed March 8, 1978. Applicant: P. C. AUTO SALES, INC., 10645 South Woodlawn, Chicago, IL 60616. Applicant's representative: Kvistad and Finnegan, 188 West Randolph Street, Chicago, IL 60601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used passenger automobiles and used pickup trucks*, in secondary movement, in truckaway service (restricted to the transportation of shipments originating at or destined to automobile auction sites, marshalling or storage yards for used cars and automobile reconditioning centers), between points in AR, CO, IL, IN, IA, KS, KY, MI, MN, MO, NE, OH, OK, PA, TN, and WI, for 180 days. Supporting shipper(s): There are approximately (32) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Ever-

ett McKinley Dirksen Building, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

No. MC 144410TA, filed March 8, 1978. Applicant: DEL E. BUNCH, d.b.a. ROYAL CHARTERS, 215 West Lewis, Pasco, WA 99301. Applicant's representative: Del E. Bunch, 215 West Lewis, Pasco, WA 99301. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in round-trip charter operations, beginning and ending at the Tri-Cities area (Richland, Pasco, and Kennewick, WA), and extending to points in CA, OR, ID, MT, NV, UT, and WY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Kennewick Senior Citizens, 619 South Dawes, Kennewick, WA, (2) Dees Tours, 225 Newell, Walla Walla, WA, (3) Columbia Basin Shrine Club, 2508 Road 64, Pasco, WA 99301, (4) Tri-City Convention Bureau, 222 West Kennewick Avenue, Kennewick, WA. Send protests to: Hugh H. Chaffee, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 858 Federal Building, Seattle, WA 98174.

No. MC 144441TA, filed March 9, 1978. Applicant: DERWOOD M. FOUST, d.b.a. ALTOONA EMERGENCY WRECKER SERVICE, 4035 Sixth Avenue, Altoona, PA 16602. Applicant's representative: Maxwell A. Howell, 1100 Investment Building, 1511 K Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Wrecked disabled, and repossessed motor vehicles* (except trailers designed to be drawn by passenger automobiles), and (2) *replacement vehicles for wrecked or disabled motor vehicles* (except trailers designed to be drawn by passenger automobiles), by the use of wrecker equipment only, between points in Blair County, PA, on the one hand, and, on the other, points in and east of the states of WI, IA, MO, AR, and LA, for 150 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (5) 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: John J. England, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-9760 Filed 4-11-78; 8:45 am]

[7035-01]

[Notice No. 56]

**MOTOR CARRIER TEMPORARY AUTHORITY
APPLICATIONS**

APRIL 4, 1978.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, DC, and also in the ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 29910 (Sub-No. 184TA) (correction), filed January 23, 1978, and published in the FEDERAL REGISTER issue of March 23, 1978, as No. MC 20010 (Sub-No. 184TA), and republished as corrected this issue. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, AR 72901. Applicant's representative: Don A. Smith, P.O. Box 43, 510 North Greenwood, Fort Smith, AR 72902. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commod-*

ities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the facilities of Beird Poulan located at Marshall, TX, as an off-route point in connection with applicant's authorized regular route operations at Shreveport, LA (ABF's authority to serve Shreveport, LA is found at page 3, lines 64-68, and page 4, lines 31-34, of its operating authority, attached hereto.) For 180 days. Supporting shipper(s): Beard Poulan, P.O. Box 9329, Shreveport, LA 71109. Send protests to: District Supervisor, William H. Land, Jr., 3108 Federal Office Building, 700 West Capitol, Little Rock, AR 72201. The purpose of this republication is to indicate the correct docket No. as No. MC 29910 (Sub-No. 184TA).

No. MC 41404 (Sub-No. 138TA) (correction), filed February 1, 1978, and published in the FEDERAL REGISTER issue of March 20, 1978, and republished as corrected this issue. Applicant: ARGO-COLLIER TRUCK LINES CORP., P.O. Box 440, Fulton Highway, Martin, TN 38237. Applicant's representative: Mr. Mark L. Horne, P.O. Box 440, Fulton Highway, Martin, TN 38237. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* for human consumption, in mechanically refrigeration equipment (except commodities in bulk in tank vehicles) from the facilities of Kraft, Inc. at Decatur, GA to points in AL, MS, and LA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Kraft, Inc., 500 Peshtigo Court, Chicago, IL 60690. Send protests to: Mr. Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, 100 North Main Building, Suite 2006, 100 North Main Street, Memphis, TN 38103. The purpose of this republication is to correct the territorial description.

No. MC 109663 (Sub-No. 30TA), filed March 15, 1978. Applicant: ARBET TRUCK LINES, INC., 222 East 135th Place, Chicago, IL 60627. Applicant's representative: Arnold L. Burke, 180 North LaSalle Street, Chicago, IL 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cereals*, including cereals containing dried fruit or candy, from Battle Creek, MI to Lancaster, OH, Davenport and Clinton, IA and Rock Island, IL, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Ralston Purina Co., Charles J. Dougherty, Traffic Manager, 150 S. McCamly, Battle Creek,

MI. Send protests to: Transportation Assistant, Patricia A. Roscoe, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

No. MC 113855 (Sub-No. 406TA) (correction), filed February 14, 1978, and published in the FEDERAL REGISTER issue of March 20, 1978, as No. MC 11385 (Sub-No. 406TA), and republished as corrected this issue. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, MN 55901. Applicant's representative: Thomas J. Van Osdel, 502 First National Bank Building, Fargo, ND 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Lumber*, from Fargo, ND, to points in MN, ND, SD, MT, NE, IA, MO, IL, WI, MI, IN, OH and KY. Restricted to traffic having a prior movement by rail or truck, in foreign commerce, from Manitoba Forestry Resources, Ltd., located in the Province of Manitoba, Canada, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Manitoba Forestry Industries, Ltd., Room 902, 213 Notra Dame Street, Winnipeg, Manitoba, Canada R3B 1N3. Send protests to: Delores A. Poe, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, MN 55401. The purpose of this republication is to indicate the correct docket No. as No. MC 113855 (Sub-No. 406TA).

No. MC 115496 (Sub-No. 82TA), (correction), filed February 10, 1978, and published in the FEDERAL REGISTER issue of March 23, 1978, as No. MC 115496, and republished as corrected this issue. Applicant: LUMBER TRANSPORT, INC., P.O. Box 111, Hwy 23 South, Cochran, GA 31014. Applicant's representative: Virgil H. Smith, Suite 12, 1587 Phoenix Boulevard, Atlanta, GA 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(1) *Roofing and building materials, and materials* used in the installation and application of such commodities (except commodities in bulk), from Franklin, OH, to points in AL, FL, GA, KY, MS, NC, SC, TN, VA, and WV; and,

(2) *Materials, equipment and supplies* used in the manufacture, installation or application of roofing or building materials (except commodities in bulk) from points in AL, FL, GA, KY, MS, NC, SC, TN, VA, and WV to Franklin, OH, for 180 days. Supporting shipper(s): Georgia-Pacific Corp., 1062 Lancaster Avenue, Rose-

mont, PA 19010. Send protests to: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 West Peachtree Street NW., room 300, Atlanta, GA 30309. The purpose of this republication is to indicate the correct docket number as No. MC 115496 (Sub-No. 82TA).

No. MC 115826 (Sub-No. 291TA) (correction), filed February 15, 1978, and published in the FEDERAL REGISTER issue of March 14, 1978, and republished as corrected this issue. Applicant: W. J. DIGBY, INC., P.O. Box 5088, Terminal Annex, 1960 31st Street, Denver, CO 80217. Applicant's representative: Howard Gore, 1960 31st Street, Denver, CO 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes and potato products*, from Clearfield, UT, to Tulsa and Durant, OK, and Dallas, TX, and their commercial zones, for 180 days. Supporting shipper(s): Idaho Frozen Foods, P.O. Box 128, Twin Falls, ID 83301. Send protests to: H. C. Ruoff, District Supervisor, Interstate Commerce Commission, 492 U.S. Customs House, 721 19th Street, Denver, CO 80202. The purpose of this republication is to correct the territorial description.

No. MC 117820 (Sub-No. 19TA), filed March 16, 1978. Applicant: AURELIA TRUCKING CO., 2136 Pine Grove Avenue, Port Huron, MI 48060. Applicant's representative: Robert D. Schuler, 100 West Long Lake Road, Suite 102, Bloomfield Hills, MI 48013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Peoria, IL, to the facilities of Leamon Mercantile Co., at Superior, WI, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Leamon Mercantile Co., Inc., 1617-19 North Third Street, Superior, WI 54880, Kenneth R. Clark, Vice President-Treasurer. Send protests to: Timothy S. Quinn, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 604 Federal Building and U.S. Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226.

No. MC 119489 (Sub-No. 48TA), filed March 13, 1978. Applicant: PAUL ABLER d.b.a. CENTRAL TRANSPORT CO., 2500 North 13th Street, P.O. Box 249, Norfolk, NE 68701. Applicant's representative: A. J. Sindelar (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solution*, in bulk, in tank vehicles, from Blair, NE, to points in IA, MN, ND, SD, WI, and IL, for 180 days. Supporting shipper(s): James A. Frady,

Traffic Coordinator, Terra Chemicals International, Inc., P.O. Box 1828, Sioux City, IA 51102. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th Street, Omaha, NE 68102.

No. MC 119493 (Sub-No. 188TA), filed March 16, 1978. Applicant: MONKEM CO., INC., P.O. Box 1196, West 20th Street Road, Joplin, MO 64801. Applicant's representative: Lawrence F. Kloepfel, President, P.O. Box 1196, Joplin, MO 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, except frozen and in bulk, from the facilities of Joan of Arc Co. at or near Belledeau and St. Francisville, LA, to points in IL, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Joan of Arc Co., Inc., 2231 West Altorfer Drive, Peoria, IL 61614. Send protests to: District Supervisor John V. Barry, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, MO 64106.

MC 126894 (Sub-No. 2TA), filed March 20, 1978. Applicant: BILLINGS MOVING & STORAGE CO., INC., 2010 Polymer Drive, West, Chattanooga, TN 37421. Applicant's representative: Paul M. Daniell, P.O. Box 872, 235 Peachtree Street, Suite 1200, Atlanta, GA 30301. Authority sought: As a *common carrier*, over irregular routes, transporting: *Used household goods* between points in Hamilton County, TN, on the one hand, and, on the other, points in Bledsoe, Clay, Cumberland, Fentress, Loudon, Jackson, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Roane, Scott, Van Buren, and White Counties, TN. Restriction: The operations are subject to the following conditions: Said operations are restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points authorized. Said operations are restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic. Supporting shipper: Department of Defense, U.S. Army Legal Services Agency, Department of the Army (JALS-RL), Room 2C455, Pentagon, Washington, DC 20310. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, ICC, Suite A-422 U.S. Courthouse, 801 Broadway, Nashville, TN 37203. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority.

No. MC 133175 (Sub-No. 4TA), filed March 20, 1978. Applicant: METALS TRANSPORT CO., 1140 Poland Avenue, Youngstown, OH 44502. Ap-

plicant's representative: James Duvall P.O. Box 97, 220 West Bridge Street, Dublin, OH 43017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pallet racks and parts of pallet racks*, from the facilities of Republic Steel Corp., Manufacturing Division, at or near Youngstown, OH, to points in AL, FL, GA, MS, NC, SC, and TN, for 180 days. Supporting shipper(s): Republic Steel Corp., P.O. Box 6778, Cleveland, OH 44101. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, 731 Federal Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 133333 (Sub-No. 7TA), filed March 17, 1978. Applicant: P. L. TRUCK SERVICE, INC., 6909 NE, 47th Avenue, Portland, OR 97218. Applicant's representative: Lawrence V. Smart, Jr., 419 NW, 23rd Avenue, Portland, OR 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobile and truck parts*, between Missoula, MT, and its commercial zone, on the one hand, and points in ID, OR, and WA, on the other hand, for 180 days. Supporting shipper(s): (1) A. C. Auto Recycling, Inc., Route 4, Pine Grove, Missoula, MT. (2) Ace Auto Salvage, Route No. 11, Missoula, MT (3) Buckhouse Auto Salvage, Inc., Hwy 93 South, P.O. Box 4022, Missoula, MT 59806. Send protests to: A. E. Odums, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, 555 SW. Yamhill Street, Portland, OR.

No. MC 138415 (Sub-No. 18TA), filed March 16, 1978. Applicant: TRAILER EXPRESS, INC., Box 327, Topeka, KS 46571. Applicant's representative: Michael M. Yoder, Box 157, Topeka, KS 46571. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Truck campers*, for the account of The Coleman Co., Inc., from the plantsite of The Coleman Co., Inc., at Somerset, PA, to points in the United States (except AK and HI), (2) *Camping trailers*, for the account of The Coleman Co., Inc., between all points in the United States (except AK and HI), under a continuing contract, or contracts, with The Coleman Co., Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The Coleman Co., Inc., 250 North Francis Street, Wichita, KS 67201. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, Suite 113, Fort Wayne, IN 46802.

No. MC 138882 (Sub-No. 59TA), filed March 20, 1978. Applicant: WILEY

SANDERS, INC., P.O. Drawer 707, Troy, AL 36081. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Moulded pulp, nested egg cartons*, from the facilities of Packaging Corp. of America at or near Macon, GA, to AR, MO, KY, PA and NJ, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Packaging Corp. of America, 7670 Airport Drive, Macon, GA 31201. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 139850 (Sub-No. 15TA), filed March 17, 1978. Applicant: FOUR STAR TRANSPORTATION, INC., Box 66, Underwood, IA 51576. Applicant's representative: Leonard D. Wilkins (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar and sweet cider*, from the plantsite and storage facilities utilized by National Vinegar Co., at Alton, IL, to points in IA, NE, KS, MO, CO and AR, for 180 days. Supporting shipper(s): C. E. Henson, Manager, National Vinegar Co., P.O. Box 255, Chesson Lane, Alton, IL 62002. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th Street, Omaha, NE 68102.

No. MC 140061 (Sub-No. 5TA), filed March 16, 1978. Applicant: DONALD MULDER, d.b.a., DON MULDER TRUCKING, 1735 North 50th Street, Lincoln, NE 68504. Applicant's representative: A. J. Swanson, 521 South 14th Street, P.O. Box 81849, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal briquets*, in bags and containers, from the facilities of the Kingsford Co., at or near Parsons, WV, to Belle, MO; Dallas, TX; and Denver, CO, under a continuing contract, or contracts, with The Kingsford Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Michael D. Caudill, Assistant Traffic Manager, The Kingsford Co., 940 Commonwealth Building, P.O. Box 1033, Louisville, KY 40201. Send protests to: Max H. Johnston, District Supervisor, Interstate Commerce Commission, 285 Federal Building, 100 Centennial Mall North, Lincoln, NE 68508.

No. MC 140389 (Sub-No. 24TA), filed March 16, 1978. Applicant: OSBORN TRANSPORTATION, INC., P.O. Box

1830, Gadsden, AL 35902. Applicant's representative: Clayton R. Byrd, P.O. Box 12566, Atlanta, GA 30315. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk, in tank vehicles), in mechanically refrigerated equipment, from points in ID to facilities of Kraft, Inc., at Atlanta, Decatur, and Tucker, GA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Kraft, Inc., 500 Peshtigo Court, Chicago, IL 60690. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Building, Birmingham, AL 35203.

No. MC 140475 (Sub-No. 3TA), filed March 17, 1978. Applicant: HOLCOMB TRUCKING CO., INC., 313 North Campbell Street, P.O. Box 205, Holcomb, MO 63852. Applicant's representative: Thomas P. Rose, P.O. Box 205, Jefferson City, MO 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients* (excluding petroleum and petroleum products), from all points in Dunklin County (excluding Malden), MO, and from all points in Pemiscott County (excluding Hayti), MO, to all points in AL, AR, IL, KY, LA, MS, and TN, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Kennett Liquid Fertilizer Co., Hwy 25 North, Box 528, Kennett, MO 63857. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 North 12th Street, St. Louis, MO 63101.

No. MC 140578 (Sub-No. 5TA), filed March 17, 1978. Applicant: ROBERT E. L. SMITH AND SHIRLEY A. SMITH, d.b.a. SMITH TRUCKING CO., 918 Ednor Road, Silver Spring, MD 20904. Applicant's representative: Edward N. Button, P.O. Box 1417, 1329 Pennsylvania Avenue, Hagerstown, MD 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metals* between Washington, DC, and its commercial zone, on the one hand, and, on the other, points in NJ and PA, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Joseph Smith & Sons, Inc., 2001 Kenilworth Avenue, Washington, DC 20019. Send protests to: Interstate Commerce Commission, 12th and Constitution Avenue NW, Room 1413, District Supervisor W. C. Hersman, Washington, DC 20423.

No. MC 140859 (Sub-No. 4TA), filed March 14, 1978. Applicant: WESTERN

KENTUCKY TRUCKING, INC., 1245 Center Street, Box 1072, Henderson, KY 42420. Applicant's representative: George M. Catlett, Attorney, 708 McClure Building, Frankfort, KY 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizers*, in bulk, from the plantsite of Agrico Chemical Co. at Melbourne, KY, to points in IL, IN, KY, MI, OH, VA, and WV. Restricted to the transportation of traffic originating at the above mentioned plantsite, for 180 days. Supporting shipper(s): J. J. Stefanec, Director, Transportation Legislation, Agrico Chemical Co., P.O. Box 3166, Tulsa, OK 74101. Send protests to: Mrs. Linda H. Sypher, District Supervisor, Interstate Commerce Commission, 6th and Broadway, 426 Post Office Building, Louisville, KY 40202.

No. MC 141958 (Sub-No. 3TA), filed March 13, 1978. Applicant: FEDCO FRIEGHTLINES, INC., P.O. Box 422, Route 32 South, Effingham, IL 62401. Applicant's representative: Robert T. Lawley, 300 Reisch Building, Springfield, IL 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Home and commercial washers and dryers*, from Herrin, IL, to East St. Louis, IL and St. Louis, MO (restricted to traffic having a subsequent movement by rail); for the account of Norge Co., a Division of The Fedders Corp., for 180 days. Supporting shipper(s): Pete Vinsavage, Traffic Manager, Norge Co., a Division of The Fedders Corp., 410 East Maple Street, Herrin, IL 62948. Send protests to: Charles D. Little, District Supervisor, Interstate Commerce Commission, 414 Leland Office Building, 527 East Capitol Avenue, Springfield, IL 62701.

No. MC 143267 (Sub-No. 14TA), filed March 13, 1978. Applicant: CARLTON ENTERPRISES, INC., 4588 State Route 82, Mantua, OH 44255. Applicant's representative: Peter A. Greene, 900 17th Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Reinforced concrete structures*, between the facilities of Price Bros. Co. at Kent, OH, on the one hand, and, on the other, points in MI, NY, WV, PA, IN, and KY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Price Bros. Co., P.O. Box 563, Kent, OH 44240. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, 731 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 143542 (Sub-No. 1TA), filed March 17, 1978. Applicant: SHERRILL KENDALL CONTRACTING, INC., 219 West Main, Magnolia, AR 71753.

Applicant's representative: Sherrill Kendall, (same as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over *irregular routes*, transporting: *Parts and equipment* needed and utilized on an emergency basis in the continued operation of the Dow Chemical Co. plant near Magnolia, AR, and the Ethyl Corporation chemical plants near Magnolia, AR, such as, and similar to, *pump parts, air compressors, compressor parts, Foxboro instruments and parts, fiberglass parts, and fittings, gasket materials, hoses, samples of bromine, brines, and chemical* manufactured at the plants of Ethyl Corp. and Dow Chemical Co. at their Magnolia plants, such shipments not to consist of more than 1200 pounds and no more than five parcels per shipment to be carried in vehicles no larger than three quarter ton "pick-up" type vehicles to be made available to shippers on a notice of not more than thirty minutes, around the clock. Between facilities of Dow Chemical Co. and Ethyl Corp. at points in Columbia County, AR, on the one hand, and on the other, Dallas, Houston, and Beaumont, TX, and Shreveport, Baton Rouge, and New Orleans, LA, and Memphis, TN, under a continuing contract or contracts with Ethyl Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Ethyl Corp., P.O. Box 729, Magnolia, AR 71753. Send protests to: District Supervisor, William H. Land, Jr., 3108 Federal Office Building, 700 West Capitol, Little Rock, AR 72201.

No. MC 143702 (Sub-No. 1TA), filed March 13, 1978. Applicant: ALL FREIGHT SYSTEMS, INC., 1026 South 10th Street, Kansas City, KS 66105. Applicant's representative: Donald J. Quinn, 1012 Baltimore, Suite 900, Kansas City, MO 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Foodstuffs*, (except commodities in bulk), when moving in vehicles equipped with mechanical refrigeration, from the facilities of Inland Storage Distribution Center, located in Kansas City, KS, to points in TX, OK, NE, IA, ND, SD, MN, and CO, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Inland Storage Distribution Center, 6500 Inland Drive, P.O. Box 2249, Kansas City, KS 66110. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 143786 (Sub-No. 3TA), filed March 16, 1978. Applicant: HAL MAST TRUCKING CO., INC., Route 1, Sugar Grove, NC 28679. Applicant's

representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204. Authority sought to operate as a *contract carrier*, by motor vehicle, over *irregular routes*, transporting: *Holders, flower pots, or planters, wicker with wooden legs or pedestal supports*, from Boone, NC, to points within all other States in the United States, under a continuing contract, or contracts, with American Wicker, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): American Wicker, Inc., Rt. 3, Church Road, Boone, NC 28607. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, Room CC516, Mart Office Building, Charlotte, NC 28205.

No. MC 143993 (Sub-No. 3TA), (correction), filed February 14, 1978, and published in the FEDERAL REGISTER issue of March 20, 1978, and republished as corrected this issue. Applicant: BLACK HILLS TRUCKING, INC., 106 Rivercross Road, Casper, WY 82601. Applicant's representative: Robert J. Grady, One Farragut Square South, Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Machinery, equipment, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment, and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof. Between points in WY, ND, SD, MT, CO, UT, NB, and ID, for 180 days. Supporting shipper(s): There are approximately 46 statements of support attached to the application which may be examined at the field office named below. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 492 U.S. Customs House, 721 19th Street, Denver, CO 80202. The purpose of this republication is to add the supporting shippers, and to indicate to whom protests should be sent.

No. MC 144218 (Sub-No. 1TA), filed March 16, 1978. Applicant: FELDSPAR TRUCKING CO., INC., P.O. Box 858, Spruce Pine, NC 28777. Applicant's representative: George W. Clapp, P.O. Box 836, Taylors, SC 29687. Authority sought to operate as a *contract carrier*, by motor vehicle, over *irregular routes*, transporting: *Ground feldspar* (in bulk), from Spruce Pine, NC, to points in AL, AR, FL, GA, IL, IN, KY, LA, MS, MO, NJ, OH, OK, SC TN, TX, WV, and WI, under a continuing contract or con-

tracts with The Feldspar Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The Feldspar Corp., P.O. Box 99, Spruce Pine, NC 28777. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, Room CC516, Mart Office Building, Charlotte, NC 28205.

No. MC 144348 (Sub-No. 1TA), filed March 15, 1978. Applicant: JOSE R. ZAMORA, d.b.a. ZAMORA TRUCKING, Route 3, Box 3438, Burley, ID 83318. Applicant's representative: Timothy R. Stivers, P.O. Box 162, Boise, ID 83401. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Sulphur soil* (in bulk), from the facilities of Forminco, Inc., at or near Beaver, UT, to points in ID, for 180 days. Supporting shipper(s): Forminco, Inc., P.O. Box 1086, Beaver, UT 84713. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Suite 110, 1471 Shoreline Drive, Boise, ID 83706.

No. MC 144430 (Sub-No. 1TA), filed March 16, 1978. Applicant: CHARLES MOLITOR, Ashton, IA 51232. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Liquid fertilizer solutions*, in bulk, in shipper-owned tank trailers, from Ashton, IA, to points in NE, SD, and MN, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): James Baumgard, Manager, Farmer's Cooperative Elevator Co., Ashton, IA 51232. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th Street, Omaha, NE 68102.

No. MC 144459TA, filed March 13, 1978. Applicant: SCOTT LYNN ENTERPRISES, INC., d.b.a. TIGER TRANSPORT, P.O. Box 55167, Fort Washington, MD 20022. Applicant's representative: Edward N. Button, P.O. Box 1417, 1329 Pennsylvania Ave., Hagerstown, MD 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Bicycles and skateboards, bicycle and skateboard accessories and parts*, from the facilities of District Cycle Supply, Inc. located at or near Beltsville, MD, and the facilities of Shofer's World of Wheels of Maryland, Inc. located at or near Jessup, MD, to points in VA, PA, DE, NC, WV, and DC, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) District Cycle Supply, Inc., Beltsville, MD 20705. (2) Shofer's World of

Wheels of Maryland, Inc., Jessup, MD 20794. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, 12th and Constitution Avenue NW., Room 1413, Washington, DC 20423.

PASSENGER APPLICATIONS

No. MC 141369 (Sub-No. 3TA), filed March 16, 1978. Applicant: V.I.P. LIMOUSINE, INC., 11 Brownhouse Road, Stamford, CT 06902. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, in nonscheduled, door-to-door service, limited to the transportation of no more than six passengers (not including the driver), in any one vehicle at any one time, between points in Fairfield County, CT, on the one hand, and, on the other, points in NY, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) General Electric Co., 3135 Easton Turnpike, Fairfield, CT 06931. (2) Curtis, Mallet-Prevost, Colt & Mosle, 100 Wall Street, New York, NY. (3) Clearly, Gottlieb, Steen & Hamilton, One State Street Plaza, New York, NY 10004. (4) Bowater Inc., 1500 East Putnam Avenue, Old Greenwich, CT 06870. (5) AMAX Inc., AMAX Center,

Greenwich, CT 06830. Send protests to: J. D. Perry, Jr., District Supervisor, Interstate Commerce Commission, 135 High Street, Room 324, Hartford, CT 06101.

No. MC 144460 TA, filed March 17, 1978. Applicant: SHOMER SHABOS BUS CORP., 18 Phyllis Terrace, Monsey, NY 10952. Applicant's representative: Sidney J. Leshin, 575 Madison Avenue, New York, N.Y. 10022. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* who are members of Congregation Kolel Emes V'Enunah, between Monsey, NY, and City of New York (by way of NJ), under a continuing contract, or contracts, with Congregation Kolel, Emes V'Enunah, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Congregation Kolel Emes V'Enunah, Monsey, NY 10952. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-9756 Filed 4-11-78; 8:45 am]

[7035-01]

PROCEEDINGS TO BE PLACED ON MICROFILM

Effective April 17, 1978, all public dockets for newly filed applications and complaints which are docketed in prefix series Freight Forwarder (FF), Water (W), Finance Docket (FD), Formal (No.), Freight Forwarder Complaint (FF-C), Water Carrier (W-C), and all Investigation and Suspension (I&S), Investigation and Suspension—Motor (I&SM), proceedings will be placed on microfilm. A letter suffix "F" will be added to the docket numbers to distinguish newly filed or instituted (and therefore microfilmed) proceedings from existing proceedings, which will continue to be maintained in hardcopy dockets.

These proceedings are being phased into the Commission's current microfilm program which began February 1, 1978.

All correspondence, including protests and other filings, which relate to these dockets, must show the suffix "F" to assure proper handling by Commission staff. In addition, requests for copies of these dockets must specify whether hardcopy or microfiche is desired. Each microfiche, which contains up to 60 pages, will cost 10 cents. The charge for hardcopy will remain 10 cents per page.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-9754 Filed 4-11-78; 8:45 am]

sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409), 5 U.S.C. 552b(e)(3).

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[6320-01]

1

CIVIL AERONAUTICS BOARD.

TIME AND DATE: 11 a.m.—April 10, 1978.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: Air Charter Tour Operators of America and the U.S. Tour Operations Association.

STATUS: Open.

PERSON TO CONTACT:

Phyllis T. Kaylor, The Secretary, 202-673-5068.

SUPPLEMENTARY INFORMATION: On March 22, 1978, the Board met to consider the March 21 presentation by the Air Charter Tour Operators of America and the U.S. Tour Operators Association on the problems of American tour operators. The staff recommendation on this subject will be completed on April 6, 1978, and requires prompt Board attention. Because of previous scheduling, Monday, April 10, 1978, is the only day on which a Board meeting on this subject can be arranged without undue delay. Accordingly, the following Members have voted that agency business requires that the Board meet on less than 7 days' notice and that no earlier announcement of the meeting was possible:

Chairman Alfred E. Kahn
Vice Chairman G. Joseph Minetti
Member Lee R. West
Member Richard J. O'Melia
Member Elizabeth E. Bailey

[S-759-78 Filed 4-10-78; 9:24 am]

[6320-01]

2

CIVIL AERONAUTICS BOARD.

NOTICE OF DELETION OF ITEMS AND CHANGE OF TIME TO APRIL 6, 1978 AGENDA

TIME AND DATE: April 6, 1978—11:15 a.m.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT:

15. Evergreen International Airlines, Inc., and McCulloch International Airlines, Inc.—petition for review of staff action denying a request for refund of filing fees for "gambling" charter waivers (Memo No. 7001-B, BPDA, Managing Director, OGC).

21. Dockets 21866-5, 7, 9, Order To Show Cause why reduced rates for retired persons, senior citizens and handicapped persons pursuant to Pub. L. 95-163 should not be treated as discount fares for normal rate-making purposes (BPDA).

STATUS: Open.

PERSON TO CONTACT:

Phyllis T. Kaylor, The Secretary, 202-673-5068.

SUPPLEMENTARY INFORMATION: The staff had indicated that it would have prepared for the Board's consideration on April 6, 1978, material that relate to items 15 and 21. The necessary material will not be available before the April 6, 1978, meeting. In order to give the Board the benefit of all information on these items, it is necessary to delete these items from the April 6, 1978, meeting and to reschedule items 15 and 21 when all material is available. Accordingly, the following Members have voted that agency business requires the deletion of items 15 and 21 from the April 6, 1978, agenda and that no earlier announcement of these deletions was possible.

Chairman Alfred E. Kahn
Vice Chairman G. Joseph Minetti
Member Lee R. West
Member Richard J. O'Melia
Member Elizabeth E. Bailey

[S-760-78 Filed 4-10-78; 9:24 am]

[6714-01]

3

FEDERAL DEPOSIT INSURANCE CORPORATION.

NOTICE OF CHANGE IN SUBJECT MATTER OF AGENCY MEETING

At the commencement of its closed meeting held at 2:30 p.m. on April 7, 1978, the Corporation's Board of Directors determined, on motion of Chairman George A. LeMaistre, seconded by Director William M. Isaac, that Corporation business required its consideration of the following matters on less than 7 days' notice to the public:

Applications of Unity Bank and Trust Company, Boston (Roxbury), Mass., for consent to establish branches at 592 Washington Street, Boston (Dorchester), Mass., and at 1630 Blue Hill Avenue, Boston (Mattapan), Mass.

Application of Unity Bank & Trust Co., Boston (Roxbury), Mass., for consent to change the location of its main office from 416 Warren Street to 2343 Washington Street, both locations within Boston (Roxbury), Mass.

Recommendation regarding the liquidation of assets acquired by the Corporation from International City Bank & Trust Co., New Orleans, La. (Case No. 43,457-L).

The matters were considered in a closed meeting pursuant to subsections (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10)) on the basis of the Board's determination, by the same majority vote, that the public interest did not require consideration of the matters in a meeting open to public observation.

The Board also voted to withdraw from consideration at the meeting the application of First Bank & Trust Co., Sand Springs, Okla., for consent to issue subordinated convertible capital debentures.

The Board further determined by the same majority vote that no earlier notice of the changes in the subject matter of the meeting was practicable.

Dated: April 10, 1978.

FEDERAL DEPOSIT INSURANCE
CORPORATION,
ALAN R. MILLER,
Executive Secretary.

[S-764-78; Filed 4-10-78; 3:25 pm]

[6740-02]

4

FEDERAL ENERGY REGULATORY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Published April 7, 1978, 43 FR 14794.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: April 12, 1978, 10 a.m.

CHANGE IN THE MEETING: The following items have been added:

Item No., Docket No., and Company

ER-5-E-8570 (fuel clause), Southern California Edison Co.
 P-2-Project No. 349, Alabama Power Co.
 RP-4-RP76-136 and RP77-26, Transcontinental Gas Pipe Line Corp.
 CP-4-CP77-604, El Paso Natural Gas Co.
 CP-4-CP77-658, Transwestern Pipeline Co.
 CP-5-CP77-612, Texas Gas Transmission Corp.
 CP-6-CP78-129, Texas Eastern Transmission Corp.
 CP-6-CP78-141, Consolidated Gas Supply Corp.
 CP-6-CP78-158, Columbia Gas Transmission Corp.

KENNETH F. PLUMB,
Secretary.

[S-763-78 Filed 4-10-78; 3:25 pm]

[6210-01]

5

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

TIME AND DATE: 11:30 a.m., Monday, April 17, 1978.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Proposed statement to be presented to the Subcommittee on Financial Institutions of the Senate Committee on Banking, Housing, and Urban Affairs regarding S. 2293, a bill entitled the "Electronic Funds Transfer Act of 1977", and S. 2096, a bill entitled the "Right to Financial Privacy Act of 1977."

2. Proposed expenditure for the automation and modernization, under competitive bidding, of elevators in the Federal Reserve Bank of Kansas City.

3. Any agenda items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board, 202-452-3204.

Dated: April 7, 1978.

THEODORE E. ALLISON,
Secretary of the Board.

[S-755-78 Filed 4-10-78; 9:24 am]

[7030-01]

6

INDIAN CLAIMS COMMISSION.

TIME AND DATE: 10:15 a.m., April 19, 1978.

PLACE: Room 600, 1730 K Street NW., Washington, D.C.

PORTION OF THE MEETING OPEN TO THE PUBLIC:

Docket 332-C, *Yankton Sioux*.
 Docket 59, *Saginaw Chippewa*.
 Third quarter fiscal year 1978 financial plan.

PORTION OF THE MEETING CLOSED TO THE PUBLIC: Personal.

FOR MORE INFORMATION:

David H. Bigelow, Executive Director, Room 640, 1730 K Street NW., Washington, D.C. 20006, telephone 202-653-6174.

[S-761-78 Filed 4-10-78; 10:17 am]

[7550-01]

7

NATIONAL MEDIATION BOARD.

TIME AND DATE: 2 p.m., Wednesday, April 5, 1978.

PLACE: Board Hearing Room, 8th Floor, 1425 K Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

(1) Ratification of Board actions taken by notation voting during the month of March, 1978.

(2) Other priority matters which may come before the Board for which notice will be given at the earliest practicable time.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Rowland K. Quinn, Jr., Executive Secretary, telephone 202-523-5012.

(Date of Notice: March 27, 1978.)

[S-753-78 Filed 4-10-78; 9:24 am]

[7555-01]

8

NATIONAL SCIENCE FOUNDATION.

TIME AND DATE: April 20, 1978—Open session: 1-5 p.m.; April 21, 1978—Open session: 8:30-9 a.m.; closed session: 9 a.m.-1 p.m.

PLACE: Room 540, 1800 G Street NW., Washington, D.C. 20550.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public:

MATTERS TO BE CONSIDERED: Portions open to the Public;

1. Program Review—Atmospheric Sciences.
2. Minutes—Open Session—196th Meeting.
3. Chairman's Report.
4. Director's Report.
5. Board Committees—Reports on Meetings.

6. NSF Advisory Groups.
7. Annual Review of NSF Project and Centers.
8. Grants, Contracts, and Programs.
9. Other Business.
10. Next Meetings.

Portions to be considered at the closed session:

- A. Minutes—Closed Session—196th Meeting.
- B. NSF Budgets for Fiscal Year 1980 and Subsequent Years.
- C. Report on NSB Nominees.
- D. Report of 1978 Ad Hoc Nominating Committee for Board Officers.
- E. NSB Annual Reports.
- F. Report of Alan T. Waterman Award Committee.
- G. Grants and Contracts.

CONTACT PERSON FOR MORE INFORMATION:

Miss Vernice Anderson, Executive Secretary, 202-632-6840.

[S-754-78 Filed 4-10-78; 9:24 am]

[8010-01]

9

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: To be printed April 6, 1978.

STATUS: Open meeting.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

PREVIOUSLY ANNOUNCED TIME AND DATE: Monday, April 10, 1978, 9 a.m.

CHANGES IN THE MEETING: Additional items to be considered.

The following additional items will be considered by the Commission at the open meeting scheduled for Monday, April 10, 1978, at 9 a.m.:

1. Proposed rule amendments filed by the Chicago Board Options Exchange, Inc. concerning order priority and trading procedures. (Previously discussed at open meeting on Thursday, April 6, 1978).

2. Proposed rule change filed by the Cincinnati Stock Exchange concerning a pilot program of an electronic multiple-dealer trading system. (Previously discussed at open meeting on Thursday, April 6, 1978).

Chairman Williams, Commissioners Loomis, Evans, Pollack, and Karmel determined that Commission business required additional consideration of these matters and that no earlier notice thereof was possible.

APRIL 7, 1978.

[S-756-78 Filed 4-10-78; 9:24 am]

[8010-01]

10

SECURITIES AND EXCHANGE COMMISSION.

SUNSHINE ACT MEETINGS

STATUS: Open meeting; closed meeting.

DATE AND TIME: Tuesday, April 11, 1978, 10 a.m.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold an open meeting on Tuesday, April 11, 1978, at 10 a.m., and a closed meeting, immediately following.

The following item will be considered by the Commission at the open meeting scheduled for Tuesday, April 11, 1978, at 10 a.m.:

1. Consideration of a request by Carl Olsen that the Commission review the Division of Corporation Finance's determination concerning a shareholder proposal submitted by Mr. Olsen to Occidental Petroleum.

The following items will be considered by the Commission at the closed meeting, immediately following the open meeting.

- Chapter X proceeding.
- Other litigation matters.
- Referral of files to Federal, State, or Self-Regulation authorities.
- Institution of injunctive actions.
- Settlement of injunctive actions.
- Institution of administrative proceedings of an enforcement nature.
- Settlement of administrative proceedings of an enforcement nature.
- Freedom of Information Act appeal.
- Regulatory matter bearing enforcement implications.

The General Counsel of the Commission, or his designee, has certified

that, in his opinion, the items to be considered at the closed meeting may be so considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4)(8)(9)(A) and (10) and 17 CFR 200.402(a)(8)(9)(i) and (10).

Chairman Williams, Commissioners Loomis, Evans, Pollack, and Karmel determined that Commission business required rescheduling of the above matters from Monday, April 10, 1978, and that no earlier notice thereof was possible.

APRIL 7, 1978.

[S-757-78 Filed 4-10-78; 9:24 am]

[8010-01]

11

SECURITIES AND EXCHANGE COMMISSION.

STATUS: Closed meeting.

DATE AND TIME: Friday, April 7, 1978, 3 p.m.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold a closed meeting on Friday, April 7, 1978, at 3 p.m.

The following item will be considered by the Commission at the closed meeting at 3 p.m.:

- Regulatory matters bearing enforcement implications.
- Report of investigation.
- Discussion of amicus participation.
- Regulatory matters bearing enforcement implications.

Institution of injunctive action.
Opinion.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meeting may be so considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4)(8)(9)(A) and (10) and 17 CFR 200.402(a)(8)(9)(i) and (10).

Chairman Williams, Commissioners Loomis, Evans, Pollack, and Karmel determined that Commission business required rescheduling of the above matters and that no earlier notice thereof was possible.

[S-758-78 Filed 4-10-78; 9:24 am]

[8240-01]

12

UNITED STATES RAILWAY ASSOCIATION.

TIME AND DATE: April 6, 1978, 2 p.m.

PLACE: Board Room, Room 2200, Trans Point Building, 2100 Second Street SW., Washington, D.C.

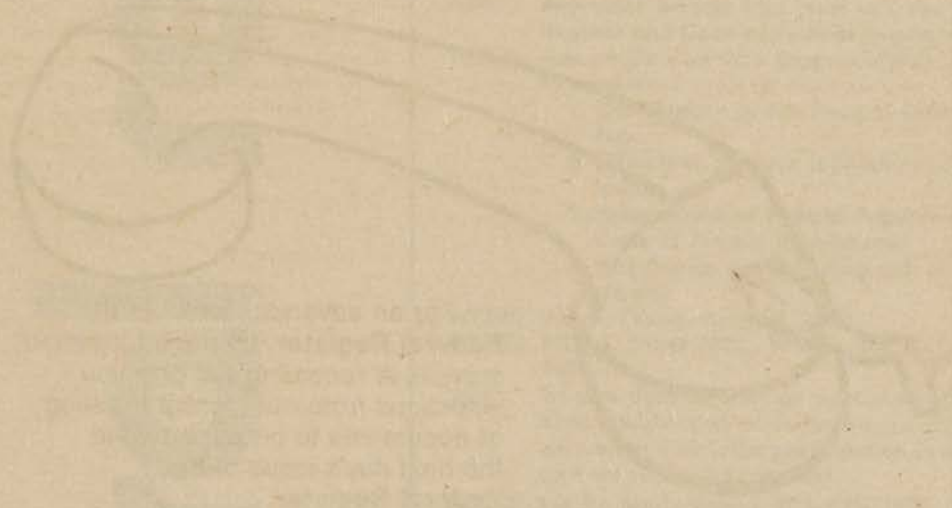
STATUS: The meeting has been postponed indefinitely and the published agenda item concerning advances to the Delaware and Hudson Railway Co. will be considered at the USRA Board of Directors meeting on April 20, 1978.

CONTACT PERSON FOR MORE INFORMATION:

Alex Bilanow, 202-426-4250.

[S-762-78 Filed 4-10-78; 3:25 pm]

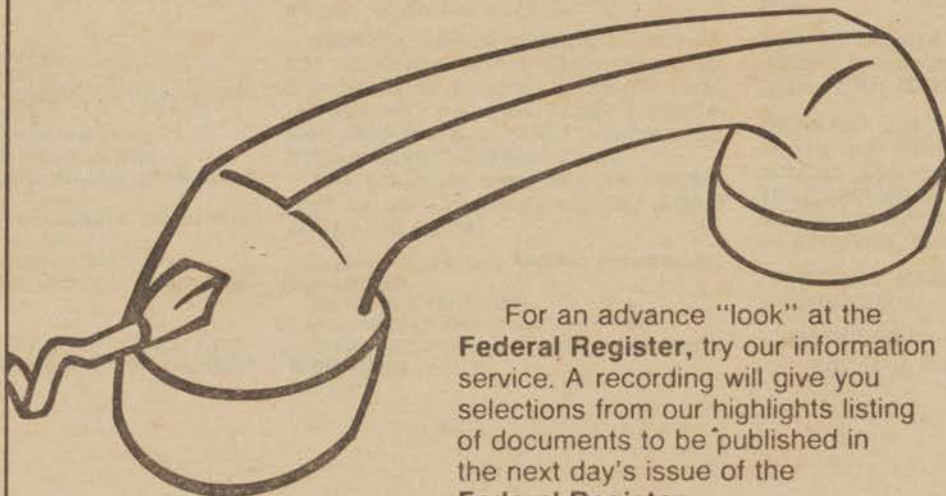
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