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Monday
December 14, 1981

Highlights

60812, 60830 **Consumer Protection** CPSC suspends enforcement and proposes partial revocation of architectural glazing safety standards. (2 documents)

61060 **Grant Programs—Education** ED proposes to consider applicant's past performance in previous programs when applying for new awards under Special Programs for Students from Disadvantaged Backgrounds. (Part II of this issue)

60999 **Medicare and Medicaid** HHS/HCFA describes provisions of the Omnibus Budget Reconciliation Act of 1981 affecting program eligibility, benefits, reimbursement and administration.

61048 **Foreign Aid** State determines that Nicaragua is in default of payment of principal and interest on loans made under Foreign Assistance Act.

60828 **Banks** FDIC proposes to change regulations on disclosure of information.

60834 **Administrative Procedure—Commodity Futures** CFTC proposes to amend reparation and arbitration rules.

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Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

Highlights

60864 **Legal Paper Size Requirement** Administrative Office of the United States Courts adopts 8½ x 11 inch paper as standard throughout the Federal Judiciary.

61017 **Legal Services** LSC publishes instruction on private attorney involvement with recipients of funding.

60820 **Exports—Arms and Munitions** State removes People's Republic of China from list of countries denied approvals for U.S. Munitions List exports.

60821 **Government Contracts—Defense** DOD publishes list of fiscal year 1981 contractors receiving negotiated contract awards of $10 million or more.

60823 **Government Procurement** VA amends procurement regulations on training, conference space, food service, and supplies and equipment consignments.

60801 **Loan Programs—Agriculture** USDA/FmHA implements New Full-time Family Farmer and Rancher Development Project.

60864 **Tobacco** USDA/CCC issues 1981 price support rates for certain tobaccos.

60859 **Radio** FCC proposes rules on beacon operation in Amateur Radio Service.

60839 **Telecommunications** FCC requires AT&T to provide "Calling Services II" only through separate corporate entity.

60825 **Wildlife** Interior/FWS adds fourteen national wildlife refuges to list of open areas for certain types of hunting and fishing.

60868 **Antidumping** Commerce/ITA issues preliminary results of administrative review on drycleaning machinery from West Germany.

60869 Commerce/ITA announces final results of administrative review on viscose rayon staple fiber from Italy.

60872 **Imports** CITA announces restraint levels for: Certain cotton, wool and man-made fiber textile products from Macau.

60871 Certain cotton textile products from the People's Republic of China.

60984 **Privacy Act Document** FRS

61054 **Sunshine Act Meetings**

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61060 **Part II, ED**

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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.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

Gypsy Moth Hazardous Recreational Vehicle Sites

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule.

SUMMARY: This action affirms the interim rule which amended the list of gypsy moth hazardous recreational vehicle sites under the Federal Gypsy Moth and Browntail Moth Quarantine and Regulations by adding 93 sites located in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, and Vermont, and by deleting 11 sites located in New Jersey and Pennsylvania. The interim rule was published in the **Federal Register** on July 13, 1981 (46 FR 35907–35909). This rule is necessary in order to prevent the artificial spread of gypsy moth, and to eliminate the imposition of unnecessary restrictions on the movement of recreational vehicles and associated equipment.

EFFECTIVE DATE: December 14, 1981.

FOR FURTHER INFORMATION CONTACT: T. J. Lanier, Chief Staff Officer, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 635 Federal Building, 6505 Belcrest Road, Hyattsville, Maryland 20782, 301–436–8249.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

The interim rule has been determined to be not a "major rule" under Executive Order 12291. Based on information compiled by the Department, it has been determined that the rule will have an annual effect on the economy of approximately $48,000; that this rule will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and that this rule will not have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The interim rule placed under regulation 93 hazardous recreational vehicle sites in 8 States and deleted 11 such sites in 2 States. It appears necessary to continue these actions in order to prevent the artificial spread of gypsy moth from the hazardous sites that were added to the list of regulated recreational vehicle sites and to relieve unnecessary requirements on those nonhazardous sites deleted from the list.

Alternatives to this final rule were considered. Alternatives considered were (1) to allow the unrestricted movement of recreational vehicles from recreational vehicle sites or (2) to continue to regulate the movement of recreational vehicles from recreational vehicle sites determined to be hazardous. Alternative (1) is not adopted because it would allow the artificial spread of gypsy moths via recreational vehicles. Alternative (2) is adopted in order to prevent the spread of gypsy moths that could hitchhike aboard recreational vehicles moving from recreational vehicles sites determined to be hazardous.

Inspecting recreational vehicles moving from hazardous sites at origin for hitchhiking pests entails minimal costs as compared to the costs of eradication if the pest spreads to noninfested areas. Therefore, it appears that the regulatory objective chosen maximizes the net benefits to society with the least net cost.

Certification Under the Regulatory Flexibility Act

Dr. H. C. Mussman, Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small businesses and should not have a significant economic impact on any small organizations or small governmental jurisdictions. This action affects the interstate movement of regulated articles i.e., recreational vehicles from regulated areas in the States of Connecticut, Maine, Massachussetts, New Hampshire, New Jersey, New York, Pennsylvania, and Vermont. Based on information compiled by the Department, it has been determined that there are hundreds of small entities which move such regulated articles interstate from such States and thousands of small entities which move such regulated articles interstate from other States. However, based on such information, it has been determined that there are only 93 entities which move such regulated articles interstate from the specified areas affected by this action. Further, the overall economic impact from this action is estimated to be only about $48,000.

Background

A document published in the **Federal Register** on July 13, 1981 (46 FR 35907–35909) amended § 301.45–2c of the list of gypsy moth hazardous recreational vehicle sites under the Federal Gypsy Moth and Browntail Moth Quarantine and Regulations by adding 93 sites located in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, and Vermont, and by deleting 11 sites located in New Jersey and Pennsylvania.

The document stated that the amendment was necessary as an emergency measure in order to prevent the artificial spread of the gypsy moth and to delete unnecessary restrictions on the movement of certain articles. The document also stated that the amendment became effective on July 13, 1981.

Comments were solicited for 60 days after publication of the amendment. No comments were received in response to the amendment. The factual situations which were set forth in the document of July 13, 1981, still provide a basis for the amendment. Accordingly, it has been determined that the interim rule should remain effective as published in the **Federal Register** on July 13, 1981.

(Secs. 8 and 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 37 FR 28464, 28477, as amended; 38 FR 19141)

Done at Washington, D.C. this 9th day of December 1981.

Harvey L. Ford,

Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 81-35728 Filed 12-11-81; 8:45 am]

BILLING CODE 3410-34-M

Agricultural Marketing Service

7 CFR Part 1065

Milk in the Nebraska-Western Iowa Marketing Area; Temporary Revision of Supply Plant Shipping and Diversion Limitation Percentages

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Temporary revision of rules.

SUMMARY: This action temporarily relaxes for the months of December 1981 through March 1982 a portion of the pooling standards for supply plants. Also, the action continues through March 1982 the present relaxation for the months of September through November of the limit on how much milk not needed for fluid (bottling) use may be moved directly from farms to manufacturing plants and still be priced under the order. The revisions are made in response to a request by a cooperative association representing a substantial number of producers supplying the market to prevent uneconomic movements of milk.

EFFECTIVE DATE: December 14, 1981.

FOR FURTHER INFORMATION CONTACT: Maurice M. Martin, Marketing Specialist, Dairy Division, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-7183.

SUPPLEMENTARY INFORMATION: Prior document in this proceeding:

Proposed Temporary Revision of Shipping and Diversion Limitation Percentages: Issued November 18, 1981; published November 23, 1981 (46 FR 57306).

This action has been reviewed under USDA procedures established to implement Executive Order 12291 and has been classified "not significant" and, therefore, not a major action.

Also, it has been determined that the need for adjusting certain provisions of the order on an emergency basis precludes following certain review procedures set forth in Executive Order 12291. Such procedures would require that this document be submitted for review to the Office of Management and Budget at least 10 days prior to its publication in the **Federal Register.** However, this would not permit the completion of the procedure in time to give interested parties timely notice that the shipping requirements for pool supply plants and the limits on the amount of milk that may be moved directly from producer farms to manufacturing plants for December 1981 would be modified.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action would not have a significant economic impact on a substantial number of small entities. Such action would lessen the regulatory impact of the order on certain milk handlers and would tend to assure the efficient disposition of milk not needed for fluid use and still maintain producer status under the order for dairy farmers regularly associated with the market.

This temporary revision is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the provisions of §§ 1065.7(b)(3) and 1065.13(d)(4) of the Nebraska-Western Iowa milk order.

Notice of proposed rulemaking was published in the **Federal Register** (46 FR 57306) concerning a proposed decrease in the shipping requirements for pool supply plants and an increase in the limits on the amount of milk that may be moved directly from producer farms to manufacturing plants for the months of December 1981 through March 1982. Interested parties were afforded the opportunity to comment on the proposal by submitting written data, views, and arguments. No comments in opposition to the proposal were received.

After consideration of all relevant material, including the proposal set forth in the aforesaid notice, data, views, and arguments filed thereon, and other available information, it is hereby found and determined that for the months of December 1981 through March 1982 the supply plant shipping percentages of 40 percent as set forth in § 1065.7(b) should be decreased to 30 percent and the diversion limitation percentages as set forth in § 1065.13(d) should be increased from the present 40 percent to 50 percent.

Pursuant to the provisions of § 1065.7(b)(3), the supply plant shipping percentages as set forth in § 1065.7(b) and pursuant to the provisions of § 1065.13(d)(4), the diversion limitation percentages as set forth in § 1065.13(d) (2) and (3) may be increased or decreased up to 20 percentage points during any month to encourage additional needed milk shipments to pool distributing plants or to prevent uneconomic shipments merely for the purpose of assuring that dairy farmers will continue to have their milk priced under the order and thereby receive the benefits that accrue from such pricing.

Associated Milk Producers, Inc., who represents a portion of the producers supplying the Nebraska-Western Iowa market, requested that during the period of December 1981 through March 1982, the pool supply plant shipping percentages be relaxed 10 percentage points. Also, the cooperative requested that the present relaxation of the diversion limits by 10 percentage points be continued through March 1982.

The basis of the cooperative's request was that the present pooling provisions in question will not accommodate the efficient pooling of the milk of some of its members who are regularly associated with the market. The cooperative indicates that this is because of the present buildup in the market's milk supplies due to a substantial increase in producer deliveries while Class I sales have remained virtually unchanged. It states that this marketing situation is expected to continue at least through March 1982. The cooperative contends that relaxation of the supply plant shipping percentage and diversion limits will be needed beginning in December to prevent unnecessary and uneconomic movements of milk.

Mid-America Dairymen, Inc., which represents a large number of the producers suppling the Nebraska-Western Iowa market, filed a view in support of the proposed reduction in the required shipments of supply plant milk. It also supported the continuation of the relaxation of the diversion limits through March 1982.

A review of current market data indicates that milk supplies available to the market have increased considerably during recent months. For example, producer receipts are up over 14 percent for the first 10 months of 1981 compared to the same months in 1980. At the same time, Class I sales have remained virtually unchanged during the first 10 months of 1981 from the comparable period in 1980.

In view of this development in the supply situation, and without the temporary revision, some milk not needed for bottling use would have to be shipped first to distributing plants and then be shipped to manufacturing plants merely to qualify some supply plants under the order during the forthcoming winter months. Likewise, milk of some dairy farmers would first have to be received at a pool plant to qualify it for pooling rather than being shipped directly from the farm to manufacturing plants for surplus use. This would result

in costly and inefficient movements of milk.

Under these supply-demand conditions, it is concluded that a reduction in the required shipments of a supply plant by 10 percentage points beginning in December will prevent uneconomic movements of milk merely for purposes of maintaining pool plant status. Moreover, a continuation of the present relaxation of the diversion limits by 10 percentage points through March 1982, will prevent uneconomic movements of milk through pool plants merely for the purpose of qualifying it as producer milk under the order.

It is hereby found and determined that thirty days' notice of the effective date is impractical, unnecessary, and contrary to the public interest in that:

(a) This temporary revision is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area for the months of December 1981 through March 1982;

(b) This temporary revision does not require of persons affected substantial or extensive preparations prior to the effective date; and

(c) Notice of the proposed temporary revision was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this temporary revision.

Therefore, good cause exists for making this temporary revision effective for the months of December 1981 through March 1982.

It is therefore ordered. That the aforesaid provisions of the order are hereby revised for the months of December 1981 through March 1982.

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

Effective date: December 14, 1981.

Signed at Washington, D.C. on December 9, 1981.

H. L. Forest,

Director, Dairy Division.

[FR Doc. 81-35729 Filed 12-11-81; 8:45 am]

BILLING CODE 3410-02-M

Farmers Home Administration

7 CFR Parts 1910, 1924, 1941, and 1943

New Full-Time Family Farmer and Rancher Development Project

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration (FmHA) amends its regulations pertaining to management assistance for certain farmer loan program applicants and borrowers. This action implements a "New Full-time Family Farmer and Rancher Development Project" that will supplement the management assistance now available from FmHA County Supervisors. This project is being implemented on a pilot basis in 81 counties in 10 States for a 1 year period. After the pilot period, the project will be evaluated, regulations revised as deemed desirable and the project implemented in all counties nationwide. The intended effect of this project is to help develop a continuing and reliable supply of successful full-time commercial family farmers and ranchers to replace the retiring generation and other agricultural producers who discontinue their operations. This project is a coordinated effort to assure that all USDA resources (existing programs and personnel) and local (county level) human resources, on a voluntary basis, are utilized in the encouragement and development of successful full-time family farming and ranching operations.

EFFECTIVE DATE: December 14, 1981.

FOR FURTHER INFORMATION CONTACT: Morris Monesson, Emergency (EM) Loan Branch Chief, Emergency Loan Division, Farmers Home Administration, USDA, Washington, D.C. 20250, telephone: (202) 382–1632.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA procedures established in Secretary's Memorandum 1512–1, which implements Executive Order 12291, and has been determined to be "nonmajor."

This action will cause no increase in costs of prices for individuals, organizations or other government agencies affected; and there will be no significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Five alternative actions and their anticipated effects, as enumerated and discussed in the proposed rule, were considered. The alternative selected will provide the greatest net benefits to society at the lowest cost.

This action does not directly affect any FmHA programs or projects that are subject to A–95 clearinghouse review.

CFDA No. and Title:

10.406 Farm Operating Loans (OL)
10.407 Farm Ownership Loans (FO)
10.416 Soil and Water Loans (SW)

This document has been reviewed in accordance with 7 CFR Part 1901, Subpart G, "Environmental Impact Statement." It is the determination of FmHA that this action does not constitute a major Federal action significantly affecting the quality of the human environment, and in accordance with the National Environmental Policy Act of 1969, Pub. L. 91–190, an Environmental Impact Statement is not required.

A proposed rule was published in the **Federal Register** (46 FR 50080) on October 9, 1981. That rule provided for a 30-day comment period through November 9, 1981. Comments on the proposed rule were received from 7 individuals including a former FmHA State Director, a veterinarian employed by the USDA–APHIS, a present FmHA State Director, a rural affairs organization President, an FmHA County Supervisor, a State Commissioner of Agriculture and a State Forester. Additionally, a summary of comments from 18 Soil Conservation Service (SCS) State Conservationists was received from the SCS. The comments received were generally favorable, however, the following concerns were expressed that:

(1) The selection of alternative 5, i.e., the use of local volunteers for extra supervision of certain FmHA farm loan borrowers would be the most costly and least effective method of the 5 alternatives considered, since administrative time would be consumed in attending meetings and in preparation of reports; and the volunteers who will offer their services would not provide the quality of supervision and counseling necessary to assure the success of the borrowers they counsel.

We believe these concerns are not well-founded. Although there will be some extra administrative time consumed initially in getting the Development Committees organized, once organized, those committees will function independently of Government agencies.

The only additional reporting requirement placed on the FmHA County Supervisor is to review and analyze the Development Committee's annual report of progress for each borrower, who has accepted the services of the Committee and Counselor(s), and report those analyses with recommendations to the State Director. Reviewing analyses completed by someone else is far less time consuming than actually doing the analyses yourself with the borrower.

Concerning the capability and quality of volunteer Committeepersons and counselors, it is our belief there are many qualified people willing to give of their time, particularly so in farm oriented communities where the older

generation is anxious to see good farming operations perpetuated in their community. The caliber of the volunteers in any community is controllable locally, since the selection of Development Committeepersons and Guidance Counselors is a local decision. The criteria used for qualifying volunteers as Guidance Counselors will be established by the Development Committee; and the standards adopted for the Counselors will determine the success of the project locally. Development Committees will have to exercise good judgment in their selection of counselors and the matching of Counselors with borrowers. Availability of qualified Counselors may be a limiting factor for the project in some communities. However, we do not expect Development Committees to accept the services of people who are not properly qualified simply because their services are voluntary. The success of this project, at least initially, will be gauged by the number of family farmers and ranchers established, who continue on as successful full-time operators, and not by the total number of FmHA borrowers who receive the Committee's and Counselor's services, but never reach their objective. We do not expect quality to be sacrificed for quantity.

(2) Proper precautions be taken to avoid the establishment of new livestock herds carrying "economic infectious diseases."

We are confident that with the broad representation of local agricultural interests serving on the Development Committees and as Counselors, and the always available expertise of the USDA agencies, this expressed concern will not become a problem.

(3) Presently indebted FmHA farm loan borrowers have need for closer supervision and more counseling which FmHA is unable to provide. It is suggested that the services of the Development Committees and Guidance Counselors be made available to existing FmHA borrowers to the extent local volunteers are willing to give of their time.

We recognize that most FmHA borrowers could benefit from the services of a Development Committee and Counselors. However, this project, by design, is being made available only to those farmers and ranchers and prospective farmers and ranchers who are not now full-time farm operators; and who have expressed a desire to become full-time farm operators; and who have demonstrated the potential to become successful full-time farm operators able to qualify for conventional financing within 5–10 years after accepting the services of the Development Committee and Counselor(s). Those FmHA borrowers who meet these criteria may be referred to the Development Committee for its consideration by the FmHA County Supervisor.

(4) Project will tend to reduce FmHA services to many of its present borrowers, especially limited resource borrowers and other disadvantaged farmers.

It is our belief and our expectation that the activities of the Development Committees and Guidance Counselors will have just the opposite effect, i.e., their services will enable FmHA County Supervisors and other FmHA County Office employees to devote more of their time to those borrowers and applicants who are not interested in becoming full-time operators or who have more serious management problems.

(5) The role of Development Committees partially duplicate and conflict with the responsibilities mandated by law to the FmHA County Committees; and that the Development Committee's acceptance of a candidate would prompt nearly automatic acceptance by the FmHA County Committee.

The proposed rule clearly states that:

"FmHA County Committees—will continue to be responsible for determining a candidate's basic eligibility for FmHA assistance."

"FmHA County Supervisors—will remain responsible for determining the soundness of the proposed loan(s) and all security and account servicing of borrowers in this project, and for management assistance as set out in Part 1924, Subpart B."

We see no duplication of efforts or conflict of responsibilities between the Development Committees and the FmHA County Committees. We recognize that FmHA County Committees are mandated by statute to certify eligibility or ineligibility of every farm loan applicant, and they will continue to fulfill that responsibility. We also recognize that the Development Committees have no authority, either by statute or by delegation. They will function strictly as a voluntary group offering additional counseling and supervision to certain family farmers and ranchers who seek their services and agree to cooperate in carrying out the Development Committee's recommendations. All loan making activities remain the full responsibility of FmHA County Committees and FmHA loan approval officials.

There is no reason to believe an action by either Committee would cause an automatic reaction by the other, since each Committee is an autonomous body and each has different responsibilities. We do believe, however, that when you have two groups of responsible and knowledgeable people interacting over a period of time, and having similar goals, a mutual respect and understanding develops between them. We, therefore, expect that in most instances candidates who are referred to FmHA by the Development Committees will qualify for FmHA financing because the Development Committees will be familiar with FmHA's eligibility requirements and will not refer someone who is obviously ineligible.

(6) The pilot project be extended to additional States.

We recognize that the services to be performed by the Development Committees and Guidance Counselors are desirable and will be beneficial wherever the project is implemented. The project also has potential problem areas which need to be observed and understood before the project is implemented in all States.

(7) The term of office for Development Committee persons be longer than 3 consecutive years, as prescribed in the proposed rule, when there is a good Committee person who is willing to serve longer.

Our initial thinking in limiting the terms to 3 consecutive years was the avoidance of one or more individuals becoming entrenched and dominating the actions of the Committee. This could create a poor public image and detract from the credibility of the Committee and its work. Upon reconsideration we still believe it would generally be best if the term is limited to 3 consecutive years. We do agree, however, that there will be situations where it would be desirable to extend that term. The Final Rule reflects such a change, leaving it discretionary with each local Development Committee.

We have also made the following changes based on informal inquiries and comments received. Exhibit A, FmHA Instruction 1924–B:

Paragraph IV A 3 *Additional Members*—*"will* be selected * * *" The proposed rule stated "may be selected * * *"

It is intended that Development Committees have representation from the private sector as well as the public sector, although who from the private sector serves on the committees is a local decision.

Paragraph IV B *Guidance Counselors*—The New * * * candidate. Add: Development Committee members may also serve as counselors.

Inquiries were received concerning whether Development Committee members might also serve as Guidance Counselors. Certainly if a community has one or more Committee members who wish to volunteer their services as a counselor, and the Committee determines the individual(s) is qualified, we have no objection and have made provision for it.

Paragraph VI A 2 changed to read "Assisting candidates in the development of comprehensive annual and long-range plans, including soil and water conservation plans, to become * * *"

Items 6 and 7 of Table 1 in paragraph VII speak of "comprehensive plan." However, in the proposed rule there was no reference to a comprehensive plan in the text of the regulation. Neither was there mention that a comprehensive plan will include a soil and water conservation plan.

Paragraph VI B 2 change to read:

2. *Reviewing*—an annual operational analysis (financial, production, marketing and conservation) of each borrower's operation with the borrower, appropriate USDA agency representatives and the Guidance Counselor.

This change is needed to be consistent with paragraphs VI A 2 and VII Table 1.

Accordingly, FmHA amends Subpart A of Part 1910, Subpart B of Part 1924, Subpart A of Part 1941, Subpart A of Part 1943 and Subpart B of Part 1943, Chapter XVIII, Title 7, Code of Federal Regulations, as follows:

PART 1910—GENERAL

Subpart A—Receiving and Processing Applications

1. The introductory paragraph of § 1910.4 is revised to read as follows:

§ 1910.4 Processing applications.

When obtaining information concerning applicants and evaluating their qualifications, FmHA personnel will be governed by the provisions of ECOA and the established policies for the various types of assistance offered by FmHA. In the processing of applications for Farm Ownership, Farm Operating and Soil and Water loans received from family size operators, the County Supervisor may recommend the applicant for the additional services of the "New Full-time Family Farmer and Rancher Development Committee." See Exhibit A of Subpart B of Part 1924 for the policies governing those additional services.

* * * * *

PART 1924—CONSTRUCTION AND REPAIR

Subpart B—Management Assistance to Individual Borrowers and Applicants

2. Table of sections is amended to add the following:

Exhibit A—New Full-time Family Farmer and Rancher Development Project

3. Section 1924.51 is revised to read as follows:

§ 1924.51 General.

This subpart sets forth policies for providing management assistance to individual applicants and borrowers. The term "individual" as used in this Subpart also applies to farming partnerships, corporations and cooperatives receiving Farmer Program loans. This Subpart pertains to all insured loan applicants/borrowers who depend on farm income for loan repayment, including those Farm Ownership (FO), Soil and Water (SW) and/or Operating (OL) loan applicants and borrowers who are afforded the services of a "New Full-time Family Farmer and Rancher Development Committee." (See Exhibit A of this Subpart). It also provides for the necessary supervision and appropriate credit counseling for Rural Housing (RH) applicants/borrowers not dependent on farm income for loan repayment.

4. Exhibit A is added to the end of Subpart B to read as follows:

Exhibit A—New Full-Time Family Farmer and Rancher Development Projects

I. *Objective.* The objective of this additional applicant/borrower service is to develop a continuing and reliable supply of full-time commercial family farmers and ranchers to replace the retiring generation and other agricultural producers who discontinue their operations. This service will enlist the management assistance from the full field force network of the United States Department of Agriculture (USDA) Agencies as well as voluntary representatives of local farm and forestry organizations and farm lending institutions. No applicant applying for FmHA loan assistance will be required to utilize the management assistance of the Development Committee. The decision of an FmHA loan applicant not to utilize the services of the Development Committee will not impair in any way the applicant's eligibility for FmHA assistance.

II. *Definitions.*—A. *USDA Agency Representative*—A USDA full-time or part-time employee.

B. *New Full-Time Family Farmer or Rancher*—An individual, a family partnership or a family corporation who/which is a part-time or a beginning farmer or rancher and has expressed the interest to become a full-time farmer or rancher at the time of recommendation to the Development Committee.

C. *Family Size Farming or Ranching Operation*—An operation recognized to be a family size farming or ranching operation as defined in § 1941.4(d) of this Chapter.

III. *Delivery.* This additional service will be made available, on a pilot basis, immediately in 81 Farmers Home Administration (FmHA) County Office areas within 10 selected States, and then implemented nationwide in Fiscal Year 1983. The 10 pilot States and 81 pilot counties are:

I. *Illinois*

1. Greene
2. Jefferson
3. Kankakee
4. McDonough
5. Stephenson

II. *Minnesota*

1. Clearwater
2. Kanabec
3. Kandiyohi
4. Kittson
5. Murray
6. Olmsted
7. Ottertail

III. *Mississippi*

1. Calhoun
2. Copiah
3. George
4. Monroe
5. Newton
6. Pearl River
7. Pontotoc
8. Quitman
9. Washington
10. Yazoo

IV. *Missouri*

1. Barry
2. Cape Girardeau
3. Douglas
4. Johnson
5. Livingston
6. Mississippi
7. Nodaway
8. Osage
9. Randolph
10. Texas

V. *Nebraska*

1. Box Butte
2. Buffalo
3. Custer
4. Dodge
5. Gage
6. Greeley
7. Knox
8. Red Willow
9. Wayne
10. York

VI. *North Carolina*

1. Alleghany
2. Jackson
3. Nash
4. Northampton
5. Yadkin

VII. *North Dakota*

1. Bottineau
2. Emmons
3. Hettinger
4. LaMoure
5. Mercer
6. Pierce
7. Richland
8. Sheridan
9. Stark
10. Williams

VIII. *Oregon*

1. Clackamas
2. Douglas
3. Jefferson
4. Klamath
5. Linn
6. Malheur
7. Union

IX. *Pennsylvania*

1. Berks
2. Bradford
3. Centre
4. Columbia
5. Crawford
6. Franklin
7. Huntington
8. Lancaster
9. Somerset
10. York

X. *Texas*

1. Haskell	5. Pecos
2. Houston	6. Starr
3. Menard	7. Van Zandt
4. Milan	

IV. *Organization of Voluntary Field Force.*

A. *New Full-Time Family Farmer and Rancher Development Committee.* 1. *Responsibilities for Organizing*—It is the responsibility of FmHA State, District and County Office officials (and County Committeepersons if they wish to volunteer their assistance in organizing and publicizing) to take the necessary and appropriate actions to:

a. Publicize the concept and objectives of the Development Committees and stimulate local interest in the project through the news media and through personal contacts. (All FmHA employees are expected to participate in this action.)

b. Schedule an organizational meeting(s), and establish a New Full-time Family Farmer and Rancher Development Committee at the FmHA County Office level. The County Supervisor will schedule the organizational meeting(s) and serve as chairperson *pro tem* until the Development Committee is established and has elected its permanent officers.

c. Assure that a farmer member of the FmHA County Committee serves as a member of the Development Committee. (The County Supervisor is responsible for taking this action.)

2. *Composition of the Development Committee*—Committee composition will be a local decision. However, Committee members must be selected without regard to race, color, religion, national origin, sex, age, marital status, or handicapped condition. The Committees are to be organized and established in each of the 81 pilot FmHA County Office areas in Fiscal Year 1982, and in every FmHA County Office area during Fiscal Year 1983. Membership on the Development Committees *will* be composed of:

a. A farmer member of the FmHA County Committee.

b. A member of the Agricultural Stabilization and Conservation Service (ASCS) County Committee.

c. A farmer member of the Soil Conservation District Governing Board, where Conservation Districts exist.

d. A farmer representative of the county Cooperative Extension Service (CES).

e. A Federal Crop Insurance Corporation (FCIC) Field Supervisor.

3. *Additional Members*—Members will be selected for the Development Committee during its organizational meeting(s) and *may* include, but are not limited to, some or all of the following individuals:

a. A representative(s) of the local Farm Credit System. (Federal Land Bank Association and/or Production Credit Association.)

b. A representative of a local commercial lender(s) who is actively involved in agricultural lending in the area. (Bank agricultural loan officer(s).)

c. An officer or active member of local farm or forestry organization(s).

d. A Vocational Agriculture Instructor and/or a 4–H Club Leader.

e. A senior member of a local Future Farmers of America (FFA) chapter and/or a farm project oriented 4–H Club.

f. A representative of a farm supply or farm marketing cooperative serving the area.

4. Representatives from the local offices of ASCS, CES, FmHA, FS (Forest Service), SCS and all other appropriate USDA agencies will support the Development Committees as consulting experts and *ex officio* members of the Committees.

B. *Guidance Counselors*—The New Full-time Family Farmer and Rancher Development Committees will solicit and recruit Volunteer Guidance Counselors and assign a Counselor to each individual candidate. Development Committee members may also serve as Counselors. The Counselors must be selected without regard to race, color, religion, national origin, sex, age, marital status, or handicapped condition. The Counselors will provide on-the-farm management assistance and supervisory functions by guiding the candidates in the successful pursuit of their long range plans. Each Development Committee will establish its own qualifying criteria for Counselors and recruit them from the following sources:

1. *Retired farmers or ranchers*—who have been successful operators during their active farming or ranching years.

2. *Active successful farmers and ranchers*—including those who have had FmHA loan assistance and graduated to conventional credit.

3. *Retired professionals*—who have management expertise.

V. *Terms and Compensation of Development Committee Members and Guidance Counselors.*

A. *USDA Agency Employees*—Employees who serve on the Development Committees will work without additional compensation other than mileage reimbursement, utilizing agencies' equipment, facilities and services as necessary. USDA agencies will provide representatives to serve on the Committees as long as the project continued.

B. *Other Committee Members and Guidence Counselors*—All other Committee members and Guidance Counselors who are not USDA Agency employees or representatives of other institutions, e.g., Farm Credit Association—PCA's, FLB's, banks, agribusinesses, etc., will be compensated for mileage traveled while performing their voluntary services. Those volunteers for whom mileage reimbursement is authorized will maintain and submit monthly mileage claims to the local FmHA County Supervisor during the pilot project. County Supervisors are authorized to process mileage claims as set out in FmHA Instruction 2036–A, a copy of which is available in any FmHA office.

C. *Term of Office*—The term of service for Committee members can vary from one to three years; however, the same individuals will ordinarily not serve for more than three consecutive years. Local Development Committees may waive this limitation and extend a Committee member's term for an additional three years on an individual basis. Guidance Counselors may serve for one or more years and may continue with an individual farmer until that farmer graduates to conventional credit or is terminated from the services of the Committee for other reasons.

VI. *Duties and Responsibilities of the Development Committee*—Principal Duties and Responsibilities of the New Full-time Family Farmer and Rancher Development Committee include:

A. *Serving New Candidates*—

1. Interviewing candidates referred to the Committee. Written referrals are required and may be accepted from any responsible local person.

2. Assisting candidates in the development of comprehensive annual and long range plans, including soil and water conservation plans, to become successful farmers or ranchers. These plans will be prepared on Forms FmHA 431–1, "Long Time Farm and Home Plan" and FmHA 431–2, "Farm and Home Plan", or other similar plans. Also, the Committee will assist candidates in preparing Form FHA 410–1, "Application for FHA Services." All FmHA forms will be provided to the Committee by FmHA, as needed.

3. Advising candidates on location and suitability of farm and ranch land resources (as tenants and/or owners).

4. Advising candidates on capital expenditures for livestock, machinery and equipment, and real estate.

5. Recommending the type(s) of farm or ranch enterprise(s) to be conducted which has been proven successful for the local area.

6. Reaching an agreement with the candidates on the type(s) and amount(s) of FmHA loan assistance for which the candidate will apply.

7. Obtaining a written agreement between candidate and Development Committee. The Agreement will read as follows:

Agreement Between the—(Name of County)—County New Full-Time Family Farmer and Rancher Development Committee and Candidate—(Candidate's name)—

The Candidate:

a. Agrees to voluntarily disclose to the Development Committee complete personal financial information and submit a current financial statement.

b. Understands that the assistance to be received from the Development Committee is voluntary; and that such assistance can be terminated by either the candidate or the Development Committee upon written notification. Termination by either of the parties will not preclude the candidate from applying directly to FmHA for loan assistance, nor will it impair the candidate's eligibility for FmHA assistance.

c. Agrees to follow the recommendations and advice of the Development Committee and Guidance Counselor.

The Development Committee:

a. Agrees to treat all information provided by the candidate as confidential.

b. Will assist the candidate in completion of a FmHA loan package which will include Forms FHA 410–1, "Application for FHA Services;" FmHA 431–1, "Long-Time Farm and Home Plan;" and FmHA 431–2, "Farm and Home Plan."

c. Will provide a written recommendation to the FmHA County Supervisor for those candidates determined qualified to receive the continued services of the Development Committee. Such recommendation will ordinarily be made within 2 months, but should not exceed 6 months after the candidate has been referred to the Committee. Such recommendation will carry no assurance of FmHA loan(s) approval.

d. Will notify, in writing, any candidate who does not qualify for the Development Committee's continued service, and return to the candidate all papers and information submitted by the candidate. Such notification will be given not later than 30 days after the candidate has been referred to the Committee. The FmHA County Supervisor will be notified, in writing, of the termination by the Development Committee chairperson.

Candidate _____
Date _____
Development Committee Chairperson _____
Date _____

B. *Serving candidates who are successful in obtaining FmHA financing as a New Full-Time Family Farmer or Rancher*—These services include:

1. *Selecting and assigning*—a Guidance Counselor to work closely with the farmer or rancher.

2. *Reviewing*—an annual operational analysis (financial, production, marketing and conservation) of each borrower's operation with the borrower, appropriate USDA agency representatives and the Guidance Counselor.

3. *Submitting*—an annual report on each borrower to the FmHA County Supervisor by February 1st of each year. The annual report will include the following information and recommendations as the Committee deems appropriate.

a. Actual figures of expenses and income for the previous year's operation, and an analysis of progress made for the year.

b. A plan of operation for the coming crop year if the borrower is to be recommended to continue to receive the services of the Committee.

c. Recommendations as the Committee deems appropriate:

(1) Graduation to other credit where progress justifies it.

(2) Additional FmHA loan(s) and/or continued FmHA financing.

(3) Discontinuance of the services of the Committee due to insufficient progress, lack of cooperation, and/or inability to make necessary adjustment; and notifying FmHA, in writing, of such action.

4. *Recruiting, assigning and overseeing*—the counseling activities of Voluntary Guidance Counselors. Counselors will be expected to work closely with USDA personnel, make on-the-farm visits at least monthly, and advise and counsel the borrower in all areas of farm or ranch management.

VII. *Participation of Individuals and/or Groups Involved or Assisting in each Phase of this Effort.*

TABLE 1.—PARTICIPATION DIAGRAM FOR NEW FULL-TIME FAMILY FARMER AND RANCHER DEVELOPMENT COMMITTEE CANDIDATES

Action	Participants				
	Candidate	NF-TF/R development committee	Guidance counselor	Consulting agency representative	FmHA county committee
1. Nomination/Referral—Any responsible person from the agricultural community—					
2. Application review including inventory of resources	X	X		X	
3. Evaluate need for and feasibility of USDA resources	X			X	
4. Candidate not selected	X	X			
5. Candidate selected	X	X			
6. Comprehensive plan development	X	X		X	
A. On-site planning	X			X	
1. Define objectives	X	X		X	
2. Review problems and opportunities	X	X		X	
3. Evaluate alternatives	X	X		X	
4. Select alternatives	X	X		X	
5. Record planning decisions				X	
B. Prepare comprehensive plan document				X	
7. Review and approve comprehensive plan	X	X		X	
8. Recommend to FmHA those candidates qualified for continued Development Committee assistance		X			
9. Determination of eligibility for FmHA financing				X	X
10. Determination of soundness of proposal by FmHA loan approval official				X	
11. Implementation of plan	X		X	X	
12. Annual review and update of comprehensive plan	X	X	X	X	X
A. Review for graduation to private credit	X	X	X	X	X
B. Termination/continuation of Development Committee's and Counselor's services	X	X	X		
13. Termination/continuation of FmHA financing	X			X	X

NOTE.—More than one X on a line indicates joint participation. *Joint* participation is essential to achieve optimized coordinated delivery of USDA programs, assurance of consideration of all resource needs and potentials, assurance of consideration of all farm/ranch operational needs, and successful development of full-time commercial family farmers and ranchers.

VIII. *Criteria for Selection of Candidates.* A candidate may be an individual, a family partnership, or a family corporation conducting or proposing to conduct a full-time family size farming or ranching operation and having strong agricultural background, training and/or experience, and resources other than the availability of necessary capital on suitable terms.

A. *Candidates May be Referred to the New Full-Time Family Farmer and*

Rancher Development Committee—by any responsible person residing in the local area, including but not limited to:

1. The FmHA County Supervisor. (Applicants or borrowers presently indebted for one or a combination of Farm Ownership, Soil and Water, and/or Operating loan(s) may be referred).
2. A local agricultural lender.
3. A successful active or retired farmer or rancher.
4. A local agricultural leader.
5. Any other responsible person knowledgeable of good farm or ranch management practices.

B. *Candidates must:*

1. Express a commitment to be a full-time farmer or rancher.
2. Be able to offer evidence and project realistic plans indicating that by the end of the third full year of operation, full-time and effort (100 percent) will be devoted to conducting a successful farming operation.
3. Possess the necessary farm experience and/or background and resources, other than capital, which will likely enable the candidate to make sufficient progress and graduate to private credit within 5–10 years.
4. Agree to cooperate with, accept, and utilize the management assistance and supervision of the New Full-Time Family Farmer and Rancher Development Committee and Guidance Counselor(s).
5. Need and qualify for FmHA Farm Ownership, Soil and Water and/or Operating loan assistance to become established in a full-time family farming or ranching operation.

IX. *Candidates Recommended to FmHA for Continued Development Committee Services.* Any candidate recommended to FmHA by the Development Committee will continue to receive the Development Committee's services provided the FmHA approves a loan(s) for the candidate.

A. *FmHA County Committees*—will continue to be responsible for determining a candidate's basic eligibility for FmHA assistance.

B. *FmHA County Supervisors*—will remain responsible for determining the soundness of the proposed loan(s) and all security and account servicing of borrowers in this program, and for management assistance as set out in Part 1924, Subpart B.

C. *The Services of the Volunteer Development Committee and Guidance Counselors*—are intended to be closely coordinated with FmHA's and other USDA agencies' management assistance responsibilities, but not replace them.

D. *Nonfarm Enterprise or Recreational Loan Assistance*—authorized by Part 1941, Subpart A and Part 1943, Subparts A and C will not be available to candidates or borrowers participating in this project. If such loan assistance is requested from FmHA, the candidate or borrower will be terminated from further assistance by the Development Committee.

PART 1941—OPERATING LOANS

Subpart A—Operating Loan Policies, Procedures and Authorizations

5. Section 1941.3 is revised to read:

§ 1941.3 Management assistance.

As provided in Subpart B of Part 1924 of this Chapter, management assistance will be provided all borrowers to the extent necessary to achieve the objectives of the loan. See Exhibit A of Subpart B of Part 1924 for the policies governing the furnishing of additional services to borrowers by the "New Full-time Family Farmer and Rancher Development Committee."

PART 1943—FARM OWNERSHIP, SOIL AND WATER AND RECREATION

Subpart A—Insured Farm Ownership Loan Policies, Procedures and Authorizations

6. Section 1943.3 is revised to read:

§ 1943.3 Management assistance.

Supervision will be provided borrowers to the extent necessary to achieve the objectives of the loan and to protect the interests of the Government in accordance with Subpart B of Part 1924 of this Chapter. Such assistance consists of farm, home and nonfarm planning; recordkeeping; analyzing the farm and any nonfarm business; and giving management advice. See Exhibit A of Subpart B of Part 1924 for the policies governing the furnishing of additional services to borrowers by the "New Full-time Family Farmer and Rancher Development Committee."

Subpart B—Insured Soil and Water Loan Policies, Procedures and Authorizations

7. Section 1943.53 is revised to read:

§ 1943.53 Management assistance.

Supervision will be provided borrowers to the extent necessary to achieve loan objectives and protect the Government's interests, in accordance with Subpart B of Part 1924 of this Chapter. See Exhibit A of Subpart B of Part 1924 for the policies governing the furnishing of additional services to borrowers by the "New Full-time Family Farmer and Rancher Development Committee."

(7 U.S.C. 1989; 7 CFR 2.23; 7 CFR 2.70)

Dated: December 3, 1981.

Ruth A. Reister,

Acting Under Secretary for Small Community and Rural Development.

[FR Doc. 81-35693 Filed 12-11-81; 8:45 am]

BILLING CODE 3410-07-M

Animal and Plant Health Inspection Service

9 CFR Part 92

Restrictions on Importation of Horses From Austria

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule.

SUMMARY: This document makes final the interim rule which extended to Austria the prohibitions previously placed on the importations into the United States of certain horses from or that have been in countries affected with contagious equine metritis (CEM). This action is necessary to protect the livestock of the United States from such disease.

EFFECTIVE DATE: December 14, 1981.

FOR FURTHER INFORMATION CONTACT: Dr. Mark Dulin, USDA, APHIS, VS, 6505 Belcrest Road, Federal Building, Room 818, Hyattsville, MD 20782, 301–436–8170.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

The final rule has been determined to be not a "major rule" under Executive Order 12291. Based on information received by the Department, it has been determined that this rule will have an annual effect on the economy of less than $100 million, will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, and will not have any significant adverse effects on competition, employment, investment, productivity, or innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Background

A document published in the **Federal Register** on August 31, 1981 (46 FR 43650–43651) amended, on an interim basis, the regulations (9 CFR Part 92, § 92.2(i)(1), to extend to Austria the prohibitions previously placed on the importation into the United States of

certain horses from or that have been in countries affected with contagious equine metritis (CEM).

The Department is responsible for protecting the livestock of the United States against the introduction and dissemination of communicable diseases of livestock. CEM is a communicable disease of horses. Under the circumstances, the prohibition of the importation of certain horses from Austria is the only alternative available which protects the livestock of the United States against the introduction and dissemination of CEM in the United States.

Written comments were solicited for 60 days after publication of the amendment. No comments were received in response to the amendment. The factual situation which was set forth in the document of August 31, 1981, still provides a basis for the amendment. After careful consideration of all relevant information available to the Department, the Deputy Administrator has determined that the interim rule revising § 92.2(i)(1) should be made a permanent regulation as it appeared in the **Federal Register** on August 31, 1981.

(Sec. 2, 32 Stat. 792, as amended; secs. 4 and 11, 76 Stat. 130, 132 (21 U.S.C. 111, 134c, 134f); 37 FR 28464, 28477; 38 FR 19141)

Done at Washington, D.C., this 8th day of December 1981.

K. R. Hook,

Acting Deputy Administrator, Veterinary Services.

[FR Doc. 81-35489 Filed 12-11-81; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 81-WE-20-AD; Amdt. 39-4275]

Airworthiness Directives; Hughes Helicopters Model 369D Series Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) which provides for periodic inspections of the main rotor drive shaft on Hughes Helicopters Model 369D series helicopters. The AD is needed to detect cracks and provide corrective action which could otherwise result in a forced auto rotative landing.

DATE: Effective December 17, 1981.

Compliance schedule—Initial compliance required within 25 hours' time in service from the effective date of this AD.

ADDRESSES: The applicable service information may be obtained from: Hughes Helicopters, Division of Summa Corporation, Centinela and Teale Streets, Culver City, California 90230.

Also, a copy of the service information may be reviewed at, or a copy obtained from:

Rules Docket in Room 916, FAA, 800 Independence Avenue, S.W., Washington, D.C. 20591, or
Rules Docket in Room 6W14, FAA Western-Pacific Region, 15000 Aviation Boulevard, Hawthorne, California 90261.

FOR FURTHER INFORMATION CONTACT: Harold W. Ferris, Aerospace Engineer, Airworthiness Directive Review Board, Federal Aviation Administration, Western-Pacific Region, P.O. Box 92007, World Way Postal Center, Los Angeles, California 90009. Telephone: (213) 536-6351. Call FAA AWP Duty Officer, (213) 536-6435 during off duty hours.

SUPPLEMENTARY INFORMATION: There have been four reports of spherical spline tooth cracks and/or failures at the transmission end of the main rotor drive shaft on Hughes Helicopters Model 369D helicopters. These cracks were detected at the 1200 hour inspection required by Hughes Maintenance Instructions (HMI). Test reports indicate that cracks in the tooth area have propagated to the shaft, causing shaft failure. An alternative consequence is sequential tooth failure. In either case, the eventual result will be failure to deliver torque to the main rotor producing an autorotation situation complicated by the unavailability of tachometer information since the rotor RPM sensor will receive no input. There have been no total shaft failures reported to date as a result of field experience. Since this condition is likely to exist or develop on other helicopters of the same type design, an airworthiness directive is being issued which requires periodic inspections of the main rotor drive shaft at 300-hour intervals on Hughes Helicopters Model 369D helicopters.

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

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by adding the following new Airworthiness Directive:

Hughes Helicopters: Applies to Model 369D Series helicopters certified in all categories.

Compliance required as indicated, unless already accomplished.

To prevent failure of the main rotor drive shaft, P/N 369D25510, accomplish the following:

(a) Prior to the accumulation of 300 hours' total time in service on the P/N 369D25510 drive shaft, or within the next 25 hours' additional time in service from the effective date of this AD, whichever occurs later, and thereafter at repetitive intervals not to exceed 300 hours' additional time in service since the last such inspection:

(1) Visually inspect the spherical spline and adjacent shaft area of the P/N 369D25510 drive shaft per Hughes Service Notice No. DN-99, dated November 30, 1981.

Note.—If interpretation of visual inspection result is in doubt, Magnaflux inspect Per MIL-1-6868.

(2) Replace cracked parts with like serviceable part prior to return to service and continue to inspect at 300-hour intervals.

Note.—Drive shaft retirement is established at 3410 hours' time in service.

(b) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate aircraft to a base for the accomplishment of inspections or modifications required by this AD.

(c) Alternative inspections, modifications or other actions which provide an equivalent level of safety may be used when approved by the Chief, Engineering and Manufacturing Branch, FAA Western-Pacific Region.

This amendment becomes effective December 17, 1981.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.89)

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulations under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. As

such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Los Angeles, California on November 30, 1981.

H. C. McClure,

Director, FAA Western-Pacific Region

[FR Doc. 81-35519 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 81-NW-87-AD; Amdt. 39-4279]

Airworthiness Directive; Lockheed-California Co., Model L-1011-385-1 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This document amends an existing Airworthiness Directive (AD) which requires inspection for cracks in Fuselage Station (FS) 1363 bulkhead and repair and/or replacement of defective parts as necessary on certain Lockheed Model L-1011-385-1 series airplanes. This action was prompted by reports of fuselage cracks in the main landing gear wheel well area at FS 1363 which, if allowed to progress, could result in rapid decompression of the airplane. This amendment increases the interval for repetitive inspections and, therefore, is relieving in nature. After issuing the airworthiness directive, the FAA evaluated substantiating data and additional service instructions submitted by the manufacturer. It was determined that an increase in the repetitive inspection interval is justified.

DATES: Effective date December 24, 1981. Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESSES: The applicable service information may be obtained from: Lockheed-California Company, P.O. Box 551, Burbank, California 91520, Attention: Commercial Support Contracts, Dept. 63-11, U-33, B-1. This information also may be examined at FAA Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108, or 4344 Donald Douglas Drive, Long Beach, California 90808, telephone (213) 548-2825.

FOR FURTHER INFORMATION CONTACT: Harvey Chimerine, Aerospace Engineer, Airframe Branch, ANM-120L, Federal Aviation Administration, Northwest Mountain Region, Los Angeles Area Aircraft Certification Office, 4344 Donald Douglas Drive, Long Beach, California 90808, telephone (213) 548-2825.

SUPPLEMENTARY INFORMATION: On August 21, 1981, telegraphic AD T81-18-51 was issued to all known operators of Lockheed-California Company Model L-1011-385-1 airplane serial numbers 1001 through 1051, inclusive, effective upon receipt, requiring inspection for cracks in FS 1363 bulkhead and repair and/or replacement as necessary. This action was initiated by reports of fuselage cracks in the main landing gear wheel well area at FS 1363. If left unattended, crack progression may result in rapid decompression of the airplane. Subsequently, AD 81-18-51, Amendment 39-4242, was published in the **Federal Register** at 46 FR 52091, October 26, 1981. After issuing Amendment 39-4242, the Chief, Los Angeles Area Aircraft Certification Office, FAA Northwest Mountain Region, evaluated substantiating data and additional service instructions submitted by the manufacturer. It was determined that an increase in the repetitive inspection interval from the 500 landings previously required to 1000 landings, in accordance with Lockhead L-1011 Service Bulletin 093-53-206, Revision 1, dated October 19, 1981, is justified.

Since this amemdment is relieving in nature, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedure hereon are unnecessary, and the amendment may be made effective in less than 30 days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by amending the existing Airworthiness Directive 81-18-51 (Amendment 39-4242; 46 FR 52091 dated October 26, 1981) by revising paragraph A.2 to read as follows:

A.2 If operators elect to accomplish the inspections in accordance with paragraph C below, the repetitive inspection interval not to be exceeded is 1000 landings thereafter, until a permanent modification is incorporated.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Lockheed-California Company, P.O. Box 551, Burbank, California 91520, Attention: Commercial Support Contracts, Dept. 63-11, U-33, B-1. These documents also may be examined at FAA Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, 98108, or 4344 Donald Douglas Drive, Long Beach, California 90808.

This amendment becomes effective December 24, 1981.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transporation Act (49 U.S.C. 1655(c)); and 14 CFR 11.89)

Note.—The Federal Aviation Administration has determined that this document involves an amendment that is relieving in nature and does not impose any additional burden on any person. This amendment, therefore, is not major under Executive Order 12291 (46 FR 13193, February 19, 1981) and therefore not significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Because its anticipated impact is so minimal, it does not warrant preparation of a regulatory evaluation and will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

This rule is a final order of the Administrator. Under section 1006(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1486(a)), it is subject to review by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Seattle, Washington, on December 4, 1981.

Robert O. Brown,

Acting Director, Northwest Mountain Region.

[FR Doc. 81-35582 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 22464; Amdt. No. 1205]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAP's) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements.

These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; 2. The FAA Regional Office of the region in which the affected airport is located; or 3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—Individual SIAP copies may be obtained from: 1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or 2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—Copies of all SIAPs, mailed once every 2 weeks may be ordered from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The annual subscription price is $135.00.

FOR FURTHER INFORMATION CONTACT: Donald K. Funai, Flight procedures and Airspace Branch (AFO-730), Aircraft Programs Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8277.

SUPPLEMENTARY INFORMATION: This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 97) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR Part 51, and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4 and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPs criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 G.M.T. on the dates specified, as follows:

1. By amending § 97.23 VOR-VOR/DME SIAPs identified as follows:

* * * *Effective January 21, 1982*

Dothan, AL—Dothan, VOR Rwy 13, Amdt. 2
Dothan, AL—Dothan, VOR Rwy 18, Amdt. 2
Dothan, AL—Dothan, VOR-A (TAC), Amdt. 10
Phoenix, AZ—Phoenix Sky Harbor Intl, VOR Rwy 26L, Amdt. 19
Phoenix, AZ—Phoenix Sky Harbor Intl, VOR Rwy 26R, Amdt. 1
Phoenix, AZ—Phoenix Sky Harbor Intl, VOR/DME Rwy 8R, Amdt. 9
Carlsbad, CA—Palomar, VOR-A, Amdt. 5
Salinas, CA—Salinas Muni, VOR Rwy 13, Amdt. 9
Salinas, CA—Salinas Muni, VOR/DME-A, Amdt. 6
Salinas, CA—Salinas Muni, VOR/DME Rwy 13, Amdt. 3, cancelled
Middletown, DE—Summit Airpark, VOR-B, Original
Wilmington, DE—Greater Wilmington, VOR Rwy 1, Amdt. 1
Wilmington, DE—Greater Wilmington, VOR Rwy 9, Amdt. 1
Wilmington, DE—Greater Wilmington, VOR Rwy 19, Amdt. 1
Wilmington, DE—Greater Wilmington, VOR Rwy 27, Amdt. 1
Daytona Beach, FL—Daytona Beach Regional, VOR Rwy 16, Amdt. 15
Ft. Lauderdale, FL—Ft. Lauderdale-Hollywood Int'l, VOR Rwy 9L, Amdt. 16
Panama City, FL—Panama City-Bay County, VOR or TACAN Rwy 14, Amdt. 12
Panama City, FL—Panama City-Bay County, VOR or TACAN Rwy 32, Amdt. 7
Panama City, FL—Panama City-Bay County, VOR or TACAN-A, Amdt. 10
Hilo, HI—General Lyman Field, VOR Rwy 26, Amdt. 4
Hilo, HI—General Lyman Field, VOR/DME to TACAN Rwy 26, Amdt. 1
Hilo, HI—General Lyman Field, VOR/DME or TACAN-A, Amdt. 3
Kamuela, HI—Waimea-Kohala, VOR Rwy 4, Amdt. 9
Kamuela, HI—Waimea-Kohala, VOR-A, Amdt. 7
Greenville, IL—Greenville, VOR/DME-A, Amdt. 1
Bay City, MI—James Clements Muni, VOR-A, Amdt. 6
Coldwater, MI—Branch County Memorial, VOR Rwy 3, Amdt. 3, cancelled
Coldwater, MI—Branch County Memorial, VOR Rwy 6, Original
Coldwater, MI—Branch County Memorial, VOR Rwy 21, Amdt. 7, cancelled
Coldwater, MI—Branch County Memorial, VOR Rwy 24, Original
Marlette, MI—Marlette, VOR/DME-A, Amdt. 3
Baudette, MN—Baudette Intl, VOR/DME Rwy 12, Amdt. 1
Baudette, MN—Baudette Intl, VOR Rwy 30, Amdt. 6
Kenton, OH—Hardin County, VOR-A, Amdt. 1
Lima, OH—Allen County, VOR Rwy 27, Amdt. 11
Troy, OH—Troy Skypark, VOR-A, Amdt. 1, cancelled
Austin, TX—Lakeway Airpark, VOR/DME-C, Original
Berkeley Springs, WV—Potomac Airpark, VOR Rwy 29, Amdt. 3

* * * *Effective December 3, 1981*

Chesapeake, VA—Chesapeake Muni, VOR/DME Rwy 22, Amdt. 1

2. By amending § 97.25 SDF-LOC-LDA SIAPs identified as follows:

* * * *Effective January 21, 1982*

Dothan, AL—Dothan, LOC BC Rwy 13, Amdt. 3
Phoenix, AZ—Phoenix Sky Harbor Intl, LOC BC Rwy 26L, Amdt. 2
Salinas, CA—Salinas Muni, LOC/DME Rwy 31, Amdt. 2
Ft. Lauderdale, FL—Ft. Lauderdale-Hollywood Int'l, LOC (BC) Rwy 27R, Amdt. 5
Philadelphia, PA—North Philadelphia, LOC (BC) Rwy 6, Amdt. 4
** * * Effective December 24, 1981*
Hays, KS—Hays Muni, LOC Rwy 34, Original
Dallas, TX—Addison, LOC-B, Original

3. By amending § 97.27 NDB/ADF SIAPs identified as follows:

** * * Effective January 21, 1982*
Alexander City, AL—Thomas C. Russell Field, NDB-A, Amdt. 6
Carlsbad, CA—Palomar, NBD Rwy 24, Amdt. 2
Middletown, DE—Summit Airpark, NDB-A, Amdt. 4
Wilmington, DE—Greater Wilmington, NDB Rwy 1, Amdt. 14
Panama City, FL—Panama City-Bay County, NDB Rwy 14, Amdt. 1
East St. Louis, IL—Bi-State Parks, NDB Rwy 30, Amdt. 14
Greenville, IL—Greenville, NDB Rwy 18, Amdt. 3
Mansfield, LA—DeSoto Parish, NDB Rwy 18, Original
Whiteville, NC—Columbus County Muni, NDB Rwy 5, Amdt. 2
Lima, OH—Allen County, NDB-A, Amdt. 2
Guthrie, OK—Guthrie Muni, NDB Rwy 16, Amdt. 1
Philadelphia, PA—Philadelphia Intl, NDB Rwy 27L, Amdt. 4
Walterboro, SC—Walterboro Muni, NDB Rwy 23, Amdt. 4
Castroville, TX—Castroville Muni, NDB Rwy 33, Original
** * * Effective December 24, 1981*
Hays, KS—Hays Muni, NDB Rwy 34, Original

4. By amending § 97.29 ILS-MLS SIAPs identified as follows:

** * * Effective January 21, 1982*
Aniak, AK—Aniak, ILS/DME Rwy 10, Amdt. 3
Phoenix, AZ—Phoenix Sky Harbor Intl, ILS Rwy 8R, Amdt. 4
Carlsbad, CA—Palomar, ILS Rwy 24, Amdt. 3
Salinas, CA—Salinas Muni, ILS Rwy 31, Amdt. 2
Wilmington, DE—Greater Wilmington, ILS Rwy 1, Amdt. 16
Ft. Lauderdale, FL—Ft. Lauderdale-Hollywood Int'l ILS Rwy 9L, Amdt. 10
Panama City, FL—Panama City-Bay County, ILS Rwy 14, Amdt. 11
Tampa, FL—Tampa Intl, ILS Rwy 36L, Amdt. 11
East St. Louis, IL—Bi-State Parks, ILS Rwy 30, Amdt. 3
Covington/Cincinnati, KY—Greater Cincinnati Intl, ILS Rwy 9R, Amdt. 9
Philadelphia, PA—Philadelphia Intl, ILS Rwy 9R, Amdt. 4
Philadelphia, PA—Philadelphia Intl, ILS Rwy 27R, Amdt. 4
Dallas, TX—Dallas Love Field, ILS Rwy 31L, Amdt. 12
Temple, TX—Draughon-Miller Muni, ILS Rwy 15, Amdt. 6
** * * Effective November 28, 1981*
Knoxville, TN—McGhee Tyson, ILS Rwy 4L, Amdt. 4

5. By amending § 97.31 RADAR SIAPs identified as follows:

** * * Effective January 21, 1982*
Daytona Beach, FL—Daytona Beach Regional, RADAR-1, Amdt. 3
Ft. Lauderdale, FL—Ft. Lauderdale-Hollywood Int'l, RADAR-1, Amdt. 2
Panama City, FL—Panama City-Bay County, RADAR-1, Original
Louisville, KY—Standiford Field, RADAR-1, Amdt. 18
North Kingstown, RI—Quonset State, RADAR-1, Amdt. 1

6. By amending § 97.33 RNAV SIAPs identified as follows:

** * * Effective January 21, 1982*
Phoenix, AZ—Phoenix Sky Harbor Intl, RNAV Rwy 8L, Amdt. 1, cancelled
Phoenix, AZ—Phoenix Sky Harbor Intl, RNAV 26R, Amdt. 1, cancelled
Wilmington, DE—Greater Wilmington, RNAV Rwy 9, Amdt. 1
East St. Louis, IL—Bi-State Parks, RNAV Rwy 30, Amdt. 6
Austin, TX—Lakeway Airpark, RNAV Rwy 16, Original
Berkeley Springs, WV—Potomac Airpark, RNAV-A, Original

(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), 1421, and 1510); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.49(b)(3))

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. The FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C. on December 4, 1981.

John M. Howard,

Acting Chief, Aircraft Programs Division.

Note.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on December 31, 1981.

[FR Doc. 81-35517 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-ASW-60]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Alteration of Control Zones: Carlsbad, NM, et al.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment alters the description of the control zones at Carlsbad, NM; Childress, TX; Dalhart, TX; Deming, NM; El Dorado, AR; Gallup, NM; Harrison, AR; Hobart, OK; Wink, TX. This amendment will return to public use airspace no longer required for the protection of aircraft arriving/departing the foregoing airports. The amendment is necessary due to the future possibility of part-timing of the Carlsbad, Childress, Dalhart, Deming, El Dorado, Gallup, Harrison, Hobart, and Wink Flight Service Stations (FSS's). If the facilities are reduced to less than a 24-hour status, there will be no weather reporting available when the facility is nonoperational. Therefore, the airports will not meet the requirements for a control zone during this period.

DATES: Effective date—March 18, 1982. Comments on the rule must be received before February 19, 1982.

ADDRESSES: Send comments on the action in triplicate to: Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region: Docket No. 81-ASW-60, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101.

FOR FURTHER INFORMATION CONTACT: James L. Owens, Airspace and Procedures Branch (ASW-536), Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, telephone (817) 624-4911, extension 302.

History

Federal Aviation Regulation Part 71, Subpart F § 71.171 as republished in the **Federal Register** on January 2, 1981 (46 FR 455), contains the description of control zones designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Alteration of the control zone descriptions at Carlsbad, NM; Childress, TX; Dalhart, TX; Deming, NM; El Dorado, AR; Gallup, NM;

Harrison, AR; Hobart, OK; Wink, TX, will necessitate an amendment to this subpart. A statement at the end of each current description must be inserted in order to have the capability of part-timing the control zone by use of a Notice to Airmen (NOTAM) when the FSS is not operational.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) amends the description of the Carlsbad, NM; Childress, TX; Dalhart, TX; Deming, NM; El Dorado, AR; Gallup, NM; Harrison, AR; Hobart, OK; and Wink, TX control zones. Because this action reduces a burden on the public by releasing controlled airspace, I find that notice and public procedure and publication 30 days before the effective date are unnecessary; however, comments are invited on the rule. When the comment period ends, the FAA will use the comments and any other available information to review the regulation.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.171 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 455) is amended, effective 0901 GMT, March 18, 1982, by adding the following to each of the foregoing airports:

The control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

(Sec. 307(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.61(c).)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 1103; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal.

Issued in Fort Worth, TX, on December 4, 1981.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 81-35520 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-EA-13]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Designation of Transition Area: Ravenwood, W. Va.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule designates a Ravenwood, West Virginia, Transition Area over Jackson County Airport, Ravenwood, West Virginia. A new instrument approach procedure has been developed for Jackson County Airport, and will require protection for aircraft executing the new approach. An instrument approach procedure requires the designation of controlled airspace to protect instrument aircraft utilizing the instrument approach.

EFFECTIVE DATE: 0901 GMT, December 24, 1981.

FOR FURTHER INFORMATION CONTACT:
Al Reale, Airspace and Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION: On June 22, 1981, the Federal Aviation Administration published an NPRM on Page 32269 of the **Federal Register**, and interested parties were given time in which to submit comments. No objections were submitted.

The rule designates a 700 foot transition area within an 8 mile radius of the airport and an extension to the southwest 11 miles wide and 5 miles long.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective December 24, 1981, by adopting the rule as published.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(c)); Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Jamaica, New York on November 25, 1981.

Timothy L. Hartnett,

Acting Director, Eastern Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by designating a Ravenwood, West Virginia 700-foot floor transition area as follows:

Ravenwood, W. Va.

That airspace extending upward from 700 feet above the surface within an 8 mile radius of the Jackson County Airport, Ravenwood, West Virginia, 38°55'47" N., 81°49'11" W., within 5.5 miles each side of the 230° bearing from the Jackson County Airport extending from the 8 mile radius area to 13 miles southwest of the airport.

[FR Doc. 81-35521 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-EA-17]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Designation of Transition Area: Palmyra, N.Y.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule designates a Palmyra, N.Y., Transition Area over Palmyra Air Park Airport, Palmyra, N.Y. A new instrument approach has been developed for the airport which will require protection to aircraft executing the new instrument approach. An instrument approach procedure requires the designation of controlled airspace to protect instrument aircraft utilizing the instrument approach.

EFFECTIVE DATE: 0901 GMT, December 24, 1981.

FOR FURTHER INFORMATION CONTACT:
Al Reale, Airspace and Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION: On page 32876 of the **Federal Register**, for June 25, 1981, the Federal Aviation Administration published a proposed rule which would designate a 700 foot Palmyra, N.Y., Transition Area within a 5 mile radius of the airport with an extension to the west of approximately 11 miles in length and 10 miles in width. Interested parties were given time in

which to submit comments. No objections were received.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective December 24, 1981, by adopting the rule as published.

(Secs. 307(a), and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(c)); Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Jamaica, New York on November 25, 1981.

Timothy L. Hartnett,

Acting Director, Eastern Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by designation of a Palmyra, New York, 700 foot floor transition area as follows:

Palmyra, New York

That airspace extending upward from 700 feet above the surface within a 5 mile radius of the center, 43°04'32" N., 77°14'01" W. of Palmyra Air Park, Palmyra, New York; and within 5 miles each side of the Rochester, New York, VORTAC, 098° radial extending from the 5 miles radius area to 5.5 miles east of the VORTAC.

[FR Doc. 81-35522 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-EA-18]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Designation of Transition Area: Marietta, Pa.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule designates a Marietta, Pa., Transition Area over Elizabethtown-Marietta Airport, Marietta, Pa. A new instrument approach has been developed for the airport and will require protection for aircraft executing the new instrument approach. An instrument approach procedure requires the designation of controlled airspace to protect instrument aircraft utilizing the instrument approach.

EFFECTIVE DATE: 0901 GMT, December 24, 1981.

FOR FURTHER INFORMATION CONTACT: Al Reale, Airspace and Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone (212) 995-3391.

SUPPLEMENTARY INFORMATION: On page 32877 of the **Federal Register** for June 25, 1981, the Federal Aviation Administration published an NPRM which would designate a Marietta, Pa., 700 foot transition area within a 5 mile radius of the airport with an extension to the southwest, approximately 4 miles wide and 3 miles long. Interested parties were given time in which to submit comments. No objections were received.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective December 24, 1981, by adopting the rule as published.

(Sections 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(c)); Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by designation of a Marietta, Pennsylvania, 700-foot floor transition area as follows:

Marietta, Pennsylvania

That airspace extending upward from 700 feet above the surface within a 5 mile radius of the center, 40°05'25" N., 76°34'35" W. of Elizabethtown-Marietta Airport, Marietta, Pennsylvania, within 2 miles each side of the 210° bearing for the Elizabethtown-Marietta Airport 5 mile radius area extending to 8 miles southwest of the airport.

Issued in Jamaica, New York on November 25, 1981.

Timothy L. Hartnett,

Acting Director, Eastern Region.

[FR Doc. 81-35523 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1201

Safety Standard for Architectural Glazing Materials; Stay of Enforcement of Modulus of Elasticity Test, Hardness Test, and Indoor Aging Test for Plastic Glazing Materials

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of suspension of enforcement of final rule.

SUMMARY: The Commission announces that it is staying enforcement of those portions of the Safety Standard for Architectural Glazing Materials which prescribe a modulus of elasticity test, a hardness test, and an indoor aging test for plastic glazing materials. The Commission takes this action because it has preliminarily determined that these tests for plastic glazing materials are not reasonably necessary to eliminate or reduce an unreasonable risk of injury associated with plastic glazing materials. This stay of enforcement shall be in effect until the Commission takes final action on a proposed partial revocation to remove these tests from the standard.

DATE: The stay of enforcement shall be effective December 14, 1981.

FOR FURTHER INFORMATION CONTACT: Allen F. Brauninger, Office of the General Counsel, Consumer Product Safety Commission, Washington, D.C. 20207; (202) 634-7770.

SUPPLEMENTARY INFORMATION: Elsewhere in the Proposed Rules Section in this issue of the **Federal Register**, the Commission has proposed a partial revocation of the Safety Standard for Architectural Glazing materials (16 CFR Part 1201) to remove three tests now applicable to plastic glazing materials which are used, or intended for use, in products subject to that standard. These tests are the modulus of elasticity test, prescribed by § 1201.4(e)(1)(iii)(A); the hardness test, prescribed by § 1201.4(e)(1)(iii)(B); and the indoor aging test, prescribed by §§ 1201.4(b)(3)(iii), 1201.4(c)(3)(iii), 1201.4(d)(2)(iii), and 1201.4(e)(2)(ii)(C).

The Commission is staying its enforcement of these tests because it

believes that the expenditure of Commission resources to enforce their requirements is not warranted in view of their lack of usefulness to predict breakage characteristics of plastics, and the limited amount of information about injuries associated with breakage of plastic glazing materials.

By letter dated April 20, 1981, Plastic Safety Glazing Committee (PSGC), requested the Commission, among other things, to administratively stay enforcement of the modulus of elasticity, hardness, and indoor aging tests for plastic glazing materials pending final action to remove them from the standard. In that letter, PSGC expresses concern that as long as these requirements remain a part of the standard, state and local building codes requiring either an accelerated environmental durability test or an outdoor weathering test for plastic glazing materials intended for outdoor exposure will be preempted by the Commission's standard.

PSGC assumes that if the Commission stays enforcement of the modulus of elasticity, hardness and indoor aging tests for plastics, that action will have the effect of eliminating the preemption of any additional requirements for plastic glazing materials contained in state or local building codes.

The Commission voted on July 27, 1981, to propose revocation of these tests and to stay enforcement of their requirements pending final action to remove them from the standard.

However, the Commission does not endorse the view of PSGC that staying enforcement of these provisions will eliminate preemption of non-identical state and local requirements for plastics pending final revocation.

Section 26(a) of the CPSA (15 U.S.C. 2075(a)) provides that "whenever a consumer product safety standard under this Act is in effect" and applicable to a product, no state or local government may enact or enforce any requirements applicable to that product and intended to deal with the same risk of injury unless the state or local requirements are "identical" to those of the consumer product safety standard.

As long as the modulus of elasticity test, hardness test, and indoor aging test remain in the architectural glazing standard, that standard will continue to be applicable to plastic glazing materials. Until these tests are revoked from the standard on a final basis, they will remain a part of the standard. Even though the Commission has announced that it will not expend its resources to enforce these provisions, they could be the subject of a private enforcement action under 24 of the CPSA (15 U.S.C. 2073) until revoked.

For these reasons, the Commission believes that until final revocation, the modulus of elasticity, hardness, and indoor aging tests plastic glazing materials will be "in effect" and will continue to preempt any non-identical state or local requirements applicable to plastics, including any accelerated environmental durability test or outdoor weathering test.

Dated: December 9, 1981.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 81-35749 Filed 12-11-81; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 300

[Docket No. RM82-6]

Confirmation and Approval of the Rates of the Bonneville Power Administration; Interim Rule

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Interim rule.

SUMMARY: The Federal Energy Regulatory Commission is amending its rules on an interim basis to establish procedures for the interim acceptance of rates submitted by the Bonneville Power Administration under section 7 of the Pacific Northwest Electric Power Planning and Conservation Act.

Specifically, the Commission is adding a new Part 300 to its rules which will provide general procedures, filing requirements and standards for Commission rate review with respect to rate schedules submitted by the Bonneville Power Administration for confirmation and approval. Part 300 is part of a new Subchapter L which is designed to contain all Commission regulations relating to the rates of Federal power marketing agencies.

The rule is being promulgated on an interim basis and is subject to notice and comment procedures before approval on a final basis. Interim approval of the rule is necessary in order to meet the December 5, 1981 statutory deadline. The rule applies only to the Bonneville Power Administration.

DATES: This interim rule is effective December 4, 1981. Comments must be submitted on or before February 5, 1982.

ADDRESSES: All comments must be mailed to: Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426.

All comments should reference Docket No. RM82-6.

FOR FURTHER INFORMATION CONTACT: James Hoecker or Michael Kessler, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, (202) 357-8033.

SUPPLEMENTARY INFORMATION:

Issued: December 4, 1981.

The Federal Energy Regulatory Commission (Commission) is amending its rules, on an interim basis, to establish procedures for the interim acceptance of rates submitted by the Bonneville Power Administration (BPA) under section 7 of the Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act or Act).[1] Specifically, the Commission is adding a new Part 300 to its rules which will provide, with respect to rate schedules submitted by the BPA for confirmation and approval: (1) General procedures; (2) filing requirements; and (3) standards for Commission rate review. Part 300 is part of a subchapter L which is designed to contain all Commission regulations relating to the rates of Federal Power Marketing agencies.

The rule is being promulgated on an interim basis to comply with a statutory deadline established by Congress in subsection 7(i)(6) of the Northwest Power Act. Under that subsection, the Commission must implement procedures by December 5, 1981, if any, for the approval on an interim basis of the final rate established by the Administrator of the BPA. Rates promulgated by the Administrator of the BPA may not become effective on a final basis until they are confirmed and approved by the Commission.

I. Background

Section 7 of the Pacific Northwest Act [2] contains the basic rate directives for the sale and transmission of electric power by the BPA.

Section 7(a)(1) of the Northwest Power Act requires the Administrator of the BPA to establish and periodically review and revise BPA rates to recover, in accordance with sound business principles, the Federal investment in the Federal Columbia River Power System.

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[1] 16 U.S.C. 839-839h (1980). This rule applies only to the BPA.

[2] 16 U.S.C. 839e.

In establishing rates, the Administrator of the BPA must comply with the substantive requirements of subsection 7(a)(1) and 7(b) of the Northwest Power Act and the procedural requirements of subsection 7(i) of that Act. Subsections 7(i)(1) through (5) of the Northwest Power Act contain extensive notice, hearing, and decisional requirements that the Administrator must follow in establishing rates.

The Commission's role in the BPA ratemaking process is set forth in subsections 7(a)(2), 7(i)(6), 7(k) and 7(l) of the Northwest Power Act which require the final rates established by the Administrator to be submitted to the Commission for confirmation and approval in order to become effective on a final basis. This continues the scheme of previous statutes governing establishment of BPA rates insofar as the Administrator is required to develop rates through separate ratemaking procedures and the Commission is required to confirm and approve on a final basis those rates set by the Administrator.

Under section 7(k) of the Northwest Power Act, rates for the sale of non-firm electric power within the United States but outside the Pacific Northwest region [3] (non-regional rates) may be accorded somewhat different treatment than that specified for rates generally. These non-regional rates are established by the Administrator of the BPA in the same manner as rates for firm and non-firm service within the region. However, rates for services outside the region may be subject to different standards of review by the Commission before they may become effective on a final basis.

Subsections 7(a)(2) and 7(i)(6) of the Northwest Power Act authorize the Commission to approve rates submitted by the Administrator of the BPA on an interim basis. Subsection 7(i)(6) states that the Commission "shall have the authority * * * to approve the final rate submitted by the Administrator on an interim basis, pending the Commission's final decision in accordance with [section 7(a)(2)]." Subsection 7(l) provides that the interim rate approval provisions in subsection 7(i)(6) also apply to rates for BPA electric power sales to entities outside the United States if those rates are established other than by negotiation.

[3] The Pacific Northwest region is defined in Section 3(14) of the Northwest Power Act, 16 U.S.C. 838i(14), to include all of Oregon, Washington and Idaho and parts of Montana, Nevada, Utah, and Wyoming.

II. Issues Relating to Interim Approval of BPA Rates

The Commission has authority to approve BPA rates on an interim basis before it confirms and approves them on a final basis. The Commission is exercising its interim rate approval authority in this docket by means of an interim rule. However, the interim procedures established will be subject to further refinement based on public comment and further consideration by the Commission. In addition to comment on other features of the rule, the Commission specifically invites comment on the following issues.

A. Establishment of Procedures for Interim Rate Approval

Subsection 7(i)(6) of the Northwest Power Act states that: "[P]ending the establishment of * * * procedures [for the filing of interim rates] by the Commission, if such procedures are required, the Secretary [of Energy] is authorized to approve such interim rates during such one-year period in accordance with the applicable procedures followed by the Secretary prior to the effective date of this Act." [4]

The Commission believes that subsection 7(i)(6) of the Northwest Power Act is most reasonably interpreted to mean that any Commission procedures for interim rate approval must be developed within one year of enactment. Without such procedures, the Commission would still be required to review any BPA rate prior to any interim approval using only procedures and standards provided in the Act, or developed in such case. In other words, the Commission finds nothing in the Act which makes the authority to approve rates on an interim basis contingent on the establishment of such procedures. Rather, the Commission believes that this interim rate approval authority is transferred to the Commission on December 5, 1981 and that no corresponding authority will thereafter remain with the Secretary.

The Commission is establishing appropriate procedures under which it will consider BPA rates for which interim rate approval is requested by the Administrator, primarily to standardize the rate filing and approval procedures and to provide sufficient notice of Commission requirements.

The Commission has determined that establishing procedures for rate approval on an interim basis, prior to December 5, 1981, will obviate most questions relating to the effective transfer to the Commission of the Secretary's authority to approve a BPA on an interim basis. In addition, there are important benefits to be obtained from such procedures. Although the Commission is not required to permit BPA to collect rates and charges on an interim basis, the promulgation of uniform filing requirements, and publication of the appropriate standards of review of such rates will benefit BPA, the purchasers of BPA power, and the Commission.

The Commission anticipates that approval of an interim rate, subject to refund with interest, will protect BPA customers while permitting BPA to meet reasonable revenue requirements without undue regulatory delay or repeated rate proceedings and filings with the Commission. The filing requirements which apply to the Administrator, including the general data and supporting rate schedule and technical analysis, and the procedures for addressing deficient applications, will be necessary for the Commission's final determinations, whether or not the Commission chooses to exercise its discretion to confirm and approve any rate on an interim basis.

B. Rates for Service Outside the Region Versus All Other Rates

The Commission may approve all BPA rates on a final basis under section 7 of the Act. However, the statute makes a distinction between rates for non-firm service to customers outside the Pacific Northwest and all other rates. The implication of this distinction for interim rate approval is not entirely clear. The Commission must first ascertain whether it may approve rates for non-regional service on an interim basis and then determine the appropriate standard of review it must apply when considering interim approval.

Although the Commission may approve on an interim basis all rates governed by subsection 7(a)(2), subsection 7(k) addresses only indirectly the Commission's authority to approve rates for non-regional service on an interim basis. Both the legislative history and public policy argue for the Commission's authority to grant interim rate approval for non-regional service established under subsection 7(k) in the same manner as all other BPA rates.

The legislative history of the Act states that:

> the new rate provisions of the Act are different from past rates of BPA and must be implemented very rapidly on a timetable that the Act will set forth. The bill now provided

[4] The Secretary delegated interim rate approval and authority for all Federal Power marketing agencies to the Assistant Secretary for Resource Applications, under Delegation Order No. 0204-33, 43 FR 60636 (Dec. 28, 1978).

FERC reasonable options to assure that BPA rates can become effective on a timely basis * * *. What matters, given the need for new rates and for BPA to meet its repayment obligations, is that interim approval be granted quickly.[5]

Congress made no differentiation among rates for various services when it stated this desire for the Commission to act expeditiously in granting interim rate approval. Historically, BPA has relied on rates for non-regional as well as regional service to generate sufficient revenues to meet its repayment obligations.

As a practical matter, approval of any rate on an interim basis will benefit the BPA without imposing an undue corresponding burden on customers outside the Pacific Northwest region. Adverse effects may, in fact, result from precluding interim approval for rates for non-regional service. First, the BPA may request interim approval to bridge immediate revenue deficiencies. Denial of such approval might create serious cash flow problems.

Second, the absence of interim rate approval authority for rates for non-regional service could result in two kinds of disassociated BPA rates that are not "synchronized" with respect to the period during which such rates would be effective. This lack of synchronization of rates may produce difficulties for both the Administrator's calculation of revenues and the Commission's review of the cost evaluation period.

The interim rule is predicated on the belief that approval of rate schedules for non-regional service on an interim basis can be accomplished so as to minimize an undue financial burden on all BPA customers prior to final confirmation and approval. All customers will be protected by the express condition that interim rates will only be approved subject to refund with interest. Any revenues collected in the interim in excess of the rate level finally confirmed and approved would be required by the rule to be returned to BPA customers.

2. *Standards of Review.* BPA rates established under procedures applicable to the Administrator are reviewable by the Commission. With respect to rates other than those addressed in subsection 7(k) of the Act, the statute does not identify a specific level or standard of review to be applied at the interim approval stage other than to state that the Commission's confirmation and approval authority is exercised "pursuant to subsection (a)(2) * * *." Subsection 7(k) states that non-regional rates "shall become effective after review by the Federal Energy Regulatory Commission for conformance with [the Bonneville Project Act,[6] the Flood Control Act of 1944,[7] and the Federal Columbia River Transmission System Act [8]."

Subsection 7(k) of the Northwest Power Act also requires the Commission to afford the parties to the proceedings under subsection 7(i) an opportunity for a hearing in accordance with the procedures established for ratemaking pursuant to the Federal Power Act. Such hearing would be in addition to any hearings afforded by the Administrator. No requirement of this type is contained in subsection 7(i)(6) regarding rates generally.

The Commission will provide uniform treatment of all BPA rate filings for acceptance and approval on an interim basis and will carry out the statutory objective of placing BPA rates into effect promptly under both subsections 7 (i) and (k). The participation of interested persons in the Commission's confirmation and approval process, including any hearings, protests, and interventions, will occur during the period in which a rate is effective on an interim basis, subject to the protection afforded by refunds, but before the rate is approved on a final basis. Notice of rate schedule filings and any action on interim rate requests will be published in the **Federal Register**, at which time interested persons may request to participate in the final rate approval process.

The Commission is providing procedures for action on requests by the BPA for interim rate acceptance. Upon receipt of a complete application of the Administrator, the Commission may either: (1) order the rate schedule into effect on an interim basis; (2) deny the Administrator's interim rate request and reject the application; or (3) deny the Administrator's interim rate request and review the application for final confirmation and approval. The Administrator's interim rate request will be rejected if the Commission determines that the application is either patently deficient with respect to the filing requirements described below, or, if it fails to comply with the applicable provisions of the Northwest Power Act.

C. Condition of Acceptance of Interim Rates

As an express condition to the acceptance of any rate on an interim basis, § 300.20(c) of the interim rule requires that the rate approved be subject to refund with interest, if the final rate is lower than the rate approved by the Commission to be collected on an interim basis. The amount refundable is further limited to the amount of the rate increase. This refund provision serves the purpose of allowing the BPA's rates to become effective as quickly as possible while providing the customers protection against excessive rates and charges.

1. *Authority To Order Rates Subject To Refund.* Subsections 7(a)(2), 7(i)(6) and 7(k) of the Northwest Power Act do not expressly grant the Commission refund authority. The House Commerce Committee report, however, clearly indicates that the Commission may establish a provision for refunds, if the final rate approved by the Commission is less than the interim rate.[9] Congress thereby recognized the need to afford this protection to the BPA customers who would be charged under a rate schedule not finally approved by the Commission.

In recognition of the legitimate interests of both the BPA and its customers, the Commission will exercise its discretionary authority not to grant interim rate approval, unless BPA agrees to refund with interest any portion of a rate increase under a rate schedule approved on an interim basis which is demonstrated to be excessive when the rate schedule is finally confirmed and approved. A request by the Administrator for interim rate approval shall constitute a tacit agreement to refund with interest under the rule.

Refunds may be accomplished by means of net energy billing.

2. *Interest.* The second issue regarding the refund requirement is the appropriate interest rate to be paid by the BPA if its interim rate proves excessive. Various computational approaches are available. Section 35.19a(a)(2) of the Commission's rules contains the interest provisions applicable to refunds under rate schedules filed by public utilities under the Federal Power Act (FPA).[10] The position of the BPA in the Nation's financial markets is dissimilar to that of public utilities regulated under the FPA. The FPA interest on refund provision would therefore appear inappropriate for refunds by a power marketing agency.

The Commission proposes that the interest be computed on the periodic

[5] Congressional Record, September 29, 1980 at H9854. —— Cong. Rec. H9854 (daily ed. Sept. 29, 1980) (remarks of Mr. Swift).

[6] 16 U.S.C. 832.

[7] 33 U.S.C. 701.

[8] 16 U.S.C. 838.

[9] *See* H. Rep. 96-976 Pt. 1 (Commerce), 96th Congress, 2nd Sess. at 70.

[10] *See* 16 U.S.C. 824(e).

outstanding balance of any overcharge at the rate or rates of interest charged to the BPA by the U.S. Treasury during the period. Under certain circumstances, other rates may better reflect BPA's cost of money and therefore the interim rule also allows the Commission or a reviewing court to prescribe another form of interest. This interest methodology is derived from the method established by the BPA and utilized in § 35.13a(d)(4)(v) of the Commission's rules, relating to the BPA Average System Cost Methodology.[11]

III. Summary of the Interim Rule Governing Interim Rate Review

A. Subpart A—General Provisions

1. *Section 300.1—Applicability and Definitions.* Subpart A contains the General Provisions of the interim rule. Section 300.1(a) establishes the applicability of the new Part 300.

Section 300.1(b) contains definitions of "cost evaluation period," "electric service," "historic period," "initial capital investment", "interest group", "power repayment study", "proposed rate approval period", "rate schedule", and "replacement."

2. *Section 300.2—Staff Guidance.* Section 300.2 allows the Administrator to seek guidance from Commission staff prior to submitting an application for confirmation and approval of a rate schedule.

B. Subpart B—Filing Requirements

Subpart B of the interim rule lists the documents required to be filed by the Administrator in any application for confirmation and approval of rates. These filing requirements apply to both interim and final rate approval.

There are three categories of documents required to be filed where the Administrator seeks confirmation and approval of rates: a description of general rate schedule information, supporting cost and revenue data, and a description of analytical approaches to the data.

1. *Section 300.10—Application for Confirmation and Approval.* Section 300.10 contains the general filing requirements, including a letter of request for rate approval, a notice of filing suitable for publication in the **Federal Register**, the rate schedules, and the Administrator's Record of Decision.

The Administrator's letter requesting rate approval should specify the period for which approval is requested. Because of rapidly changing conditions and escalating costs, recent filings have been on an annual basis. Past practice of this Commission and its predecessor has been to approve requested rate approval periods which do not exceed five years. Although the Commission would expect to continue this practice, the Administrator has the responsibility to review costs and revenues annually and to develop and file new rates if existing rates are found to be deficient in providing adequate revenues for repaying the Federal investment.

Section 7(i)(5) of the Northwest Power Act requires the Administrator to make a final decision establishing rates based "on the record" and to provide a full and complete justification of that decision. This statutory requirement has become embodied in a document called the Administrator's Record of Decision. Section 300.10(e) of the interm rule requires the Administrator to file this document which, at a minimum, shall discuss: a calendar history of the ratemaking process, a discussion of issues raised, a discussion of all applicable statutory and regulatory requirements, a description of the methodology used for determining revenue requirements, and any cost-of-service studies used by the Administrator in developing the rates.

Section 300.10(a)(2) of the interim rule allows for the incorporation by reference of information that has previously been submitted to the Commission in substantially the same form.

Section 300.10(a)(3) allows the Director of the Office of Electric Power Regulation to notify the Administrator of any deficiencies in the filing. A filing that is patently deficient will not be considered for interim rate approval until such deficiencies are cured.

Section 300.10(a)(4) requires the Commission to publish in the **Federal Register**, with the Notice of Filing, an opportunity to protest or intervene in the final confirmation and approval proceeding for the filed rate schedule.

Section 300.10(f) of the interim rule requires the Administrator to file with the Commission any other materials not specified in Subpart B which are otherwise required to be developed by the Administrator, specifically under Subsection 7(i)(5) of the Act.

2. *Section 300.11—Technical Support for the Rate Schedule.* Section 300.11 establishes the technical supporting data required to be filed by the Administrator in support of a request for confirmation and approval. The supporting data is divided into two related categories: data statements and analysis of that data. For purposes of consistency and ease of reference, § 300.11(a) of the interim rule specifies the content of six basic statements which are considered to provide the basic underlying data that is required to develop a study to demonstrate that the proposed rates are sufficient to assure repayment of the Federal investment and other costs over a reasonable period of years.

The date statements are identified as: Statement A—Sales and Revenues; Statement B—Power Resources; Statement C—Capitalized Investments or Costs; Statement D—Interest Expenses; Repayment of Investments and Debt Capital; Statement E—Operation, Maintenance and Other Annual Expenses; and Statement F—Cost Allocations.

Section 300.11(b) requires the Administrator to provide an analysis of the information submitted in Statements A through F. The Administrator is authorized to use any appropriate analytical methodology, including a Power Repayment Study.

Traditionally, the various Federal power marketing agencies (PMAs), have used the so-called Power Repayment Study (PRS) method to demonstrate that forecasted annual project or system revenues will be adequate to recover forecasted annual costs and to recover the Federal investment within a reasonable period of years. A PRS is prepared to determine whether the revenues that can be obtained from existing wholesale rates will be sufficient to repay all obligations assigned to the power system within the established repayment periods. Repayment studies are based upon year-by-year forecasts of system revenues and costs over the repayment period. There is no annual schedule of capital repayment. The test of sufficiency of revenues is whether the capital investment can be repaid within the overall repayment period established for each power project, each increment of investment in the transmission system, and each block of irrigation assistance. This approach to repayment scheduling has the effect of averaging the year-to-year variation in costs and revenues over the repayment period.[12]

The normal payout period for a Federal reservoir project has been administratively and statutorily established at 50 years. An analyst preparing a PRS in the early phase of a project's life may, therefore, be required

[11] Interim Rule, "Sales of Electric Power to the Bonneville Power Administration—Methodology and Filing Requirements," (Docket No. RM81-41), issued October 1, 1981, 46 FR 50517, October 14, 1981.

[12] H. Rep. 7406, Committee on Interior and Insular Affairs, Hearing before the Subcommittee on Irrigation and Reclamation, 89th Congress, 1st Sess. (September 9 and 10, 1965) at 72.

to forecast conditions 50 years in the future.

In a recent report, the General Accounting Office recommended that the BPA revise its methodology for use in the 1983 BPA rate proposal. On January 16, 1981, the Assistant Secretary of Energy for Resource Applications (the predecessor to the Assistant Secretary for Conservation and Renewable Resources) approved a staff recommendation to encourage BPA to explore other methodologies that may be more appropriate for use under the Northwest Power Act. It is the responsibility of the Administrator to develop whatever analytical techniques may be required to demonstrate that revenues will be adequate to meet statutory requirements.

Changes in the methodological approach may require consultation with Congress and other Federal agencies.

If the Administrator develops a new method of analysis, the Commission encourages the Administrator to seek staff guidance, pursuant to § 300.2 of this rule, before filing a new method of analysis.

C. Subpart C—Commission Rate Review and Approval

Subpart C of the interim rule establishes procedures that relate specifically to interim approval of rates.

1. *Section 300.20—Interim Confirmation and Approval.* Under § 300.20(a), the Administrator is required to tender a complete request for approval of a rate on an interim basis under Part 300 not later than 90 days prior to the requested effective date.

Section 300.20(c) sets forth those actions the Commission may take on a request for interim rate acceptance. The fundamental prerequisite is that the Administrator file an application that complies with the requirements of Part 300. Upon receipt of a complete application, the Commission may take any of three possible courses of action. First, it may order the rate schedule into effect on an interim basis, effective on the date requested by the Administrator or such other time as the Commission may otherwise order. Second, if the Administrator's application is either patently deficient with respect to the filing requirements of Part 300 or fails to comply with the applicable provisions of the Northwest Power Act, the Commission may reject the application. Finally, the Commission may deny the Administrator's interim rate request and review the application for final confirmation and approval.

Section 300.20(c) states that the Commission will approve rates on an interim basis only if such rates are subject to refund with interest. The interest rate methodology adopted conforms with the rate or rates of interest charged to the BPA by the U.S. Treasury during the period unless another form of refund is ordered by the Commission.

Section 300.20(d) provides for publication of notice of acceptance of rates, or any other Commission action specified in § 300.20(b), both in the **Federal Register** and by mail.

IV. Certification of No Significant Economic Impact

The Regulatory Flexibility Act (RFA) requires certain analyses of proposed agency rules that will have a "significant economic impact on a substantial number of small entities."

Pursuant to section 605(a) of the RFA, the Commission hereby finds that the analysis requirements set forth in the rulemaking do not apply to this rulemaking, for the following reasons.

This rule imposes requirements only on the BPA. The BPA is not a "small entity" under the RFA.

The primary purpose of this proposal is to establish procedures for the confirmation and approval of BPA rates for compliance with statutory standards. Under the Pacific Northwest Act, the Commission does not itself set rate levels as it may under the Federal Power Act. The procedures are designed to avoid delays which in the past have accompanied the filing of BPA rates and to implement the Congressional directive to process rate schedules expeditiously. The rules will enable the Commission to place a rate into effect and to reach a decision quickly about its compliance with the statute.

Because this rule applies only to BPA and is procedural in nature, it will not create any impact upon small entities. Hence, the Commission believes a certification of no significant economic impact is entirely proper.

V. Comment Procedures

The Commission invites public comment on the interim rule. The Commission seeks comment particularly on the issues raised relating to confirmation and approval of BPA rates on an interim basis. All comments and views will be considered before the Commission takes final action in this docket.

Written comments on the interim rule must be received by the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, no later than February 5, 1982. Comments should refer to Docket No. RM82-6. Fourteen copies of each comment should be submitted with the original.

Written comments will be placed in the Commission's public files and will be available for inspection during regular business hours in the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

VI. Effective Date

In accordance with the provisions of 5 U.S.C. 553 (b) and (d), the Commission finds good cause to make Part 300 effective on an interim basis at the time of its issuance and to conduct public procedures during the interim effective period. The Northwest Power Act requires implementation of interim rate approval procedures, if any, by December 5, 1981, and this requirement makes advance notice and comment impracticable at this time. Since any rate which could be placed into effect under this interim rule would be subject to the refund, with interest, of any charges determined upon further analysis to be excessive in light of statutory standards, the Commission believes that an immediate effective date is consistent with the public interest. If the Commission were unable to establish generic procedures for approving rates on an interim basis, there could be undue delays in placing BPA rates into effect which would be contrary to both the legislative intent to expedite treatment of BPA rates and the public interest. The Commission will receive and consider comments on the interim rule.

(Pacific Northwest Electric Power Planning and Conservation Act, 16 U.S.C. 830–839h (1980); Federal Power Act, as amended, 16 U.S.C. 792–828c; Bonneville Project Act, 16 U.S.C. 832–832i; Flood Control Act of 1944, 16 U.S.C. 825s; Federal Columbia River Transmission System Act, 16 U.S.C. 838–838k; Department of Energy Organization Act, 42 U.S.C. 7101–7552 (1978); E.O. 12009, 3 CFR 142 (1978))

In consideration of the foregoing, the Commission amends Chapter I, Title 18 of the Code of Federal Regulations, as set forth below, effective on an interim basis on the date of issuance.

By the Commission.

Kenneth F. Plumb,

Secretary.

1. Chapter I is amended by adding to the Table of Contents, in the proper sequence, Subchapter L, containing Part 300, to read:

SUBCHAPTER L—REGULATIONS FOR FEDERAL POWER MARKETING AGENCIES UNDER THE PACIFIC NORTHWEST ELECTRIC POWER PLANNING AND CONSERVATION ACT, THE BONNEVILLE PROJECT ACT, THE FLOOD CONTROL ACT OF 1944, AND THE FEDERAL COLUMBIA RIVER TRANSMISSION SYSTEM ACT

Part
300 Confirmation and approval of the rates of the Bonneville Power Administration.

2. Chapter I is amended by adding Subchapter L, containing Part 300, to read:

PART 300—CONFIRMATION AND APPROVAL OF THE RATES OF THE BONNEVILLE POWER ADMINISTRATION

Subpart A—General Provisions

Sec.
300.1 Applicability and definitions.
300.2 Staff guidance.

Subpart B—Filing Requirements

300.10 Application for confirmation and approval.
300.11 Technical support for the rate schedule.

Subpart C—Commission Rate Review and Approval

300.20 Interim acceptance and review.

Authority: This Part is established under the Pacific Northwest Electric Power Planning and Conservation Act, 16 U.S.C. 830–839h; Federal Power Act, as amended, 16 U.S.C. 792–828c; Bonneville Project Act, 16 U.S.C. 832–832l; Flood Control Act of 1944, 16 U.S.C. 825s; Federal Columbia River Transmission System Act, 16 U.S.C. 838–838k; Department of Energy Organization Act, 42 U.S.C. 7101–7552; E.O. 12009, 3 CFR 142 (1978).

Subpart A—General Provisions

§ 300.1 Applicability and definitions.

(a) *Applicability.* This part sets forth procedures governing the filing, review, and disposition of the rate schedules for the sale or transmission of power and energy established by the Administrator of the Bonneville Power Administration under the Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act). Except as otherwise provided, the Commission's General Rules of Practice and Procedure will apply to any filings, hearings, or other procedures under this Part.

(b) *Definitions.* For the purposes of this Part, the definitions in section 3 of the Pacific Northwest Electric Power Planning and Conservation Act, 16 U.S.C. 839a, and the following definitions apply.

(1) "Cost evaluation period" means a period, commencing with the end of the historic period, as defined in paragraph (b)(3) of this section, and continuing through the proposed rate approval period, as defined in paragraph (b)(7) of this section, during which future estimates of costs and revenues may be modified by the Administrator to reflect changing conditions.

(2) "Electric service" means any transmission or sale of electric power and energy by the Bonneville Power Administration, including capacity sales, energy sales, firm power sales, transmission services, or any combination of these services, and the utilization by the Bonneville Power Administration, by means of ownership, contractual arrangements, leasing, or other arrangements, of any facility to provide such sales or services.

(3) "Historic period" means the period, commencing with the date of first commercial operation of a powerplant or transmission facility and ending on the last day of the latest year for which actual cost data are available, provided that the period does not end more than 18 months before the date on which the Administrator tenders the rate schedule for filing with the Commission.

(4) "Initial capital investment" means the cost of acquisition or construction of a power facility or non-power facility which has been assigned by the Administrator to be repaid from the power revenues of the Bonneville Power Administration, including any cost of planning, design, land acquisition, construction, interest during construction, and testing incurred before the date on which the facility becomes operational or revenue-producing.

(5) "Interest group" means an aggregation of initial investments, additions, replacements, or other capitalized costs which is required to be repaid at a common interest rate.

(6) "Power repayment study" or "PRS" means a study of the annual repayment of production and transmission investments and other costs through the application of revenues during the repayment period.

(7) "Proposed rate approval period" means the period during which the Administrator proposes to collect revenues for electric service under a rate schedule filed for Commission confirmation and approval under this part.

(8) "Rate schedule" means a statement by the Administrator describing:

(i) Electric service, as defined in paragraph (b)(2) of this section;

(ii) Rates and charges which the Bonneville Power Administration establishes for, or in connection with, its electric service; and

(iii) Classifications and other provisions which directly affect such rates and charges.

(9) "Replacement" means any substitution of a unit of property with another unit of like character.

§ 300.2 Staff guidance.

The Administrator or a designee may seek guidance from Commission staff prior to submitting an application under section 7 of the Northwest Power Act, with respect to the appropriate form and content of such application.

Subpart B—Filing Requirements

§ 300.10 Application for confirmation and approval.

(a) *General provisions.*—(1) *Contents of filing.* Any application by the Administrator of the Bonneville Power Administration for confirmation and approval of rate schedules must include, as described in this section, a letter of request for rate approval, a notice of filing suitable for publication in the **Federal Register**, the rate schedule, the Administrator's Record of Decision, and the technical supporting information required under § 300.11.

(2) *Incorporation of information by reference.* Any information required under this subpart that has previously been submitted to the Commission in substantially the same form as specified in this section may be incorporated by reference only.

(3) *Notice of deficiency.* The Director of the Office of Electric Power Regulation will notify the Administrator of any deficiencies in the filing and permit the Administrator 30 days from receipt of the notice of deficiency, or such additional time as the Director may provide, to correct the deficiency specified by the Director.

(4) *Protest and intervention.* In the Notice of Filing supplied by the Administrator under paragraph (d) of this section and published by the Commission in the **Federal Register**, the Commission will provide for an opportunity to protest or intervene in the final confirmation and approval proceeding for the filed rate schedule.

(b) *Letter of request for rate approval.* A letter of request for rate approval must contain the following information:

(1) A description of the period for which the rate is proposed to be effective, delineated by an effective date and an expiration date, and a request, if any, for interim approval of the rate;

(2) A brief description of the filed rates and charges and estimates of annual sales and revenues for the rate

approval period under both and filed rate schedules;

(3) A description of how the filed rate differs in rate level or rate structure from the existing rate schedule currently effective;

(4) A list identifying all documents submitted for Commission consideration; and

(5) The names and addresses of all customers of the Bonneville Power Administration and other persons who have requested to be informed of the Commission's decision.

(c) *Notice of filing.* The notice of filing, suitable for publication in the **Federal Register**, must contain the following information:

(1) The number of the rate schedule or contract;

(2)(i) The dollar amount and percent increase in rates, if the rate change would increase annual revenues during the rate period; or

(ii) A concise description of the rate schedule change, if the filed rate would not increase annual revenues during the rate period;

(3) A brief description of the reasons for the proposed change;

(4) A statement whether interim approval is requested;

(5) The date on which the rate schedule is tendered with the Commission;

(6) The proposed effective date of the rate schedule; and

(7) The proposed rate approval period.

(d) *Rate schedules.* A filed rate schedule, as defined in § 300.1(b)(8), must indicate the following, as appropriate:

(1) The class of customer to which each rate schedule will apply and service areas or zones which will be affected by the filed rate;

(2) The type of use or class of service to which each schedule is applicable;

(3) The character and conditions of service;

(4) The monthly or annual rate to be applied to capacity and energy services or other services;

(5) The method of computing the billing demand;

(6) Special provisions, such as discounts, penalties, power factor adjustments, service interruptions, unauthorized overruns, and other similar provisions which may affect the rates and charges; and

(7) The period of effectiveness of the rates.

(e) *Administrator's record of decision.* A record of decision must include:

(1) A chronological discussion of the procedural history of the ratemaking process, including meetings held with the general public, required under section 7(i) of the Northwest Power Act;

(2) A discussion of issues raised by customers or the public and how such issues were resolved;

(3) A discussion of all statutory, regulatory, or other requirements which governed the Administrator's decision;

(4) A description of any methodology used for determining revenue requirements and for developing appropriate rate structures; and

(5) Any cost-of-service studies used by the Administrator in developing the filed rate.

(f) *Additional filing requirements.* The Administrator must file with the Commission any other information required to be developed under subsection 7(i)(5) of the Northwest Power Act, in relation to the record of decision.

§ 300.11 Technical support for the rate schedule.

The Administrator must submit, in conjunction with any application under § 300.10, the technical support data described under paragraph (a) of this section and the analysis of data described under paragraph (b) of this section.

(a) *Data.*—(1) *Statement A—Sales and Revenues.* Statement A must include:

(i) Sales and revenues for each rate schedule for the last five years of the historic period, as defined in § 300.1(b)(3);

(ii) For the cost evaluation period, the estimated annual sales and revenues for the existing and each proposed rate schedule, including an aggregation of any revenues from sources not covered by the rate schedule according to general classifications of such revenues;

(iii) Brief explanations of how sales and revenue estimates are prepared and explanations of any changes in sales or revenues during the historic period.

(2) *Statement B—Power Resources.* Statement B must contain a list of the capacity and energy resources for the last five years of the historic period and for the cost evaluation period, used to support the sales and revenues figures contained in Statement A. The statement should identify resources according to the powerplant and any purchase or exchange agreement.

(3) *Statement C—Capitalized Investments or Costs.* (i) Statement C must contain, for all power facilities and those non-power facilities which have been assigned to be repaid from power revenues, a tabulated listing of annual capitalized investments (not excluding retirements) made during the historic period and investments in plant which will be revenue-producing during the cost evaluation period, as defined in § 300.1(b)(1). The tabulation must include such items as the initial capital investment including interest during construction, additions, replacements, and capitalized deferred annual expenses.

(ii) Investments tabulated under this subparagraph must be described as follows:

(A) All investments must be described according to interest group, as defined in § 300.1(b)(5);

(B) For each investment listed, the statement must indicate the year in which the investment is due to be repaid;

(C) Investments data may be arranged so as to conform with financial accounting practices of the Bonneville Power Administration;

(D) Investments made during the last five years of the historic period and any investments projected after that period must be categorized according to the type of investment, such as additions or specified major replacements, and the expected service life and required repayment date. For any projected replacements, the statement must describe any methods used to estimate the annual replacement costs and the price level used to estimate costs;

(E) Facilities financed through the issuance of revenue bonds must be identified; and

(F) The statement must describe the authority or administrative procedure used for adoption of each interest rate.

(4) *Statement D—Interest Expenses; Repayment of Investments and Debt Capital.* (i) For each capitalized investment and cost listed in Statement C, Statement D must describe, by interest group:

(A) The total unpaid balance outstanding at the end of the historic period;

(B) Payments made on principal and interest during each of the last five years of the historic period; and

(C) Annual payments expected to be made through the cost evaluation period.

(ii) The statement must describe how the interest expense was determined for each type of investment and include examples of such computations.

(5) *Statement E—Operation, Maintenance and Other Annual Expenses.* Statement E must contain, for the last five years of the historic period and for the cost evaluation period, as appropriate, a tabulation of actual and projected operation and maintenance, administrative and general, purchased power, wheeling, and any other expenses, other than interest, that are

required to be recovered on an annual basis from power revenues. If purchased power and other similar expenses are derived from more than one source, the statement must list expenses for each individual source. The statement must explain any significant deviations from trends in expenses or any extraordinary expenses. The statement must explain the price level used for estimating expenses.

(6) *Statement F—Cost Allocations.* Statement F must contain, for each multiple-purpose reservoir project, unit, division, or system, a table or other summary showing total investments costs, the total annual operation and maintenance costs, and the allocation of all such costs among the various authorized purposes. The statement must show the amount of power costs allocated to irrigation functions, and any changes from previous allocations, and the procedure used in allocating such costs. Any description of allocations already in the Commission's files need not be shown.

(b) *Analysis of supporting data.* An analysis of the data provided under this section must be supported by an appropriate methodology developed by the Administrator.

(1) *Power Repayment Study.* Any Power Repayment Study (PRS) submitted for this purpose must be developed using currently approved rates for estimating future revenues. If the filed rates differ from the current rates, the Administrator must provide a PRS which uses the proposed rates for estimating future revenues. Unless otherwise required by statute, a PRS must contain only those investments in plant which will be in commercial operation during the proposed rate approval period, except replacements. Forecasts of costs beyond the cost evaluation period must be based on conditions prevailing during the cost evaluation period, unless unusual circumstances warrant otherwise.

(2) The Administrator may use a method other than a PRS to support filed rates.

Subpart C—Commission Rate Review and Approval

§ 300.20 Interim acceptance and review.

(a) *Time of filing.* Any rate schedule for which the Administrator requests interim approval must be tendered for filing with the Commission, in the form and with the materials specified in Subpart B, not later than 90 days prior to the date such rate schedules are requested to be made effective on an interim basis.

(b) *Action on request for interim rate acceptance.* Upon receipt of an application that complies with the requirements of this Part, the Commission may take any of the following actions, based on an evaluation of the application:

(1) Order the rate schedule into effect on an interim basis, effective on the date requested by the Administrator or at such time as the Commission may otherwise order;

(2) Deny the Administrator's interim rate request and reject the application, if the Commission determines that the Administrator's application is:

(i) Patently deficient with respect to the filing requirements of this Part; or

(ii) Fails to comply with the applicable provisions of the Pacific Northwest Electric Power Planning and Conservation Act; or

(3) Deny the Administrator's interim rate request and review the application for final confirmation and approval of the rate schedule pursuant to the provisions of this part.

(c) *Condition of acceptance.* (1) *Condition.* If the Commission places a rate schedule into effect on an interim basis under paragraph (b)(1) of this section, such rates are subject to refund with interest under this paragraph.

(2) *Refund.* If any rate which the Commission makes effective on an interim basis exceeds the rate which is confirmed and approved by the Commission as a final rate, the Administrator must refund with interest any portion of the rate increase collected during the interim period which exceeds the final rate. The Administrator may make refund under this part by means of a net energy billing which reflects the value of any overcharge or by other appropriate methods.

(3) *Interest.* Except as otherwise provided by the Commission, the Administrator shall compute any amount of interest based on the revenues collected subject to refund and required to be refunded under paragraph (c)(2) of this section by using the rate of interest or a weighted average of all rates of interest charged to the Bonneville Power Administration by the U.S. Treasury during the period for which the computation is made.

(d) *Notice.* The Commission Secretary will publish in the **Federal Register** a notice of any action taken under paragraph (b) of this section and will mail notice to any interested person identified in the Administrator's filing.

[FR Doc. 81-35730 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF STATE

22 CFR Parts 124 and 126

[Dept. Reg. No. 108.815]

Revision of Controls on Exports of Munitions List Articles to the People's Republic of China

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: The International Traffic in Arms Regulations (ITAR) are amended to delete the People's Republic of China from the list of countries which are denied licenses and other approvals by the U.S. Department of State for U.S. Munitions List exports. Requests for such approvals will now be considered on a case-by-case basis in accordance with standard procedures.

EFFECTIVE DATE: December 14, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. William B. Robinson, Director, Office of Munitions Control, Department of State, Washington, D.C., (703) 235-9755, or Mr. Charles Hartley, Deputy Director, (703) 235-9756.

SUPPLEMENTARY INFORMATION: The International Traffic in Arms Regulations (ITAR) state that it is a policy of the United States to deny approval for U.S. Munitions List exports to certain enumerated countries, including the People's Republic of China (22 CFR 126.01). This policy has been changed with respect to the People's Republic of China so that requests henceforth for licenses and other approvals for that country will be considered in accordance with the standard procedures of the Office of Munitions Control and on a case-by-case basis. (The requirement in 22 CFR 124.10(i) for the incorporation, in manufacturing license and technical assistance agreements, of a statement that articles produced thereunder may not be transferred to certain enumerated countries, will be similarly altered.)

PART 124—MANUFACTURING LICENSE AND TECHNICAL ASSISTANCE AGREEMENTS

Accordingly, 22 CFR, Chapter I, Subchapter M, is amended as follows:

§ 124.10 [Amended]

1. Section 124.10(i) is amended by removal of "Communist China".

PART 126—PROHIBITED SHIPMENTS, TEMPORARY SUSPENSION OR MODIFICATION OF REGULATIONS, EXEMPTIONS, AND RELATION TO OTHER PROVISIONS OF LAW

§ 126.01 [Amended]

2. Section 126.01 is amended by removal of "Communist China".

Because these regulatory changes involve the foreign affairs functions of the United States, these amendments are adopted as a final rule. (See 5 U.S.C. 553(a); 22 CFR 128.01. See also E.O. 12291, February 17, 1981, 46 FR 13193, sec. 1(a)(2).)

James L. Buckley,

Under Secretary for Security Assistance, Science and Technology.

[FR Doc. 81-35745 Filed 12-11-81; 8:45 am]

BILLING CODE 4710-25-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 166

Defense Contracting; Reporting Procedures on Defense Related Employment

AGENCY: Office of the Secretary, DOD.

ACTION: Amendment of final rule.

SUMMARY: This rule is the fiscal year 1981 update of the section listing DoD contractors receiving negotiated contract awards of $10 million or more. The regulation is published to comply with the provisions of section 410, Pub. L. 91-121, November 19, 1969.

EFFECTIVE DATE: September 30, 1981.

FOR FURTHER INFORMATION CONTACT: Mrs. Cynthia V. Springer, Office of the Director for Information Operation and Reports, Washington Headquarters Services, The Pentagon, Washington, DC 20301. Telephone (202) 694-5614.

SUPPLEMENTARY INFORMATION: In FR Doc. 70-15846 appearing in the Federal Register on November 25, 1970 (35 FR 18040), the Office of the Secretary of Defense published a final rule establishing criteria, prescribing procedures, and assigning responsibilities for monitoring contracting within the Department of Defense. Subsequently, paragraphs (a) and (d) of § 166.11, which constitute the list of DoD contractors receiving negotiated contract awards for $10 million or more, were updated for fiscal years 1971 (36 FR 18464); 1972 (37 FR 18727); 1973 (38 FR 25990); 1974 (39 FR 32985); 1975 (40 FR 44135); 1976 (41 FR 20466); 1977 (43 FR 1617); 1978 (44 FR 3049); 1979 (44 FR 75631); and 1980 (45 FR 83486).

PART 166—REPORTING PROCEDURES ON DEFENSE RELATED EMPLOYMENT

Accordingly, for FY 1981, § 166.11 of this part is revised to read as follows:

§ 166.11 Department of Defense contractors receiving negotiated contract awards of $10 million or more.

Fiscal Year 1981

A A I Corp.
A M General Corp.
Abbott Products, Inc.
Action Mfg. Co.
Adobe Refining Co.
Advanced Technology, Inc.
Aero Corp.
Aerojet General Corp.
Aerospace Corp.
Airesearch Mfg. Co. of Arizona
Airesearch Mfg. Co. of California
Airlift International, Inc.
Alabama Power Co.
Alamo Aircraft Supply, Inc.
Alascom, Inc.
Allied Construction, Inc.
Allis Chalmers Corp.
Altama Delta Corp.
Amerada Hess Corp.
American Air Filter Co., Inc.
American Airlines, Inc.
American Development Corp.
American Electronic Laboratories, Inc.
American Home Products Corp.
American Oil & Supply Co.
American President Lines, Ltd.
American Telephone & Telegraph Co.
Ametek, Inc.
Amex Systems, Inc.
Amoco Oil Co.
Ampex Corp.
Analysis & Technology, Inc.
Analytic Sciences Corp.
Applied Devices Corp.
Arco Petroleum Co.
Arinc Research Corp.
Ashland Petroleum Co.
Atacs Corp.
Atkinson Dredging Co.
Atlantic Research Corp.
Atlas Processing Co.
Automation Industries, Inc.
Avco Corp.
Avco Everett Research Laboratory
Avondale Shipyards, Inc.
Ayer N W ABH International, Inc.
B D M Corp.
Baltimore Gas & Electric Co.
Bates Ted & Co., Inc.
Bath Iron Works Corp.
Battelle Memorial Institute
Beech Aerospace Services, Inc.
Beech Aircraft Corp.
Belcher Terminals, Inc.
Bell & Howell Co.
Belleville Shoe Mfg. Co.
Bendix Corp.
Bendix Field Engineering Corp.
Bershire Contractors, Inc.
Bernard Clay Systems, Intnl, Ltd.
Blue Shield of California
Boeing Aerospace Co.
Boeing Co.
Boeing Computer Services, Inc.
Boeing Services International, Inc.
Boeing Vertol Co.
Bolt Beranek & Newman, Inc.
Booz Allen & Hamilton, Inc.
Borg Warner Corp.
Braswell Shipyards, Inc.
Brooks & Perkins, Inc.
Bruce Anderson Co., Inc.
Brunswick Corp.
Bulova Watch Co., Inc.
Bunker Ramo Corp.
Burroughs Corp.
C D I Corp.
C F E Air Cargo, Inc.
C Three, Inc.
CACI, Inc. Federal
California Microwave, Inc.
California, University of
Calspan Corp.
Caltex Oil Products Co.
Campbell Soup Co.
Capital Engineering & Mfg. Co.
Carnation Co.
Carolina Power & Light Co.
Caterpillar Tractor Co.
Cecile Industries, Inc.
Centre Mfg. Co.
Cerberonics, Inc.
Chamberlain Mfg. Corp.
Charles Stark Draper Laboratories, Inc.
Chesapeake & Potomac Telephone Co.
Chevron U S A, Inc.
Chromalloy American Corp.
Chrysler Corp.
Chrysler Defense, Inc.
Cibro Petroleum Products, Inc.
Cincinnati Electronics Corp.
Cincinnati Milacron, Inc.
Cities Service Oil Co.
Cleveland Pneumatic Co.
Coastal Dry Dock Repair
Coastal States Marketing, Inc.
Coastal States Trading, Inc.
Colt Industries, Inc.
Command Control & Communication
Computer Sciences Corp.
Computervision Corp.
Condec Corp.
Conoco, Inc.
Control Data Corp.
Coral Petroleum, Ltd.
Cubic Corp.
Curtiss Wright Corp.
Data Design Laboratories
Dataproducts New England, Inc.
Day & Zimmerman, Inc.
Day & Zimmerman, Inc. & Basil FE JV
Dayton, University of
Delta Refining Co.
Derby & Co., Inc.
Devils Lake Sioux Mfg. Corp.
Digital Equipment Corp.
Doss Aviation, Inc.
Douglas Oil Co. of California
Dubuque Packing Co.
Dynalectron Corp.
Dynamics Corp. of America
Dynamics Research Corp.
E G & G, Inc.
E S L Inc.
E Systems, Inc.
Eastman Kodak Co.

Eaton Corp.
Eaton Cutler Hammer
Ebony Oil Corp.
Edaw, Inc.
Edo Corp.
El Paso, City of
El Paso Electric Co.
Electro Methods, Inc.
Electrospace Systems, Inc.
Emerson Electric Co.
Engineering Research Associates
Engineering Research, Inc.
Exxon Co. U.S.A.
Exxon Corp.
F M C Corp.
Fairchild Camera & Instrument Corp.
Fairchild Industries, Inc.
Fairchild Weston Systems, Inc.
Farrell Lines, Inc.
Federal Electric Corp.
Ferguson H K Co.
Figgie International, Inc.
Fletcher Oil & Refining Co.
Florida Power & Light Co.
Ford Aerospace & Communications
Fortect Construction, Forest Builders & Tectonics, Inc. of Fla. JV
Fugro National, Inc.
Fuller Oil Co.
G & C Enterprise, Inc.
G & M Oil Co., Inc.
G T E Products Corp.
G T E Sylvania, Inc.
Garrett Corp.
Gavco Corp.
General Atronics Corp.
General Defense Corp.
General Dynamics Corp.
General Electric Co.
General Foods Corp.
General Mills, Inc.
General Motors Corp.
General Research Corp.
General Ship Engine Works
Georgia Technical Research Institute
Getty Oil Co.
Getty Refining & Marketing Co.
Gibraltar Industries, Inc.
Gladieux Refinery, Inc.
Glenn Berry Mfg. Inc.
Global Associates
Golden Eagle Oil Refinery, Inc.
Goodrich B F Co.
Goodyear Aerospace Corp.
Gould, Inc.
Grey Advertising, Inc.
Grimes Oil Co., Inc.
Grumman Aerospace Corp.
Guam Oil & Refining Co., Inc.
Gulf Oil Corp.
Gulf Power Co.
Gulf States Oil & Refining Co.
H I T C O
H R B Singer, Inc.
Hamilton Technology, Inc.
Harris Corp.
Harsco Corp.
Hawaiian Electric Co., Ltd.
Hawaiian Independent Refinery, Inc.
Hayes International Corp.
Hazeltine Corp.
Henningston Durham Richardson
Hercules, Inc.
Hess Oil Virgin Island Corp.
Hewlett Packard Co.
Hollingsworth, John R Co.
Holston Defense Corp.
Honeywell, Inc.
Honeywell Information Systems, Inc.
Houston Oil & Refining, Inc.
Hughes Aircraft Co.
Hughes Helicopters, Inc.
Hunt Oil Co.
Hydroscience, Inc.
I C I Americas, Inc.
I T T & Westinghouse JV
I T T Gilfillan, Inc.
Illinois Institute of Technology
Ingersoll Rand Co.
Institute for Defense Analysis
Intercontinental Mfg. Co.
International Business Machines Co.
International Telephone & Telegraph Corp.
Interstate Electronics Corp.
Itek Corp.
J E T S, Inc.
J I J Construction Co., Inc.
Jackson Oil Co.
Jacksonville Shipyards, Inc.
Jaycor
Jersey Central Power & Light Co.
Johns Hopkins University
K D I Precision Products, Inc.
Kaman Aerospace Corp.
Kaman Corp.
Kaman Sciences Corp.
Keco Industries, Inc.
Kelsey & Associates
Kenco Refining, Inc.
Kentron Hawaii, Ltd.
Kentron International, Inc.
Kings Point Mfg. Co.
Kollmorgen Corp.
Kovatch Truck Center
Kraft, Inc.
Laketon Asphalt Refining, Inc.
Lancer Clothing Corp.
Landmark Beef Processors, Inc.
Lear Siegler, Inc.
Libby McNeill & Libby
Libby Welding Co.
Linkabit Corp.
Listo Energy, Inc.
Little America Refining Co.
Litton Industries, Inc.
Litton Systems, Inc.
Lockheed Corp.
Lockheed Electronics Co., Inc.
Lockheed Missiles & Space Co., Inc.
Lockheed Shipbuilding & Construction
Loggins Meat Co.
Logicon, Inc.
Loral Corp.
Lykes Bros. Steamship Co., Inc.
M B Associates
Magnavox Co.
Magnavox Government & Industrial Electronics Co.
Man Tech Corp.
Management & Technical Services Co.
Marconi Avionics, Inc.
Maremont Corp.
Marine Transport Lines, Inc.
Marinette Marine Corp.
Marion Corp.
Marquardt Co.
Martin Marietta Aluminum Sales, Inc.
Martin Marietta Corp.
Maryland, University of
Mason & Hanger Silas Mason Co.
Mason Chamberlain, Inc.
Massachusetts Institute of Technology
Maxwell Laboratories, Inc.
Mayer Oscar & Co., Inc.
McDonnell Douglas Corp.
McRae Industries, Inc.
Medley Tool & Model Co., Inc.
Menasco Mfg. Co., Inc.
Merando, Inc.
Metric Systems Corp.
Midland Ross Corp.
Mine Safety Appliances Co.
Minnesota Mining & Mfg. Co.
Mission Research Corp.
Mitre Corp.
Mobil Oil Corp.
Morrell John & Co.
Morrison Knudsen Co., Inc.
Motorola, Inc.
National Beef Packing Co.
National Steel & Shipbuilding Co.
Navajo Refining Co.
Needham, Inc.
Nestle Co., Inc.
New Mexico State University
Newport News Shipbuilding & Dry Dock Co.
Norden Systems, Inc.
Norfolk Shipbuilding & Dry Dock Corp.
Norris Industries, Inc.
North Pole Refining Co.
Northern Telecom, Ltd.
Northrop Corp.
Northrop Worldwide Aircraft Services Inc.
Northwest Airlines, Inc.
Nuclear Metals, Inc.
O K C Trading Co.
O R I, Inc.
Olin Corp.
Paccar, Inc.
Page Airways, Inc.
Pan American World Airways, Inc.
Parker Hannifin Corp.
Parsons Ralph M Co., Inc.
Pennsylvania State University
Perkin Elmer Corp
Peterson Builders, Inc.
Petref, Inc.
Philip Morris, Inc.
Phillips Petroleum Co.
Physics International Co.
Pioneer Refining Co.
Planning Research Corp.
Pneumo Corp.
Powerine Oil Co.
Pride Refining, Inc.
Procter & Gamble Distributing Co.
Public Service Co. of New Mexico
Q E D Systems, Inc.
Quality Mfg., Inc.
R & D Associates
R C A Corp.
R C A Global Communications, Inc.
Rand Corp.
Raytheon Co.
Raytheon Service Co.
Reelfoot Packing Co.
Refinery Associates, Inc.
Reflectone, Inc.
Regis Milk Co.
Remington Arms Co.
Reynolds R J Industries, Inc.
Reynolds R J Tobacco Co.
Ridge Instrument Co., Inc.
Right Away Foods Corp.
Roarda, Inc.
Rochester, University of
Rockwell International Corp.

Rohr Industries, Inc.
Rois Mfg. Co.
Rosenblatt & Son, Inc.
S R I International
San Francisco Welding & Steel Fabricating
Sanders Associates, Inc.
Santa Barbara Research Center
Sargent Fletcher Co.
Sargent Industries, Inc.
Saturn Construction Co., Inc.
Saxon B B Co., Inc.
Science Applications, Inc.
Sea Land Industries, Inc.
Sea Land Service, Inc.
Sealol Corp.
Selma Apparel Corp
Shell Oil Co.
Sierra Research Corp.
Signetics Corp.
Simmonds Precision Products
Simplex Wire & Cable Co.
Singer Co.
Smith L H Oil Corp.
Smoot Sherman R Co., Inc.
Softech, Inc.
Solar Turbines International
Southern California Edison Co.
Southern California, University of
Southern Packaging & Storage Co.
Southern Union Refining Co.
Southland Oil Corp.
Southwest Marine, Inc.
Southwest Research Institute
Southwest Truck Body
Southwestern Refining Co., Inc.
Sparton Corp.
Sperry Corp.
Standard Mfg. Co.
Stanford University
Stearns Roger, Inc.
Stewart Warner Corp.
Summa Corp.
Sun Chemical Corp.
Sun Co., Inc.
Sundstrand Corp.
Support Systems Associates, Inc.
Supreme Beef Co., Inc.
Survival Technology Corp.
Sverdrup Technology, Inc.
Swedlow, Inc.
Swift & Co.
System Development Corp.
System Planning Corp.
Systems & Applied Sciences Corp.
Systems Consultants, Inc.
Systems Research Laboratories, Inc.
Systron Donner Corp.
T R W Colorado Electronics, Inc.
T R W Globe Motors
Taylor T H, Inc.
Technical Publications Consultants
Technology Development Corp. (Calif.)
Tektronix, Inc.
Teledyne Brown Engineering
Teledyne C A E
Teledyne Electronics
Teledyne, Inc.
Teledyne Industries, Inc.
Teledyne M E C
Teletype Corp.
Telex Computer Products, Inc.
Tennessee Apparel Corp.
Texaco, Inc.
Texaco International Trader, Inc.
Texas Instruments, Inc.
Texas, University of
Textron, Inc.
Thiokol Corp.
Tiger International, Inc.
Todd Shipyards Corp.
Tonkawa Refining Co.
Tracor, Inc.
Trans International Airlines, Inc.
Transamerica Delaval, Inc.
Transtechnology Corp.
Treadwell Corp.
Tri Par Combustion Corp.
Turner Construction Co.
Unidynamics St. Louis, Inc.
Union Carbide Corp.
Union Oil Co. of California
Uniroyal, Inc.
United Beef Co.
United States & South American Enterprises
United States Lines Co.
United States Petrochemical Co., Inc.
United Technologies Corp.
Universal Maritime Services Corp.
Univox California Co.
V S E Corp.
Valencia Petroleum Corp.
Valmac Industries, Inc.
Vanguard Oil & Service Co.
Varian Associates
Varo, Inc.
Vi Mil, Inc.
Virginia Electric & Power Co.
Vought Corp.
Wallace & Wallace Fuel Oil, Inc.
Wardco, Inc.
Washington, University of
Watkins Johnson Co.
Wells Marine, Inc.
Western Electric Co., Inc.
Western Gear Corp.
Western Union International, Inc.
Western Union Telegraph Co.
Westinghouse Electric Corp.
White Engines, Inc.
Whittaker Corp.
Williams Research Corp.
Winfield Mfg. Co., Inc.
World Airways, Inc.
Wylie Corp., The
Wyoming Refining Co.
Xerox Corp.
Xerox Electro Optical Systems, Inc.
Zantop International Airlines, Inc.

(Sec. 410, Pub. L. 91-121)

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.

December 8, 1981.

[FR Doc. 81-35581 Filed 12-11-81; 8:45 am]
BILLING CODE 3810-01-M

VETERANS ADMINISTRATION

41 CFR Parts 8-1 and 8-74

General Policies and Special Procurement Controls

AGENCY: Veterans Administration.

ACTION: Final rule.

SUMMARY: This revision amends the Veterans Administration Procurement Regulations by eliminating Office of Personnel Management loyalty checks for the procurement of outside training; allowing for the procurement of short-term conference space in the District of Columbia; requiring National Sanitation Foundation certification for food service equipment purchased by Dietetic Service; providing for the procurement of supplies and equipment by consignment agreement; and revising the requirements for technical review to include consignment agreements.

EFFECTIVE DATE: This rule is effective December 14, 1981.

FOR FURTHER INFORMATION CONTACT: Tim Ganous or David S. Derr, Policy and Interagency Service, Office of Procurement and Supply, 810 Vermont Avenue, NW, Washington, DC 20420, Telephone (202) 389-2334.

SUPPLEMENTARY INFORMATION: The authority to make an administrative determination that a proposed contractor for training VA employees does not advocate the overthrow of the U.S. Government, which was previously vested in the Office of Personnel Management, has been delegated to contracting officers. The procurement of conference facilities in the District of Columbia is prohibited when not specifically appropriated for by Congress (4 U.S.C. 34). However, the Comptroller General has decided that this restriction does not apply to the rental of short-term conference space (Decision B-183743). The requirement that food service equipment be certified by the National Sanitation Foundation presently applies only to procurements in relation to new construction. This requirement is being extended to the procurement of all such equipment for use by Dietetic Service. The Office of Procurement and Supply has determined that, under certain circumstances, it may be in the best interest of the Veterans Administration to accomplish the procurement of supplies and equipment by consignment agreement. Controls for the use of consignment agreements are established.

The Administrator hereby certifies that this final rule, if promulgated, will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (5 U.S.C. 601-612). Pursuant to 5 U.S.C. 605(b), this final rule is therefore exempt from the initial and final regulatory flexibility analysis requirements of section 603 and section 604. The reason for this certification is because this rule is not likely to result in a major increase in costs to consumers

or others, or to have other significant adverse effects.

Approved: December 3, 1981.

Robert P. Nimmo,

Administrator.

PART 8–1—GENERAL

41 CFR Parts 8–1 and 8–74 are amended as follows:

1. In § 8–1.403–52, paragraph (a) is revised to read as follows:

§ 8–1.403–52 Processing for legal review.

(a) *Department of Medicine and Surgery field stations, VA Marketing Center, VA Supply Depots.* (1) Proposed contracts or agreements specified in paragraph (a) (1), (2), (3) (iii) through (vi), (4), (5) and (6) of § 8–1.403–51 will be forwarded by the contracting officer directly to the Assistant Deputy Administrator for Procurement and Supply. The Assistant Deputy Administrator for Procurement and Supply will review the submissions and forward them directly to the General Counsel.

(2) Proposed sharing agreements and contracts for specialized medical services specified in paragraph (a)(3) (vii) and (viii) of § 8–1.403–51 will be forwarded to Central Office in accordance with § 8–3.204(d) for review and submission to the General Counsel.

(3) Proposed interagency agreements specified in paragraph (a)(3)(ix) of § 8–1.403–51 will be forwarded by the approving official to the Assistant Deputy Administrator for Procurement and Supply. The Assistant Deputy Administrator for Procurement and Supply will review the submissions and forward them directly to the General Counsel.

(4) Proposed utility connection agreements specified in paragraph (a)(3)(ii) of § 8–1.403–51 will be forwarded by the contracting officer directly to the Director, Engineering Service. The Director, Engineering Service will review the submissions and forward them to the General Counsel through the Assistant Deputy Administrator for Construction.

(5) Proposed change orders specified in paragraph (b) of § 8–1.403–51 will be forwarded by the contracting officer directly to the Director, Engineering Service. The Director, Engineering Service, will review the submissions and forward them to the General Counsel.

(6) Proposed final decisions or settlement agreements specified in paragraph (b) of § 8–1.403–51 will be forwarded by contracting officer directly to the Assistant Deputy Administrator for Procurement and Supply. The Assistant Deputy Administrator for Procurement and Supply will review the submissions and forward them to the General Counsel.

(7) Proposed revisions to contract clauses specified in paragraph (c) of § 8–1.403–51 will be forwarded by contracting officer directly to the Assistant Deputy Administrator for Procurement and Supply. If concurred in, the Assistant Deputy Administrator for Procurement and Supply will forward them directly to the General Counsel.

* * * * *

2. Section 8–1.403–60 is revised to read as follows:

§ 8–1.403–60 Technical review.

Certain contracts not subject to the legal review requirements of § 8–1.403–51 are subject to a prior technical review for compliance with procurement regulations as provided in this section. Negotiated contracts, including 8(a) set-asides, expected to exceed $50,000, formally advertised contracts (including Step One of two-step procurements) expected to exceed $100,000, and all consignment agreements, regardless of anticipated dollar value, will be reviewed by the Assistant Deputy Administrator for Procurement and Supply, prior to award, except that the requirement for review is not applicable to contracts related to the Loan Guaranty Program, formally advertised construction contracts, architect-engineer contracts or to contracts awarded by the Office of Construction.

(a) The procedure for obtaining the technical review will be the same as that specified for legal review in § 8–1.403–52 except that where paragraphs (b) and (c) of that section indicate submission of documents to the General Counsel, the documents will be forwarded to the Assistant Deputy Administrator for Procurement and Supply.

(b) The documents to be submitted for review are the same as for legal review as specified in § 8–1.403–53.

(c) Upon completion of the technical review, the Assistant Deputy Administrator for Procurement and Supply will advise the appropriate Central Office activity (for field station contracts) or contracting officer (for Central Office contracts) as to approval or as to any changes required to comply with procurement regulations. Where changes are required, immediate action will be taken to amend the solicitation or proposed contract.

(d) The technical review will be completed as expeditiously as possible with due regard to the date by which the contract is needed. Conversely, contemplated effective dates of proposed contracts will take into consideration the need for technical review.

3. In § 8–1.405, paragraph (a)(1) is revised to read as follows:

§ 8–1.405. Ratification of unauthorized contract awards.

(a) * * *

(1) Contracting officers shall not ratify contractual commitments made by other personnel of the Veterans Administration without prior approval. At field stations, the approving authority is the head of the field station concerned. For Central Office contracting officers, the approving authorities are the heads of the concerned departments and staff offices, and the Director, Office of Administration. This approval authority shall not be redelegated.

* * * * *

PART 8–74—SPECIAL PROCUREMENT CONTROLS

4. In § 8–74.113, paragraphs (b) and (c)(1) are revised to read as follows:

§ 8–74.113 Telecommunications equipment.

* * * * *

(b) The descriptive literature to be furnished by the contractor after award, required by the clause in § 8–7.150–18, is to be reviewed and approved by the Office of Data Management and Telecommunications prior to delivery and/or installation by the contractor. Promptly upon receipt of the descriptive literature, contracting officers will forward it together with a copy of the contract, the formal specification, or the detailed purchase description to the Assistant Deputy Administrator for Procurement and Supply (93).

(c) Solicitations, including those for construction, for telecommunications equipment based on "brand name or equal" purchase description (see FPR 1–1.307–4 to 1–1.307–9 inclusive) are subject to the following:

(1) Prior to award, contracting officers will forward to the Assistant Deputy Administrator for Procurement and Supply (93) the abstract of bids, one copy of each offer received, including descriptive literature and pertinent letters, and the comments and recommendations of the contracting officer.

* * * * *

§ 8–74.114 [Amended]

5. In § 8–74.114, *Paid use of conference facilities,* paragraph (d) is removed.

6. A new § 8–74.116 is added to read as follows:

§ 8–74.116 Food service equipment.

(a) All new food service equipment purchased for Dietetic Service through other than the Defense General Supply Center (DGSC) sources must meet requirements set forth by the National Sanitation Foundation (NSF).

(b) The contracting officer will accept an affixed NSF label and/or documentation of the certification by NSF from the contractor as evidence that the subject equipment meets sanitation standards issued by the Foundation.

(38 U.S.C. 210(c); 40 U.S.C. 486(c))

[FR Doc. 81-35610 Filed 12-11-81; 8:45 am]
BILLING CODE 8320-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Parts 32 and 33

Addition of Fourteen National Wildlife Refuges to the List of Open Areas; Migratory Bird Hunting, Upland Game Hunting, Big Game Hunting, and Sport Fishing

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule adds a number of refuges to the lists of open areas for migratory bird hunting; upland game hunting; big game hunting, and sport fishing. It has been determined that this action would be in accordance with the provisions of all applicable laws, would be compatible with the principles of sound wildlife management, would otherwise be in the public interest, and that such uses are compatible with the major purposes for which each refuge was established. The hunting of migratory birds, upland game, big game, and sport fishing, subject to annual special regulations, will provide additional public recreational opportunities.

EFFECTIVE DATE: December 14, 1981.

FOR FURTHER INFORMATION CONTACT: William C. Reffalt, Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240; Telephone 202–343–4791.

SUPPLEMENTARY INFORMATION: The author of this document is Ronald L. Fowler, U.S. Fish and Wildlife Service, Washington, D.C. 20240, 202–343–4305. As a general rule, most areas within the National Wildlife Refuge System are closed to hunting and sport fishing until officially opened by rulemaking. On September 1, 1981, there was published (46 FR 43858) a proposed rulemaking adding 14 refuges to the lists of open areas for migratory game birds, upland game, big game, and sport fishing.

The public was provided a 30-day comment period and was advised that pursuant to the requirements of Section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), an environmental assessment had been prepared on each of these proposals. These assessments are available for public inspection and copying at Room 2024, Department of the Interior, 18th and C Streets NW, Washington, D.C. 20240, or by mail from the Director at the address given above. On the basis of these assessments it has been determined that this rulemaking does not constitute a major Federal action significantly affecting the quality of the human environment.

No comments were received concerning the proposed rule.

The Refuge Recreation Act of 1962 (16 U.S.C. 460k) authorizes the Secretary of the Interior to administer such areas for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary objectives for which the area was established. In addition, the Act requires that: (1) Any recreational use permitted will not interfere with the primary purpose for which the area was established; and (2) funds are available for the development, operation, and maintenance of the permitted forms of recreation. The proposed use authorized by these regulations will not interfere with the primary purposes for which these refuges were established. This determination is based upon consideration of, among other things, the Service's Final Environmental Impact Statement on the Operation of the National Wildlife Refuge System published in November 1976. Funds are available for the administration of the recreational activities permitted by these regulations.

Because of the time limitation involved to coordinate the State and Federal hunting regulations and the rapid approach of the hunting seasons, the Department of the Interior has concluded that "good cause" exists within the meaning of 5 U.S.C. 553(d)(3), of the Administrative Procedure Act to expedite the implementation of this rulemaking; therefore the effective date of this final rule is December 14, 1981.

Note.—The Department of the Interior has determined that this document is not a "major rule" within the meaning of Executive Order 12291 (46 FR 13193) and that the rulemaking would not have a "significant economic effect on a substantial number of small entities" within the meaning of the Regulatory Flexibility Act (Pub. L. 96–354).

Accordingly, after consideration of all interests and concerns, 50 CFR Parts 32 and 33 are amended by the addition of Overflow National Wildlife Refuge, Bogue Chitto National Wildlife Refuge, Upper Ouachita National Wildlife Refuge, Mathews Brake National Wildlife Refuge, Morgan Brake National Wildlife Refuge, Panther Swamp National Wildlife Refuge, Lamesteer National Wildlife Refuge, Cedar Island National Wildlife Refuge, Mackay Island National Wildlife Refuge, Lake Zahl National Wildlife Refuge, Lower Hatchie National Wildlife Refuge, Tennessee National Wildlife Refuge, McFaddin National Wildlife Refuge, and Seedskadee National Wildlife Refuge in §§ 32.11, 32.21, 32.31, and 33.4 as follows:

PART 32—HUNTING

§ 32.11 List of open areas; migratory game birds.

* * * * *

Arkansas

Overflow National Wildlife Refuge

* * * * *

Louisiana

Bogue Chitto National Wildlife Refuge

* * * * *

Mississippi

* * * * *

Mathews Brake National Wildlife Refuge

* * * * *

Montana

* * * * *

Lamesteer National Wildlife Refuge

* * * * *

North Carolina

Cedar Island National Wildlife Refuge

* * * * *

Tennessee

Lower Hatchie National Wildlife Refuge

* * * * *

§ 32.21 List of open areas; upland game.

* * * * *

Arkansas

* * * * *

Overflow National Wildlife Refuge

* * * * *

Louisiana

Bogue Chitto National Wildlife Refuge

* * * * *

Mississippi
* * * * *
Mathews Brake National Wildlife Refuge
* * * * *
Montana
Lamesteer National Wildlife Refuge
* * * * *
Tennessee
Lower Hatchie National Wildlife Refuge
* * * * *

§ 32.31 List of open areas; big game.
* * * * *
Arkansas
* * * * *
Overflow National Wildlife Refuge
* * * * *
Louisiana
Bogue Chitto National Wildlife Refuge
* * * * *
Mississippi
* * * * *
Mathews Brake National Wildlife Refuge
* * * * *
Montana
* * * * *
Lamesteer National Wildlife Refuge
* * * * *
North Carolina
Mackay Island National Wildlife Refuge
* * * * *
North Dakota
* * * * *
Lake Zahl National Wildlife Refuge
* * * * *
Tennessee
* * * * *
Lower Hatchie National Wildlife Refuge
* * * * *

PART 33—SPORT FISHING

§ 33.4 List of open areas; sport fishing.
* * * * *
Louisiana
Bogue Chitto National Wildlife Refuge
* * * * *
Upper Ouachita National Wildlife Refuge
* * * * *
Mississippi
* * * * *
Mathews Brake National Wildlife Refuge
Morgan Brake National Wildlife Refuge
* * * * *
Panther Swamp National Wildlife Refuge
* * * * *
Tennessee
* * * * *
Lower Hatchie National Wildlife Refuge
* * * * *
Tennessee National Wildlife Refuge
* * * * *
Texas
* * * * *
McFaddin National Wildlife Refuge
* * * * *
Wyoming
* * * * *
Seedskadee National Wildlife Refuge
* * * * *

(16 U.S.C. 460k, 668dd)

Dated: November 18, 1981.

J. Craig Potter,

Acting Deputy Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 81-35643 Filed 12-11-81; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 652

Atlantic Surf Clam and Ocean Quahog Fisheries

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Extension of emergency interim rule.

SUMMARY: An emergency regulation in effect through December 8, 1981, implements certain provisions of Amendment 3 to the Fishery Management Plan for Atlantic Surf Clam and Ocean Quahog Fisheries. This notice extends the emergency regulation from December 9, 1981, through January 23, 1982. The extension will continue protection of the resource, while providing more flexibility and fishing opportunity for fishermen than would be available under the regulations which would otherwise be effective.

DATES: Emergency rule effective from December 9, 1981 through January 23, 1982.

FOR FURTHER INFORMATION CONTACT: Frank Grice, Chief, Fisheries Management Division, Northeast Region, National Marine Fisheries Service, State Fish Pier, Gloucester, Massachusetts 01930-3097. Telephone 617-281-3600.

SUPPLEMENTARY INFORMATION: Under section 305(e)(2) of the Magnuson Fishery Conservation and Management Act, emergency interim regulations implementing provisions of Amendment 3 to the Fishery Management Plan for Atlantic Surf Clam and Ocean Quahog Fisheries were published on October 28, 1981 (46 FR 53181). The rulemaking stated that the regulations would be effective for 45 days and that they could be repromulgated for an additional 45-day period, if necessary. The amendment: (1) provides a flexible procedure which allows the Secretary to specify annual quotas from within a prescribed range; (2) sets a 5½ inch size limit for surf clams in the mid-Atlantic area; (3) extends the portion of the year during which make-up periods can be claimed for fishing time lost due to bad weather; (4) allows vessel operators to determine themselves if weather conditions are severe enough to claim a make-up period; (5) extends the surf clam fishing week to include Sunday; (6) provides increased opportunity for vessel operators to change their surf clam fishing schedules; and (7) eliminates the fee for issuance of a replacement vessel permit. The intended effect of the amendment is to increase the operational flexibility of fishermen and other small business entities affected by the management of the fisheries. The Assistant Administrator for Fisheries, NOAA, had determined that the emergency situation described in the rulemaking continues to exist, and therefore extends the emergency regulations through January 23, 1982.

Classification

The Administrator of NOAA determined on October 23, 1981, that this action is not a major rule under E.O. 12291 and does not require a regulatory impact analysis. The Federal paperwork burden, as defined by 44 U.S.C. 3501 *et seq.*, is not increased for any level of business. Requirements of the Regulatory Flexibility Act are not applicable because the emergency rule was not published as a notice of proposed rulemaking.

Dated: December 8, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-35578 Filed 12-9-81; 1:17 pm]

BILLING CODE 3510-12-M

Proposed Rules

Federal Register
Vol. 46, No. 239
Monday, December 14, 1981

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.

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 309

Disclosure of Exempt Records by Corporation Personnel

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Proposed rulemaking.

SUMMARY: The FDIC is proposing to amend its regulations on disclosure of information to permit insured nonmember banks to directly disclose copies of FDIC examination reports to their parent holding companies and individual shareholders without prior FDIC approval, if certain conditions are met. The FDIC currently authorizes such disclosure at its discretion, if requested in writing to do so. The amendment is expected to reduce FDIC's cost of handling the requests. Banks are expected to benefit in terms of efficiency and cost by making the disclosure directly.

DATE: Comments must be received by February 12, 1982.

ADDRESS: Send comments to Hoyle L. Robinson, Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, D.C. 20429. Comments may be hand delivered to Room 6108 between the hours of 8:30 a.m. and 5 p.m.

FOR FURTHER INFORMATION CONTACT: Pamela E. L. LeCren, Attorney, Legal Division, (202–389–4433), Room 4126–E, or Barbara I. Gersten, Attorney, Legal Division, (202–389–4422), Room 4105–I, 550 17th Street NW., Washington, D.C. 20429; or Clinton Futrell, Special Assistant to the Director, Division of Bank Supervision (202–389–4404), Room 5050, 550 17th Street NW., Washington, D.C. 20429.

SUPPLEMENTARY INFORMATION: The following information is being set out in compliance with FDIC Statement of Policy Regarding Development and Review of FDIC's Rules and Regulations adopted by the Board of Directors on May 21, 1979. No regulatory flexibility analysis as set out in the Regulatory Flexibility Act, Pub. L. No. 96–354 (to be codified in 5 U.S.C. 601–612) will be undertaken. This is done under authority of section 3 of that Act which says that no flexibility analysis need be done if the head of the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. For the reasons set out in the discussion to follow, the Board of Directors of the FDIC is hereby certifying that the amendment being proposed for comment will not have a significant economic impact on a substantial number of small entities.

The proposed amendment will authorize insured nonmember banks to routinely release copies of examination reports to their parent bank holding companies or majority shareholders without prior approval from the FDIC where certain conditions are met. Those conditions are (1) that the holding company or individual shareholder own in excess of 50 percent of the stock of the bank, (2) that the board of directors of the bank adopt a resolution authorizing the report to be copied and forwarded to the parent or the individual shareholder, and (3) that the bank obtain a receipt from the parent or individual shareholder acknowledging the following three things (a) receipt by the board of directors of the parent or the individual, (b) that the report is to be retained for the parent or shareholder's exclusive use, and (c) that the report, while duplicated and furnished by the bank, is the property of the FDIC and no further release will be made without the prior approval of the FDIC. The disclosing bank will be required to retain the receipts for a three-year period to aid the FDIC in determining compliance with the regulation.

Part 309 of FDIC's regulations currently permits a bank to make direct disclosure if permission is received from the Director of FDIC's Division of Bank Supervision in response to a written request. 12 CFR 309.6(c)(7). The Director must determine that there is good cause to authorize release. Release may be subject to whatever conditions are felt necessary in order to insure confidentiality of the report and protect the integrity of the bank. No blanket authorization for routine disclosure is available under § 309.6(c)(7). Disclosure of the report may also be made under authority of 12 CFR 309.6(c)(6) which authorizes the Director of the Division of Bank Supervision, or anyone designated by the Director, to approve release of examination reports to any third party where good cause is shown. The authority to approve disclosure of examination reports under § 309.6(c)(6) was delegated to FDIC's Regional Directors in the case of parent holding companies and individual shareholders that own in excess of 50 percent of the stock of the bank. A charge of $10 is imposed for each disclosure. Current operating procedures are as follows. Disclosure occurs on a routine basis once a written request is received. Conditions on release may be imposed in order to protect the confidentiality of the report, the financial integrity of the bank, and the privacy interests of any individual named in the report. The board of directors of the bank must adopt a resolution approving the request that the FDIC release the report. When the report is released, it is accompanied by a transmittal letter reminding the parent or shareholder that the report is being furnished solely for the purpose of assisting the FDIC in the supervision of the bank, that the report is still the property of the FDIC, and that the report is confidential.

The only extent to which the proposed amendment would alter existing disclosure procedures would be to allow the bank to directly transmit the examination report on a routine basis. The amendment is being proposed in order to eliminate FDIC's administrative burden in processing requests under § 309.6(c)(6). (Few, if any, requests are made to the Director of the Division of Bank Supervision under § 309.6(c)(7).) This proposal in no way alters FDIC's current position that all FDIC reports are the property of the FDIC and are confidential. As indicated the decision to permit release to parent holding companies and majority shareholders is attributable solely to the supervisory needs of the FDIC as parent holding companies and majority shareholders are in a unique position to aid the FDIC in achieving supervisory goals.

The cost to the FDIC of processing requests under § 309.6(c)(6) is approximately $50 per report. This figure is based upon personnel time and material costs. FDIC regional office personnel must follow a twelve-step procedure each time a report is released, something which takes 2–3 hours from

start to finish. It is anticipated that during the 1981 calendar year, FDIC's regional offices will process and release under §309.6(c)(6) approximately 800 reports in response to requests made by approximately 500 to 600 banks. As an alternative to amending the regulation as described, the FDIC has considered simply raising the fee charged to the requesting bank. Raising the fee, however, would not offset the staff time involved in processing requests, whereas the proposed amendment would free the staff for other responsibilities. If the proposed amendment is not adopted, however, the FDIC will find it necessary to seriously consider raising the fees in order to cover the costs associated with releasing the reports.

The amendment would shift the burden of reproduction and distribution of the reports to insure nonmember banks in addition to the task of obtaining and retaining the necessary receipts. We have no way of quantifying the costs associated with that shift. Any cost figure would have to be tied to the size of the report, which will vary with the institution, and the administrative mechanisms of each bank to deal with reproduction, distribution, and recordkeeping. We can estimate to some extent the number of banks that would be affected by the change. Approximately 2,833 insured nonmember banks supervised by FDIC are members of bank holding company systems. Of the 2,833 banks, approximately 2,358 have more than 50 percent of their stock held by a parent holding company. (We do not have figures readily available to determine how many of the total number of insured nonmember banks are held by individual shareholders who own more than 50 percent of their stock.) In proposing the amendment, the FDIC is assuming that the costs to any one particular bank should not be higher than the cost currently imposed by the FDIC in processing fees and may in fact be significantly less. Even if the cost is higher, that figure would certainly be less than any increased fee which would cover FDIC's $50 per report processing costs. Any decrease or increase in costs to the banks associated with the proposed change would not, in the FDIC's opinion, differ depending upon the size of the bank due to the nature of the change. The change will not affect the competitive status of banks.

As referenced earlier, the FDIC's Board of Directors is certifying that this amendment will not have a significant economic impact on a substantial number of small entities. This determination was based upon the following: (1) Any impact produced by the amendment should affect each institution differently, depending not upon the size of the institution, but upon the efficiency with which it handles administrative matters. (2) any impact would seem to be limited to a one time cost outlay per year in amounts that cannot be described as significant, and (3) the cost of retaining the necessary receipts should be minimal.

The proposed amendment will be submitted to the Office of Information and Regulatory Affairs of the Office of Management and Budget for review and approval as required by the Paperwork Reduction Act of 1980 (12 U.S.C. 3501 *et seq.*).

PART 309—DISCLOSURE OF INFORMATION

In view of the foregoing, it is proposed that 12 CFR Part 309 be amended as follows:

1. The authority citation for Part 309 reads as follows:

Authority: Sec. 2(9) "Seventh" and "Tenth" Pub. L. No. 797, 64 Stat. 881 as amended by Title III, Sec 309, Pub. L. No. 95-630, 92 Stat. 3677 (12 U.S.C. 1819 "Seventh" and "Tenth").

2. In Part 309, § 309.6(c)(7)(iii) is redesignated § 309.6(c)(7)(iv) and a new § 309.6(c)(7)(iii) is added to read as follows:

§ 309.6 Disclosure of exempt records by Corporation personnel.

* * * * *

(c) *Disclosure authorized.* * * *

(7) *Reports of examination and other exempt records-disclosure by banks or other third parties.* * * *

(iii) Any subsidiary bank of a bank holding company may reproduce and furnish a copy of any report of examination of the subsidiary bank to the parent holding company without prior approval by the Director of the Division of Bank Supervision and any bank may reproduce and furnish a copy of any report of examination of the disclosing bank to a majority shareholder if the following conditions are met:

(A) The parent holding company or shareholder owns in excess of 50 percent of the voting stock of the bank or subsidiary bank,

(B) The minutes of the board of directors of the bank or subsidiary bank contain a resolution of authorizing the reproduction and furnishing of each specific report,

(C) The disclosing bank obtains a receipt from the board of directors of the parent holding company or the shareholder stating that the parent holding company or shareholder had received the report which will be retained for the exclusive use of the parent holding company or shareholder, and that the report will not be disclosed or made public in any manner without the prior written approval of the Director of the Division of Bank Supervision as provided in § 309.6(c)(7)(ii) of the Corporation's regulations.

Receipts obtained pursuant to § 309.6(c)(7)(iii)(C) are to be retained by the bank or subsidiary bank for a period of three years after each disclosure.

* * * * *

By Order of the Board of Directors, December 1981.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 81-35580 Filed 12-11-81; 8:45 am]

BILLING CODE 6714-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 81-NW-70-AD]

Airworthiness Directive; Boeing Model 707/720, 727, 737 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking; extension of comment period.

SUMMARY: This document extends the comment period for a Notice of Proposed Rulemaking issued on October 20, 1981, (46 FR 54381). That NPRM would require repetitive inspection and repair as necessary of the control cabin "E-F" window post on Boeing Model 707/720, 727 and 737 series airplanes.

DATES: The comment period for this NPRM is hereby extended from December 1, 1981, to January 4, 1982.

ADDRESS: Send comments on the proposed rule in duplicate to the Federal Aviation Administration, Northwest Mountain Region, Office of the Regional Counsel, Attention: Airworthiness Rules Docket, Docket No. 81-NW-70 AD, 9010 East Marginal Way South, Seattle, Washington 98108.

FOR FURTHER INFORMATION CONTACT: Mr. Don Gonder, Airframe Branch, ANM-120S, Seattle Area Aircraft Certification Office, FAA Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108, telephone (206) 767-2516.

SUPPLEMENTARY INFORMATION: Notice of Proposed Rulemaking (NPRM), Docket

No. 81-NW-70-AD, was published in the **Federal Register** on November 2, 1981, (46 FR 54381). This proposed rule would require repetitive inspection and repair as necessary of the "E-F" window post as well as the steel doubler sandwich between the window post outboard chord and body skin. Failure to detect cracking could lead to failure of the window post with resultant rapid decompression.

The closing date for comments in the original NPRM was December 1, 1981. This date was predicated on timely release of Boeing Service Bulletins 737-53-1023, Rev. 6, and 727-53-86, Rev. 6, which contain the current inspection procedures specified in the NPRM. Due to delays in Boeing's preparation of the bulletins, 737-53-1023, Rev. 6, was not published until October 30, 1981; and 727-53-86, Rev. 6, is not due for release until November 25, 1981. To allow operators time to review these service bulletin revisions, an extension of the comment period to January 4, 1982, is required.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.85)

Note.—Since this action merely extends the time period for public comment on a Notice of Proposed Rulemaking and imposes no additional burden on any person, it may be made effective in less than 30 days. It is neither a proposed nor final rule and, therefore, is not subject to Executive Order 12291, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (47 FR 11031; February 26, 1979).

Issued in Seattle, Washington, on December 3, 1981.

Robert O. Brown,

Acting Director, Northwest Mountain Region.

[FR Doc. 81-35593 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 81-AAL-15]

Proposed Establishment of Gambell, AK, Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to establish a transition area in the vicinity of Gambell, AK. This action would provide controlled airspace needed to accommodate prescribed instrument approach procedures.

DATE: Comments must be received on or before January 13, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA Alaskan Region, Attention: Chief, Air Traffic Division, Docket No. 81-AAL-15, Federal Aviation Administration, 701 C Street, Box 14, Anchorage, AK 99513.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, D.C.

An informal docket may be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Robert Maxey, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 81-AAL-15." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish a transition area to provide controlled airspace in the vicinity of Gambell, AK. A nondirectional radio beacon has been installed at Gambell, AK, and two instrument approach procedures have been developed which use this aid. The transition area is needed to provide protected airspace to accommodate these instrument approach procedures. The transition area would extend upward from 700 feet above the surface within 4.5 miles east and 9.5 miles west of the Gambell, AK, NDB (lat. 63°46'57"N., long. 171°44'15"W.) 352°T(340°M) bearing extending from the NDB to 18.5 miles north of the NDB and within 4.5 miles west and 9.5 miles east of the NDB 172°T(160°M) bearing extending from the NDB to 18.5 miles south of the NDB. Section 71.181 of Part 71 was republished on January 2, 1981 (46 FR 540).

ICAO Considerations

As part of this proposal relates to the navigable airspace outside the United States, this notice is submitted in consonance with the International Civil Aviation Organization (ICAO) International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 of, and Annex 11 to, the Convention on International Civil Aviation, which pertains to the establishment of air navigational facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Their purpose is to ensure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace

under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 540) as follows:

By adding Gambell, AK, Transition Area to read as follows:

Gambell, AK

That airspace extending upward from 700 feet above the surface within 4.5 miles east and 9.5 miles west of the Gambell, AK, NDB (lat. 63°46'57" N., long. 171°44'15" W.) 352°T(340°M) bearing extending from the NDB to 18.5 miles north of the NDB and within 4.5 miles west and 9.5 miles east of the NDB 172°T(160°M) bearing extending from the NDB to 18.5 miles south of the NDB.

(Secs. 307(a), 313(a), and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348(a), 1354(a), and 1510); Executive Order 10854 (24 FR 9565); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65)

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on December 8, 1981.

B. Keith Potts,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 81-35518 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1201

Safety Standard for Architectural Glazing Materials; Proposed Partial Revocation of Standard Concerning Modulus of Elasticity Test, Hardness Test, and Indoor Aging Test for Plastic Glazing Materials

AGENCY: Consumer Product Safety Commission.

ACTION: Proposed partial revocation of rule.

SUMMARY: The Consumer Product Safety Commission proposes to partially revoke the Safety Standard for Architectural Glazing Materials by eliminating requirements for a modulus of elasticity test and a hardness test, applicable to all plastic glazing materials; and for an indoor aging test, applicable to plastic glazing materials intended for indoor use. The Commission is proposing this partial revocation because it has preliminarily determined that these tests for plastic glazing materials are not reasonably necessary to eliminate or reduce an unreasonable risk of injury associated with plastic glazing materials. If the proposed partial revocation is issued on a final basis, plastic glazing materials would no longer be subject to the architectural glazing standard. The proposed partial revocation does not affect any other type of glazing material which is now subject to the standard.

DATES: (1) Written comments concerning the proposed partial revocation should be submitted on or before February 12, 1982. Comments received after this date will be considered to the extent practicable. 2. An opportunity for presentation of oral data, views, or arguments is scheduled for January 26, 1982 at 9:30 a.m. Those wishing to make oral presentations should notify the Office of the Secretary in writing by January 19, 1982. A summary or copy of the testimony is requested to be submitted to the Office of the Secretary by January 22, 1982.

PROPOSED EFFECTIVE DATE: The Commission proposes an effective date for any final rule based on this proposal ranging from the date of publication of such a final rule to a date 180 days after publication of a final rule. The Commission specifically solicits comments and information concerning the appropriate effective date for the partial revocation.

ADDRESS: Comments should refer to "Plastic Glazing" and should be sent, preferably in five copies, to: Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. Received comments and other material pertaining to the proposed partial revocation may be seen in, or copies obtained from, the Office of the Secretary, 1111 18th Street, N.W., 3rd floor, Washington, D.C. 20207.

Presentation of oral data, views, or arguments is scheduled to be held at the Commission's Third Floor Hearing Room at 1111 18th Street, N.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Harry I. Cohen, Office of Program Management, Consumer Product Safety Commission, Washington, D.C. 20207, (301) 492-6453.

SUPPLEMENTARY INFORMATION: .

Background

On January 6, 1977, the Consumer Product Safety Commission issued the Safety Standard for Architectural Glazing Materials (16 CFR Part 1201) to eliminate or reduce unreasonable risks of injury associated with breakage of architectural glazing materials by accidental human impact. (1)[1] The standard became effective on July 6, 1977.

Types of glazing materials which are now subject to the standard include tempered glass, laminated glass, annealed glass, and plastics. However, this proceeding is concerned only with the requirements of the standard which are applicable to plastic glazing materials.

The standard prescribes an impact test to assure that glazing materials used in certain architectural products either will not break when impacted with a specified energy, or will break with characteristics which are less likely to present an unreasonable risk of injury. As an alternative to the impact requirements, the standard contains provisions which pass plastic glazing materials if they meet the requirements

[1] Numbers in parentheses identify reference documents listed in Bibliography at the end of this notice.

for modulus of elasticity (flexibility) and hardness set forth in § 1201.4(e)(1)(iii) of the standard. (1)

The standard also prescribes an indoor aging test, applicable only to plastics intended for indoor use, to assure that those materials retain their ability to pass the impact test or alternative requirements for modulus of elasticity and hardness after exposure to a specified cycle of changes in temperature and humidity. (1)

When the standard was issued in 1977, it also contained an accelerated environmental durability test for plastic glazing materials intended for outdoor exposure. This test was intended to ensure that plastic glazing materials, after simulation of exposure to outdoor conditions, would retain a portion of their original impact strength, as measured by a device commonly called a "Charpy impact testing machine."(1)

However, on October 6, 1980, the Commission took final action to partially revoke the architectural glazing standard by eliminating the accelerated environmental durability test for plastic glazing materials intended for outdoor exposure. (2) The Commission took this action because it had concluded that the accelerated environmental durability test for plastics was not reasonably necessary to eliminate or reduce an unreasonable risk of injury associated with plastic glazing materials. The partial revocation became effective on April 6, 1981.

Thereafter, an association of manufacturers of plastic glazing materials brought an action for judicial review of the Commission's partial revocation of the standard eliminating the accelerated environmental durability test. This action, *Plastic Safety Glazing Committee et al.* v. *C.P.S.C.* (No. 80–3795), is now pending before the United States Court of Appeals for the Sixth Circuit.

Petition

On March 11, 1981, the Plastic Safety Glazing Committee (PSGC) petitioned the Commission to revoke the remaining requirements of the architectural glazing standard applicable to plastics. (3, 4, 5, 6, 10) On March 17, 1981, the Court of Appeals for the Sixth Circuit granted PSGC's motion to delay further consideration of the action for judicial review of the partial revocation deleting the accelerated environmental durability test for plastics to allow the Commission time to act on PSGC's petition. (7)

In that petition, PSGC asserts that the remaining requirements applicable to plastic glazing materials are not reasonably necessary to eliminate or reduce an unreasonable risk of injury associated with plastics. The petition states that the modulus of elasticity and hardness requirements are not performance tests related to safety of plastic glazing materials, but are instead a definition of plastic by reference to its flexibility and softness. The petition also asserts that the indoor aging test has no relation to safety, citing a portion of the record of the proceeding which led to the issuance of the architectural glazing standard. (6)

Another concern expressed by PSGC's petition is that by retaining the modulus of elasticity and hardness tests, and the indoor aging test for plastic glazing materials, the Commission's standard preempts state and local building code provisions which require either an accelerated environmental durability test or an actual outdoor weathering test for plastic glazing materials intended for outdoor exposure. The petition asserts that these accelerated or natural weathering requirements for plastics are safety related. (6)

The petition was referred to the Commission's technical staff for revaluation. In a briefing package to the Commission, the staff expressed agreement with the assertion in the petition that the remaining requirements of the standard applicable to plastics are not related to elimination or reduction of injuries. (9)

Relationship of Requirements to Safety

As stated above, the standard was issued to eliminate or reduce unreasonable risks of injury associated with breakage of glazing materials used in certain architectural products by accidental human impact. The stated purpose of the tests in the standard is to assure that glazing materials used in the products which are subject to the standard either will not break, or will break with characteristics less likely to result in injury than the breakage characteristics of glazing materials which do not comply with the standard.

After consideration of a technical analysis of the three tests in the standard applicable to plastics (16), the Commission has preliminarily determined that the hardness test, the modulus of elasticity test, and the indoor aging test are not reasonably necessary to reduce or eliminate an unreasonable risk of injury associated with plastic glazing materials for the following reasons.

None of these tests can be used to predict whether an item of plastic will break or not break if impacted at a specified energy. None of these tests can be used to predict breakage characteristics which may result from impacting an item of plastic at a specified energy. Consequently, none of these tests can be used to predict whether an item of plastic glazing material is likely to break from human impact; or if breakage occurs, whether injuries to consumers are more likely to result. (16)

Injury Information

The Commission has also reviewed injury information concerning plastic glazing materials. (12) Both before and after issuance of the standard, only a small number of injuries associated with plastic glazing were being treated in hospital emergency rooms. Based on the relatively small number of these reported injuries, and their limited severity, the Commission concludes that broken plastic glazing materials do not present a serious hazard.

The staff briefing package did not address the petition's assertion that an accelerated environmental durability test or an outdoor weathering test is related to safety of plastic glazing materials. The petition from PSGC did not contain any information on that point which had not already been considered by the Commission during the proceeding which led to the revocation of the accelerated environmental durability test for plastics.

After consideration of this information, the Commission has reason to believe that the remaining requirements in the standard applicable to plastic glazing materials are not related to the elimination or reduction of injuries. The Commission also has reason to believe at this time that plastic glazing materials presently are not a significant source of consumer injuries.

Economic Considerations

If the remaining requirements for plastics are eliminated from the standard, manufacturers of plastics would no longer be required to conduct testing to assure that their products meet those requirements for purposes of supporting certificates of compliance with the standard. (19) Section 14 of the Consumer Product Safety Act, (CPSA, 15 U.S.C. 2063) requires that each manufacturer of a product which is subject to a consumer product safety standard must issue a certificate of compliance with the applicable standard, and base that certificate upon a test of each product, or upon a reasonable testing program.

The Commission estimates, however, that any cost savings to the plastics industry from revocation of the remaining requirements would not be

significant in relation to total sales of plastic glazing materials. (19)

If the Commission revokes the remaining requirements applicable to plastics, state and local requirements for plastics would not longer be preempted by the Commission's standard. For that reason, an indirect effect of revocation of the remaining requirements could be the adoption or enforcement of requirements for plastics by state or local governments. Additionally, such action by states or local jurisdictions could preclude the use of some types of plastics, particularly in applications involving outdoor exposure. At this time, the Commission is unable to predict the specific requirements which state or local governments are likely to adopt, if any, or the effect of such adoption on the market for plastics. (19) However, such effects would not be a direct result of the elimination of requirements for plastic glazing from the Commission's safety standard for architectural glazing materials.

Impact on Small Businesses

Section 603 of the Regulatory Flexibility Act (RFA, 5 U.S.C. 603) requires agencies to prepare and make available for public comment an initial regulatory flexibility analysis of the impact of any proposal on small entities, including small businesses. Section 605(b) of the RFA provides that an agency is not required to prepare a regulatory flexibility analysis if the agency certifies that the proposal, if issued on a final basis, will not have a significant economic impact on a substantial number of small entities.

The partial revocation proposed below, if issued on a final basis, will remove some existing requirements applicable to manufacturers of plastic glazing materials, and will not by itself, impose any new requirements or other obligations on any person or firm. The Commission is aware of the possibility that if existing requirements applicable to plastics are removed from the architectural glazing standard, state and local governments will be able to impose their own requirements for plastic glazing materials. However, as indicated above, the Commission is not able to predict the specific requirements, if any, which state or local governments are likely to adopt.

Since a partial revocation based on the proposal would impose no obligation on any person or firm, the Commission hereby certifies that it will not have a significant economic impact on a substantial number of small businesses.

Conclusion

In order to revoke a consumer product safety standard, section 9(h) of the CPSA (15 U.S.C. 2058(h)) requires the Commission to make an affirmative finding that the standard is not "reasonably necessary to eliminate or reduce an unreasonable risk of injury."

After considering information about the inability of the remaining tests applicable to plastics to predict whether an item of plastic glazing materials will break if impacted at a specified energy, or whether, if breakage occurs, injuries to consumers are likely to result; information about injuries associated with plastic glazing materials; and economic information about the remaining requirements applicable to plastics, the Commission has preliminarily concluded that those requirements are not "reasonably necessary" to eliminate or reduce an unreasonable risk of injury and are not in the public interest.

Stay of Enforcement

In the Rules section today's issue, the Consumer Product Safety Commission publishes notice of suspension of enforcement of the elasticity test, hardness test, and the indoor aging test for plastic glazing materials. See the Table of Contents of this **Federal Register** for the proper page number.

Environmental Considerations

The Commission's environmental review procedures state at 16 CFR 1021.5(c)(1) that issuance, amendment, or revocation of a consumer product safety standard normally has little or no potential for affecting the human environment. For this reason, provisions of 16 CFR 1021.5(c)(1) do not require an environmental assessment nor an environmental impact statement for the partial revocation proposed below. The Commission does not foresee any special or unusual circumstances surrounding the proposed partial revocation which could necessitate an environmental review. Consequently, preparation of a draft environmental impact statement is not required.

Effective Date

Section 9(h) of the CPSA (15 U.S.C. 2058(h)) provides that a rule amending or revoking a consumer product safety standard will specify the effective date, which shall not exceed 180 days from the date of publication by the Commission of the final rule, unless the Commission finds, for good cause, that a later effective date is in the public interest.

The Administrative Procedure Act (5 U.S.C. 553(d)), provides that a rule which relieves a restriction or grants an exemption may take effect immediately. It is the Commission's view that the partial revocation proposed below is such a rule that could be issued as a final rule to take effect immediately.

The Commission recognizes that any change in an existing standard on which the regulated industry has relied in making business decisions can result in a degree of market disruption while production methods, inventories, marketing plans and other activities are adjusted to meet new conditions.

Setting a delayed effective date for such a change is one means of lessening the potential disruption by giving affected parties an opportunity to make appropriate adjustments before the change becomes effective. At the same time, a delayed effective date for a change which the Commission has determined is in the public interest could unnecessarily deprive consumers or others affected by the change of benefits which the Commission has determined they should receive.

In the present situation, the Commission has no reliable information concerning the potential market effects of issuing the partial revocation proposed below as a final rule either with an immediate or delayed effective date. The Commission therefore specifically solicits comments and information on this question. If any interested person believes a delayed effective date would be appropriate, the Commission would appreciate specific suggestions concerning the length of the delay.

Accordingly, the Commission gives notice that the effective date of any final rule may range from the date of publication to 180 days following publication of the final rule. The decision as to the effective date will be based on the Commission's evaluation of the comments and information received in response to this notice and other available information concerning the potential effects of various effective dates.

Proposal

In accordance with section 9(h) of the Consumer Product Safety Act, as amended by the Consumer Product Safety Amendments of 1981 (Pub. L. 92-573, as amended by Pub. L. 97-35, 15 U.S.C. 2058(h)) and the Administrative Procedure Act (5 U.S.C. 553), the Commission proposes to partially revoke the Safety Standard for Architectural Glazing Materials to eliminate the modulus of elasticity test,

the hardness test, and the indoor aging test for plastic glazing materials, by making the following changes to Part 1201 of Title 16 of the Code of Federal Regulations:

PART 1201—SAFETY STANDARD FOR ARCHITECTURAL GLAZING MATERIALS

1. In 16 CFR 1201.1(b), the first sentence is revised to read as follows:

§ 1201.1 Scope, application and findings.

* * * * *

(b) *Application.* This part 1201 shall apply to glazing materials, as that term is defined in § 1201.2(a)(11), for use in the architectural products listed in paragraph (a) of this section; and to those architectural products listed in paragraph (a) of this section if they are made with, or incorporate glazing materials, as that term is defined in § 1201.2(a)(11).

* * * * *

2. In 16 CFR 1201.1(d), the following footnote 1 is added:

(d) *Findings* [1]*—The degree and nature of the risk of injury the rule is designed to eliminate or reduce.* * * *

[1] The Commission's findings apply to the architectural glazing standard as issued at 42 F.R. 1428, on January 6, 1977. Since that date, the Commission has revoked portions of the standard which prescribed requirements for "glazed panels" (45 FR 57383) and an accelerated environmental durability test for plastic glazing materials intended for outdoor exposure (45 FR 68002, October 6, 1980). [If issued on a final basis, this proposed partial revocation will eliminate all requirements applicable to plastic glazing materials from the standard.] However, the findings have not been revised and they are therefore, not fully applicable to the remaining requirements of the standard.

3. In 16 CFR 1201.2 paragraph (a)(11) is revised to read as follows:

§ 1201.2 Definitions.

* * * * *

(a) * * *

(11) "Glazing material" means glass, including annealed glass, organic coated glass, tempered glass, laminated glass, wired glass; or combinations thereof where these are used:

(i) In openings through the architectural products listed in § 1201.1(a), or

(ii) As the architectural products themselves, e.g. unframed doors.

* * * * *

2. In 16 CFR 1201.2 paragraph (a)(23) is removed and reserved.

In 16 CFR 1201.3(b), a second sentence is added, to read as follows:

§ 1201.3 General requirements.

* * * * *

(b) * * * Any material not listed in the definition of "glazing material" in § 1201.2(a)(11) is not subject to this Part 1201.

§ 1201.4 Test procedures.

1. In 16 CFR 1201.4(a)(1), Table 1, "Accelerated Tests," is revised to read as follows:

* * * * *

TABLE 1.—ACCELERATED TEST (APPLICABLE PARAGRAPHS)

Glazing materials	Specimen	Test equipment	Exposure	Criteria for passing
Laminated glass	§ 1201.4(c)(1) and (c)(3)(i)	§ 1201.4(b)(3)(i)	§ 1201.4(d)(2)(i)	§ 1201.4(e)(2)(i).
Organic coated glass	§ 1201.4(c)(1) and (c)(3)(ii)(B)	§ 1201.4(b)(3)(ii)	§ 1201.4(d)(2)(ii)(B)	§ 1201.4(e)(2)(ii)(B)
Tempered glass	Exempt			
Wired glass	Exempt			
Annealed glass	Exempt			
*	* *	* *	*	*

2. In 16 CFR 1201.4(a)(2), the second sentence is revised to read, as follows:

(a) * * *

(2) * * * However, tempered glass, wired glass, and annealed glass are not required to be subjected to the accelerated environmental durability tests.

* * * * *

3. In 16 CFR 1201.4 paragraph (b)(3)(iii) is removed and reserved.

4. In 16 CFR 1201.4 paragraph (c)(3)(iii) is removed and reserved.

5. In 16 CFR 1201.4 paragraph (e)(1)(iii) is removed and reserved.

6. In 16 CFR 1201.4 paragraph (e)(1)(iii) is removed and reserved.

Proposed effective date and stay of enforcement. The Commission proposes an effective date for any final rule based on this proposal ranging from the date of publication of such final rule to a date 180 days after publication of a final rule. In a separate rule document, the Commission is staying enforcement of all provisions of the standard applicable to plastic glazing materials pending issuance of any final rule based on this proposal.

(Sec. 9(h), Consumer Product Safety Act, as amended by the Consumer Product Safety Amendments of 1981 (Pub. L. 92-573, as amended by Pub. L. 97-35, 15 U.S.C. 2057(h)) and 5 U.S.C. 553)

Dated: December 8, 1981.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

Bibliography

1. **Federal Register** notice, "Safety Standard for Architectural Glazing Materials—Establishment of Standard," published by Consumer Product Safety Commission; 23 pages; July 6, 1977 (42 FR 1428).

2. **Federal Register** notice, "Safety Standard for Architectural Glazing Materials; Partial Revocation of Standard Concerning Accelerated Environmental Durability Testing of Plastic Glazing Materials," published by Consumer Product Safety Commission; 6 pages; October 6, 1980 (45 F.R. 66002).

3. "Petition to Amend Standard" from Plastic Safety Glazing Committee to Consumer Product Safety Commission; 3 pages February 19, 1981.

4. Letter from Stephen Lemberg, Assistant General Counsel, to Eric F. Stoer, counsel for Plastic Safety Glazing Committee, concerning submission of February 19, 1981; 3 pages; March 2, 1981.

5. Letter from Eric F. Stoer, counsel for Plastic Safety Glazing Committee, to Stephen Lemberg, Assistant General Counsel, concerning submission of February 19, 1981; 2 pages; March 4, 1981.

6. "Supplement to Petition for Partial Revocation and/or Technical Correction of Architectural Glazing Safety Standard," with attachment, from Plastic Safety Glazing Committee to Consumer Product Safety Commission; 37 pages; March 11, 1981.

7. Letter from Eric F. Stoer, counsel for Plastic Safety Glazing Committee, to Allen F. Brauninger, OGC, concerning judicial action pending in U.S. Court of Appeals for the Sixth Circuit, with attachments; 4 pages; April 15, 1981.

8. Letter from Eric F. Stoer, counsel for Plastic Safety Glazing Committee, to Margaret A. Freeston, Acting General Counsel, requesting reinstatement of accelerated environmental durability test for plastics or stay of enforcement of remaining requirements applicable to plastics; 4 pages; April 20, 1981.

9. Staff briefing package, including transmittal memorandum, from Office of Program Management to Commission concerning petition from Plastic Safety Glazing Committee; 9 pages; June 30, 1981.

The tabs are listed separately below. [TAB A is omitted. The same documents are listed above as items 3 and 6.]

10. TAB B, memorandum from Allen F. Brauninger, OGC, to Richard A. Gross, Executive Director, concerning petition from Plastic Safety Glazing Committee, with attached meeting log; 5 pages; March 25, 1981.

11. TAB C, chronology of events related to petition; 1 page; June 30, 1981.

12. TAB D, memorandum from Paula Present, HIEA, to Harry Cohen, OPM, concerning plastic glazing petition, with attachment; 3 pages; May 6, 1981.

13. TAB E, memorandum from Charles Smith, HICP, to Harry Cohen, OPM, concerning plastic glazing petition; 2 pages; May 13, 1981.

14. TAB F, memorandum from Charles Willis, ESES, to Joseph Z. Fande, ESEM, concerning plastic glazing petition; 2 pages; May 14, 1981.

15. TAB G, memorandum from Paul Galvydis, CARM, to Harry Cohen, OPM concerning plastic glazing petition; 1 page; May 14, 1981.

16. Memorandum from Charles L. Willis, ESES, to Allen F. Brauninger, OGC, concerning requirements applicable to plastics; 2 pages; July 7, 1981.

17. Ballot vote sheet and attachment, from Allen F. Brauninger to Commission; 2 pages; July 9, 1981.

18. Letter from Margaret A. Freeston, Acting General Counsel to Eric F. Stoer, counsel for Plastic Safety Glazing Committee, concerning request for reinstatement of accelerated environmental durability test or stay of enforcement of remaining requirements for plastics; 5 pages; July 10, 1981.

19. Transcript of staff briefing to Commission on petition from Plastic Safety Glazing Committee; 16 pages; July 16, 1981.

20. Letter from Margaret A. Freeston, Acting General Counsel, to Eric F. Stoer, counsel for Plastic Safety Glazing Committee, concerning judicial review action pending before U.S. Court of Appeals for the Sixth Circuit; 2 pages; July 21, 1981.

21. Letter from Sadye E. Dunn, Secretary, to Eric F. Stoer, counsel for Plastic Safety Glazing Committee, concerning Commission action on petition for revocation of remaining requirements applicable to plastics; 1 page; July 28, 1981.

22. Minutes of Commission meeting of August 7, 1981; 2 pages; August 11, 1981.

[FR Doc. 81-35748 Filed 12-11-81; 8:45 am]

BILLING CODE 6355-01-M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 12 and 180

Regulations Pertaining To Reparations and Arbitration

AGENCY: Commodity Futures Trading Commission.

ACTION: Proposed rules.

SUMMARY: The Commodity Futures Trading Commission proposes to amend its rules governing the arbitration proceedings which must be conducted by contract markets, the availability of reparations procedures, and the content and effect of the cautionary language which must be included in pre-dispute arbitration agreements between futures commission merchants, floor brokers, or associated persons and their customers. At present, the Commission's rules allow contract markets to allocate the costs of arbitration among parties thereto. Customers may seek reparations under section 14 of the Commodity Exchange Act notwithstanding their execution of a pre-dispute arbitration agreement with a futures commission merchant, floor broker or associated person. The Commission's rules similarly permit a customer to seek reparations when a futures commission merchant, floor broker or associated person notifies the customer of its intention to submit a dispute to arbitration, pursuant to a pre-dispute arbitration agreement. The Commission's rules also require that the agreement contain bold-faced language which advises the customer of his or her right of election.

The amendments which the Commission proposes to adopt would: (1) authorize the use of binding pre-dispute arbitration agreements which would effectively eliminate the right of a customer who voluntarily enters into such an agreement to seek reparations with respect to a dispute arising under the agreement; (2) provide the customer with a choice of arbitration forums; and (3) require contract markets to provide that their members will bear the costs of the proceedings, including additional costs associated with arbitration by a "mixed panel." The proposal is designed to promote the use of arbitration as a dispute-resolution alternative to reparations proceedings. The Commission also is seeking comment from interested persons with respect to whether its arbitration rules should be amended to address certain related issues.

DATE: Comments on the proposed rules should be submitted on or before February 12, 1982.

ADDRESS: Send comments to: Ms. Jane K. Stuckey, Secretary, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581.

FOR FURTHER INFORMATION CONTACT: Wendy E. Robinson, Attorney, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581 (202) 254-8955.

SUPPLEMENTARY INFORMATION: Section 5a(11) of the Commodity Exchange Act, as amended ("Act"), 7 U.S.C. 7a(11) (1976), requires contract markets to establish fair and equitable procedures, through arbitration or otherwise, for the settlement of customers' claims up to $15,000 against the contract market's members or their employees, provided that the customers' use of such procedures is voluntary. Part 180 of the Commission's regulations, 17 CFR 180.1-180.6, establishes the minimum requirements for a fair and equitable procedure and otherwise implements section 5a(11) of the Act. In particular, § 180.2(a), 17 CFR 180.2(a), compels contract markets to provide customers with the choice of a decisionmaking body consisting of at least a majority of persons who have no association with the contract market, its members or their employees (commonly called a "mixed panel"). Contract market rules may provide that any costs incurred as a result of having a mixed panel may, in the panel's discretion, be assessed against the losing party or otherwise allocated among the parties. Similarly, under paragraph (e), 17 CFR 180.2(e), decisionmaking bodies (whether mixed panel or other) are permitted to assess or allocate general fees and costs attendant to the proceedings as they see fit.

Section 180.3(a) of 17 CFR 180.3(a), reiterates that a customer's use of a contract market's dispute settlement procedures must be voluntary, and further, states that those procedures must prohibit the use by any of the contract market's members of binding pre-dispute agreements except as prescribed by paragraph (b) of that rule.

Subparagraph (1) of § 180.3(b), 17 CFR 180.3(b)(1), provides that signing an agreement by which the customer agrees, prior to the time a claim or grievance arises, to submit such claim or grievance to any settlement procedure may not be made a condition for the customer to utilize the services of a futures commission merchant ("FCM"), floor broker or associated person ("AP"). In addition, the rule states that the pre-dispute agreement may not require the customer to waive the right to seek reparations pursuant to section 14 of the Act, 7 U.S.C. 18 (1976).[1] FCMs, floor brokers or APs must advise customers, when they intend to submit a dispute to arbitration, that the customer has 45 days to elect to institute reparations proceedings, and the agreement must advise the customer of this right of election.

In an FCM, floor broker or AP utilizes a pre-dispute agreement, it must contain

[1] Regulation § 180.3(b)(3), 17 CFR 180.3(b)(3).

bold-faced, cautionary language of the kind set forth in paragraph (b)(4) of § 180.3, 17 CFR 180.3(b)(4), which advises the customer that signing the agreement is voluntary, and informs him of the aforementioned right of election. Finally, § 180.3(b)(5), 17 CFR 180.3(b)(5), permits an FCM, floor broker or AP to use an agreement which specifies a forum for dispute resolution other than a contract market, provided the other forum's procedures comply with the Commission's standards prescribed by § 180.5.

Part 12 of the Commission's regulations, 17 CFR 12.1–12.102, implements section 14 of the Act and establishes guidelines for reparations proceedings. Section 12.21 of 17 CFR provides that any person complaining of a violation of the Act or regulations by a Commission registrant or person required to be registered may petition the Commission for a reparation award pursuant to a determination that a violation has occurred and that the complainant is entitled to damages sustained as a result of such violation. Paragraph (a) of that rule specifies the items which the complaint must contain, including a statement that no arbitration proceeding or civil court litigation based on the same facts and against the same parties has been instituted or is pending.[2] Although the rules do not explicitly require such action, it is the Commission's practice to stay reparations actions if the complainant indicates that other proceedings have been instituted or are pending.[3]

Background

When section 14 of the Act was adopted, Congress made clear that the reparations procedure was intended to supplement and be a form of dispute resolution complementary to the arbitration procedures required of, and established by, contract markets under section 5a(11) of the Act. As stated in the House Agriculture Committee Report, the Commission was to have ". . . original jurisdiction to consider all such complaints [arising from violations of the Act] which have not been resolved through the informal settlement procedure required of the contract markets and registered futures associations under the bill."[4] The Committee added that:

> "The procedure is intended as a separate remedy designed to *supplement* the informal 'settlement procedures' contemplated of the contract markets and registered futures associations which are required under other sections of the legislation (H.R. 13113, sections 209 and 301). The Committee expects the Commission to publish regulations, commensurate with these related provisions of the Act, to implement and coordinate these three types of grievance proceedings and their utilization and availability for resolution of disputes. It is the intent of the Committee that those complaints which can be resolved informally and settled without a formal proceeding through the mechanism contemplated of the contract market or a registered futures association should be encouraged to be resolved in such manner. (emphasis supplied)[5]

The Commission first implemented section 14 of the Act through the adoption of Part 12 of its regulations.[6] In its general statement with respect to those rules, the Commission noted the availability of other remedies: "These reparations rules provide the procedures by which a claimant may pursue one of the remedies the law will permit for the recovery of claims. The other available remedies are arbitration and the filing of a lawsuit in an appropriate state or federal court."[7] The Commission also stated that, "The rules establish procedures for persons with complaints against. . . floor brokers, futures commission merchants, commodity trading advisors, commodity pool operators and persons associated with a futures commission merchant or agent thereof, to get just, speedy and inexpensive adjudication of their claims."[8]

Subsequently, the Commission adopted the rules governing contract market arbitrations which comprise Part 180 of the regulations.[9] Originally, proposed § 180.3 would have prohibited the use of any agreement whereby a customer would be bound to a dispute settlement procedure prior to the time a claim or grievance arose. However, after careful consideration of the comments received, many of which were adverse to that prohibition, the Commission amended the proposed rule to permit the use of such agreements under prescribed conditions. In proposing the amendments, the Commission recognized that:

> * * * unless there is binding arbitration, futures commission merchants and other registered persons will have no recourse except to the courts for settling disputes with customers. This will increase the time in which a dispute may be unresolved and entail greater expense that will ultimately be borne by customers as a cost of doing business. For those reasons, the Commission believes that binding arbitration agreements are to be encouraged. Nevertheless, the Commission believes that it must establish requirements that will assure customers . . . do not *unknowingly or involuntarily waive rights* and remedies available under the Commodity Exchange Act. (emphasis supplied) 41 FR 27526 (July 2, 1976).

Thus, the Commission's primary concerns were that customers have a choice whether to enter a pre-dispute agreement, *i.e.*, that they would not be precluded from utilizing the FCM's floor broker's or AP's services should they decide not to sign such an agreement, and that customers have the opportunity to make an informed decision concerning the effects of entering a binding arbitration agreement. As a result, the amendments to the rule which the Commission ultimately adopted require that the agreement contain the bold-faced, cautionary language set forth in § 180.3(b)(4).[10]

Basis for Amendments

It is apparent that, during the time in which the Commission's rules have been effective, reparations proceedings have been instituted in many more instances than arbitration proceedings.[11] The

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[2] § 12.21(a)(7), 17 CFR 12.21(a)(7).

[3] When the Commission adopted the rules governing reparations, it stated:

"The Commission is of the opinion that the utilization of either an arbitration proceeding or civil court litigation is a waiver of the remedies available under the reparation procedures if the arbitration proceeding or court litigation is pursued to a final decision on the merits. In order to prevent the utilization of the reparation procedures while an arbitration proceeding or civil court litigation is pending, based on the same facts set forth and against the same party or parties named in a complaint, the Commission has determined to require the complainant to set forth in the complaint any pending arbitration proceeding or court litigation based on the facts set forth and against the same party or parties named in the complaint (§ 12.21(a)(7)). Should such an arbitration proceeding or court litigation be pending at the time the reparation complaint is filed with the Commission, the Commission will ordinarily stay the reparation proceeding pending a decision by the arbitration panel or court."

41 FR 3994 (January 27, 1976).

[4] House Committee Report No. 93–975, 93d Cong., 2d Sess., 3 (1974).

[5] *Id.* at 22.

[6] 41 FR 3994 (January 27, 1976).

[7] *Id.*

[8] *Id.*

[9] 41 FR 27520 (July 2, 1976). Because of numerous objections to certain aspects of proposed regulation § 180.3, the Commission delayed adoption of the rule in order to propose additional amendments and seek public comment thereon. *See* 41 FR 27526 (July 2, 1976).

[10] In hearings conducted by the Commission on March 5, 1976, certain FCM's testified that they would refuse to deal with persons who would not sign pre-dispute arbitration agreements. Inasmuch as the Commission believed that such action would preclude a "voluntary" act by a customer, as required by section 5a(11) of the Act, it proposed the bold-faced language which must be included in the agreements to inform customers that signing them may not be made a condition for the utilization of the services of an FCM, floor broker or AP. *See* 41 FR 27526 (July 2, 1976).

[11] In 1980, a total of 56 customer/member arbitrations were filed with the four largest exchanges, while during fiscal 1980, the

Continued

conduct of reparations proceedings is only one of many regulatory functions assigned to the Commission under the Act. In executing its numerous other regulatory functions, the Commission must allocate the limited budget and manpower resources available for their performance. Many of the Commission's other functions are critical in nature and have consumed a substantial portion of those resources, thus contributing to a considerable backlog in pending reparations proceedings.

The Commission believes that the time delays and resulting escalation in costs both to customers and opposing parties are contrary to the stated purposes of its reparations procedures and Congress' view that reparations was to provide a supplement to, rather than a replacement for, dispute resolution through arbitration. As noted above, the Commission adopted Part 12 of the regulations in order to implement the Congressional objective that reparations provide a supplemental forum for the "just, speedy and inexpensive adjudication" of claims. Because the procedures are not fulfilling the purposes for which they were established, the Commission has determined that, consistent with the legislative history of sections 5a(11) and 14 of the Act, it may be appropriate to amend its regulations to encourage the use of arbitration as a less costly and time-consuming alternative.

Arbitration proceedings are available to customers of contract market members by reason of the section 5a(11) mandate which requires contract markets to provide a dispute settlement forum. All contract markets currently have the capability to conduct such proceedings. In addition, under § 180.3(b)(5), customer agreements used by FCMs, floor brokers and APs may specify forums other than contract markets, provided the procedures of those forums comply with § 180.5. At present, the American Arbitration Association, New York Stock Exchange, Inc. and National Association of Securities Dealers, Inc. provide possible alternatives to contract markets for dispute resolution through arbitration. Despite this prevalence of forums, as well as the shorter time periods and lower costs (if any) associated with arbitration, customers have overwhelming initiated reparations (or other litigative) proceedings rather than arbitration. This has resulted in reparations serving as a substitute for, rather than a supplement to, arbitration.

The Commission believes that the public interest would be served by encouraging greater use of the various arbitration alternatives and discouraging what has evolved into an over-utilization of reparations procedures. Toward this end, the Commission has identified certain factors which apparently have led customers to choose reparations over arbitration. Those factors include the additional costs associated with opting for a panel of "disinterested" arbitrators, and particularly, the cost of traveling to the exchange which would conduct the proceeding. In contrast, customers seeking reparations pay only an initial filing fee of $25.00;[12] and proceedings are conducted in relatively close and more convenient locations. Additionally, the administrative law judges who preside over reparations hearings are not associated with contract markets or their members and thus, may be perceived by customers as more impartial than the arbitration panels provided by exchanges.

On the basis of the comparable experience under reparations and contract market arbitration procedures to date, it appears that the overwhelming proportion of customers with claims against contract market members do not perceive current arbitration opportunities to offer the same degree of fairness and equity as reparations proceedings. The Commission is of the opinion that, in order to realize the Congressional objective of reparations as a supplemental dispute resolution vehicle, it may be necessary to elevate current arbitration standards to provide customers with advantages comparable to those which they currently perceive as available only in reparations. Promoting arbitration as a dispute resolution procedure in this manner would also further the favorable legislative and judicial policies toward that alternative.[13]

Description of Proposed Amendments

The Commission believes its objective of encouraging the use of arbitration proceedings in lieu of reparations can be accomplished primarily through facilitating the use of voluntary pre-dispute arbitration agreements. Accordingly, the bulk of the amendments proposed by the Commission relate to 180.3(b). First, a proposed amendment to § 180.3(b)(2) would replace the existing language which requires separate endorsement by the customer if the pre-dispute arbitration agreement is contained as a clause or clauses of a broader agreement. The rule as amended would require that the agreement containing the cautionary language be a separate document specifically endorsed by the customer.[14]

Second, in order that a customer would not be bound to arbitration is an unfavorable or distant forum without his or her consent, new paragraph (b)(3) would state that a pre-dispute agreement must advise the customer that he or she may select an arbitration forum when a dispute arises. The FCM, floor broker or AP would be required to supply the customer with a list of at least two forums and the rules of procedure of those forums within 10 days after the receipt of the customer's notice that he or she intends to submit a dispute to arbitration. Should an FCM, floor broker or AP seek to initiate proceedings, notice to that effect would have to be accompanied by the list of forums and their appliable rules. One of the possible forums on the list would have to be the contract market upon which the transaction giving rise to the dispute was executed or could have been executed, or a registered futures association designated by such contract market, unless the FCM or AP is not a member of such contract market.[15] Either the contract market, its designee or another organization on the list would have to provide the customer with the opportunity to choose a site for the arbitration proceeding from among several cities throughout the country, so as to allow the customer to select a reasonably convenient location, and each forum would be required to provide the customer with the opportunity to choose a "mixed panel". Of course, an FCM, floor broker, or AP would be free to include additional

Commission's Reparations Section, which processes complaints from persons who apply for reparations awards received 1101 complaints. Thus far in 1981, there have been a total of 40 customer/member arbitrations filed with the same four exchanges, while the Commission received 1417 complaints in fiscal 1981.

[12] 17 CFR 12.27. Overall, however, reparations may be more costly, since the Commission estimates that approximately 75% of the customers whose complaints are forwarded to oral hearings choose to be represented by attorneys. In contrast, preliminary responses from the exchanges indicate that approximately 18% of those who seek arbitration have counsel to present their claims.

[13] *See e.g.*, Section 3 of the Railway Labor Act, 45 U.S.C. 153 (1976); *Andrews v. Louisville and Nashville R. R. Co.*, 406 U.S. 271 (1972); *Wilko v. Swan*, 346 U.S. 427, 431–32 (1953); *Kimbrough v. Holiday Inn*, 478 F. Supp. 566 (E.D. Pa. 1979).

[14] In addition, the paragraph would be renumbered (b)(1) and the current (b)(1) would become (b)(2).

[15] If the FCM or AP is not a member of the contract market on which the transaction was or could have been executed, the FCM or AP would be required to list two alternative forums.

organizations on the list, provided their procedures comply with Commission § 180.5.

Third, regardless of whether a pre-dispute is entered into, as a means of limiting costs to customers the Commission proposes to amend § 180.2(a) to delete the current provision which permits the costs incurred as a result of electing a mixed panel to be allocated among the parties. In addition, the Commission would amend § 180.2(e) to require contract markets to adopt rules compelling members to bear the costs associated with conducting an arbitration proceeding, with the exception of any applicable initial filing fee. Those costs would include the expense, if any, of having a mixed panel arbitrate the dispute,[16] and other charges incurred in the arbitration.[17] To discourage customers from bringing frivolous claims, the amendment to § 180.2(e) would state that the arbitrators may assess fees against the customer upon a finding that he or she initiated the proceeding in bad faith. Proposed new paragraph (b)(4) of § 180.3 would require a pre-dispute arbitration agreement to reflect that costs associated with arbitration, as set forth in § 180.2(e), would be borne by the FCM, floor broker or AP.

Fourth, paragraph (b)(5) of § 180.3 would be entirely new, inasmuch as the 45-day right of election of the reparations remedy would be eliminated. It would state instead that a customer signing a pre-dispute agreement must be advised that he is waiving the right to seek reparations before the Commission on any claim which might arise under the agreement. In addition, the amendment would require that bold-faced language to that effect immediately precede the customer's signature.

Fifth, paragraph (b)(4) would become (b)(6) and be amended to reflect the above changes by incorporating some of the new requirements into the bold-faced language. In addition, the Commission proposes to reword the first two sentences of the first paragraph of boldface. The Commission believes that the change may evidence the benefits which may be obtained through arbitration and, thus, encourage customers to utilize arbitration rather than reparations.

Finally, § 12.21, which sets forth the information that must be included in a complaint filed pursuant to the reparations rules, would be amended to state explicitly the Commission's policy and the waiver effect of signing a pre-dispute arbitration agreement. Specifically, language would be added to the preamble of that rule to preclude a person who has voluntarily signed such an agreement from filing a complaint for reparations if the alleged violation occurred while the complainant was party to an effective pre-dispute arbitration agreement.

* * * * *

The Commission invites all interested persons to submit their views on the proposed amendments on or before February 12, 1982.

In proposing these amendments, the Commission also considered a number of other issues related to the initiation and conduct of arbitration proceedings. In particular, the Commission is concerned that customers who do not sign pre-dispute arbitration agreements may thereby forfeit the possible advantages which would be conferred by such agreements if the Commission adopts the proposed amendments. The Commission also notes that one attribute of reparations is an evolving body of law which may be relied upon by industry participants and customers in ascertaining their rights and responsibilities under the Act and the Commission's regulations. The Commission questions whether utilization of diverse arbitration forums could result in a non-uniform application of the commodities laws, regulations and applicable self-regulatory rules.

Accordingly, the Commission also requests that commentators address the following related issues: (1) whether § 180.3 should be amended further to provide that a customer would have the right to elect arbitration in a forum of his choice when a dispute arises, even though he or she did not enter into a pre-dispute agreement; (2) whether, in any event, the bold-faced paragraph set forth in § 180.3(b)(6) should contain a statement advising the customer that he or she may submit a dispute to arbitration at the time one arises notwithstanding the fact that he or she does not enter into a pre-dispute agreement; (3) whether the Commission's encouragement of arbitration as a forum for dispute resolution in lieu of reparations bears with it a risk that diverse arbitration forums will not uniformly apply the Act, Commission regulations or self-regulatory rules in making determinations of law; and (4) whether the Commission should propose or implement any additional rules or procedures designed to assure that such questions of law are uniformly determined and subsequently applied.

Finally, the Commission would appreciate any additional comments which would help it to identify other factors which may discourage the use of arbitration as a means of resolving commodities-related disputes, as well as any suggestions with respect to the Commission's goal of reducing the number of reparations proceedings and increasing the utilization of arbitration to resolve disputes.

Certification Under Regulatory Flexibility Act

The Regulatory Flexibility Act, Pub. L. No. 96-354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.* ("RFA"), requires agencies to consider whether proposed rules will have a significant economic impact on a substantial number of small entities.[18] The Commission does not believe that these proposed changes will have a significant adverse impact on the parties affected. Rather, the proposal is intended to reduce costs to FCMs, floor brokers and APs by decreasing the number of reparations in which they participate and by minimizing the need for FCMs and APs to travel to the location of an exchange in order to participate in an arbitration proceeding. Costs associated with arbitration proceedings, therefore, should be significantly lower than those currently associated with reparations. Accordingly, pursuant to Section 3(a) of the RFA, 5 U.S.C. 605(b), the Chairman, on behalf of the Commission, certifies that these rules, if promulgated, will not have a significant economic impact on a substantial number of small entities. However, the Commission particularly invites comment from any small firms which believe that promulgation of these rules will have a significant economic impact upon them.

Pursuant to the authority in sections 5(a)(11), 8a(5) and 14 of the Commodity Exchange Act, as amended, 7 U.S.C. 4a(j), 12a(5), and 18, the Commission proposes to amend §§ 12.21, 180.2(e) and 180.3(b) of Chapter I of 17 CFR as follows:

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[16] The Commission believes that the costs of a mixed panel would not be as significant a burden for FCMs, floor brokers or APs as for customers, particularly in view of the anticipated savings to such parties in costs associated with reparations.

[17] The Commission intends that "other charges" would encompass expenses involved in the initial arbitration but would not necessarily include fees which are personal to the customer (*e.g.*, attorney's fees, travel expenses) or generated after the proceeding has terminated (*e.g.*, copies of the record). *See* Commission regulation 180.2(d)(4), 17 CFR 180.2(d)(4).

[18] The Commission has recently published its proposed determination that neither a contract market nor a futures commission merchant is a "small entity" within the meaning of the RFA. 46 FR 23940 (April 29, 1981).

PART 12—RULES RELATING TO REPARATION PROCEEDINGS

1. Section 12.21 of Part 12 is proposed to be amended by revising the introductory paragraph as follows:

§ 12.21 Complaint.

Any person complaining of a violation of any provision of the Act or a rule, regulation or order thereunder by any person who is registered or required to be registered with the Commission under Sections 4d, 4e, 4k or 4m of the Act as a futures commission merchant, floor broker, person associated with a futures commission merchant or agent thereof, commodity trading advisor or commodity pool operator may, at any time within two years after the cause of action accrues, apply to the Commission for a reparation award by petitioning the Commission to determine the amount of damages, if any, to which the complainant is entitled as a result of the violation and to issue an order directing the offender to pay that amount to the complainant on or before a date fixed by the order; provided, however, that any person complaining of such violation may not apply to the Commission pursuant to this rule if the person complaining of the violation was a party to an effective aggreement which complies with § 180.3 of these regulations at the time the alleged violation occurred; and provided further than no such application shall be considered with respect to claims that arise prior to January 23, 1975.

* * * * *

PART 180—ARBITRATION OR OTHER DISPUTE SETTLEMENT PROCEDURES

2. Section 180.2 of Part 180 is proposed to be amended by revising paragraphs (a) and (e) as follows:

§ 180.2 Fair and equitable procedure.

* * * * *

(a) The procedure shall be objective and impartial. Customers must be provided with the choice of a panel or other decision-making body having at least a majority of the persons serving thereon who are not members or associated with any member of a contract market, or employee thereof, and who are not otherwise associated with a contract market. The rules of a contract market may, with proper notice, require the customer to request such a panel or other such decision-making body at the time of submission of the claim or grievance to the procedure. *Ex parte* contacts by any of the parties with members of any panel shall not be permitted.

* * * * *

(e) The procedure shall provide adequate notice to the parties in advance of a submission of a claim or grievance, or counterclaim (permitted by § 180.4 of this Part), of the nature and amount of any fees or costs which may be assessed against customers utilizing the procedure. Fees or costs shall be reasonable, particularly in relation to the complexity and amount of the claim or grievance or counterclaim, if any, presented. The rules of a contract market must provide that a contract market member which is a party to an arbitration proceeding will pay all costs, other than any applicable initial filing fee or as otherwise excluded under these regulations, unless the arbitrators in a particular case determine that the customer has acted in bad faith in initiating the proceeding.

* * * * *

3. Section 180.3 of Part 180 is proposed to be amended by revising paragraphs (b)(1) through (b)(5) and adding (b)(6) as follows:

§ 180.3 Voluntary procedure and compulsory payments.

* * * * *

(b) * * *

(1) The predispute arbitration agreement (agreement) shall be a separate document, which the customer must specifically endorse, and contain the cautionary language and other provisions specified in this section;

(2) Signing the agreement may not be made a condition for the customer to utilize the services offered by the futures commission merchant, floor broker or associated person;

(3) The agreement must advise the customer that, at such time as he or she may notify the futures commission merchant, floor broker or associated person that he or she intends to submit a claim to arbitration, or at such time as the futures commission merchant, floor broker, or associated person notifies the customer of its intent to submit a claim to arbitration, the customer will have the opportunity to elect a qualified forum for conducting the proceeding. Within 10 business days after receipt of such notice from the customer, or at the time the futures commission merchant, floor broker or associated person so notifies the customer, the futures commission merchant, floor broker or associated person must provide the customer with a list of two or more organizations whose procedures qualify it to conduct arbitrations in accordance with the requirements of § 180.5 of this Part, together with a copy of the rules of each forum. The list must include: (A) the contract market, if available, upon which the transaction giving rise to the dispute was executed or could have been executed or a registered futures association designated by such contract market; and (B) at least one other organization which will provide the customer with the opportunity to select the location of the arbitration proceeding from among several major cities in diverse geographic regions and which will provide the customer with the choice of a panel or other decision-making body having at least a majority of persons serving thereon who are not members or associated with a member of any contract market or employee thereof, and who are not otherwise associated with any contract market (mixed panel).

(4) The agreement must acknowledge that the futures commission merchant, floor broker or associated person will pay all costs of the forum which conducts an arbitration proceeding under this agreement, other than any applicable initial filing fee, including those costs associated with providing a mixed panel, unless the arbitrators in a particular case determine that the customer has acted in bad faith in initiating the proceeding.

(5) The customer must be advised that by signing the agreement, he or she will waive the right to seek reparations under Section 14 of the Act and Part 12 of these regulations. Cautionary language to that effect must appear in boldface as set forth below and immediately precede the line provided for the customer's signature.

(6) The agreement must include cautionary language, to the following effect:

THE COMMODITY FUTURES TRADING COMMISSION (CFTC) RECOGNIZES THAT THE OPPORTUNITY TO SETTLE DISPUTES BY ARBITRATION MAY IN SOME CASES PROVIDE MANY BENEFITS TO CUSTOMERS, INCLUDING THE ABILITY TO OBTAIN EXPEDITIOUS RESOLUTION OF DISPUTES WITHOUT INCURRING SUBSTANTIAL COSTS. THE CFTC REQUIRES, HOWEVER, THAT EACH CUSTOMER INDIVIDUALLY EXAMINE THE RELATIVE MERITS OF ARBITRATION AND THAT YOUR CONSENT TO THIS ARBITRATION AGREEMENT BE VOLUNTARY. YOU NEED NOT SIGN THIS AGREEMENT TO OPEN AN ACCOUNT WITH [NAME]. SEE 17 CFR 180.1–180.6.

BY SIGNING THIS AGREEMENT, YOU MAY BE WAIVING YOUR RIGHT TO SUE IN A COURT OF LAW. FURTHERMORE, BY SIGNING THIS AGREEMENT YOU ARE WAIVING YOUR RIGHT TO ELECT TO PETITION

THE CFTC TO INSTITUTE REPARATIONS PROCEEDINGS UNDER SECTION 14 OF THE COMMODITY EXCHANGE ACT WITH RESPECT TO ANY DISPUTE WHICH MAY BE ARBITRATED PURSUANT TO THIS AGREEMENT.

———————, Customer

* * * * *

Issued in Washington, D.C., on December 9, 1981.

Jean A. Webb,

Deputy Secretary of the Commission.

[FR Doc. 81-35743 Filed 12-11-81; 8:45 am]

BILLING CODE 6351-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[FCC 81-483]

American Telephone & Telegraph Co.; Petition for Waiver of a Certain Section of the Commission's Rules

AGENCY: Federal Communications Commission.

ACTION: Order denying petition for waiver.

SUMMARY: Commission denies American Telephone and Telegraph's petition for waiver of § 64.702 of the Commission's Rules, which allows AT&T to offer enhanced telecommunications services only through a separate corporate entity. The Commission finds that AT&T has failed to meet its burden in showing that denial of the requested waiver will foreclose the availability of Custom Calling Services II or impose unreasonable costs upon consumers in the form of higher prices for the services. This action requires AT&T to provide Custom Calling Services II only through a separate corporate entity.

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

FOR FURTHER INFORMATION CONTACT: Steven A. Zecola, Policy and Program Planning Division, Common Carrier Bureau, Federal Communications Commission, Washington, D.C. 20554. Telephone No. (202) 632-9342.

SUPPLEMENTARY INFORMATION:

Adopted: October 7, 1981.

Released: October 20, 1981.

By the Commission: Commissioners Quello and Fogarty concurring in the result.

I. Introduction

1. We have before us a petition for waiver of § 64.702 of the Commission's Rules, 47 CFR 64.702 [46 FR 19852; April 1, 1981; 46 FR 32039, June 19, 1981], which allows AT&T to offer enhanced telecommunications services only through a separate corporate entity. On behalf of the Bell System Operating Companies (BOCs) AT&T seeks permission for the BOCs to provide Custom Calling Services II (CCS–II), directly to their customers, instead of providing it through a separate corporation as required by § 64.702.[1] AT&T describes CCS–II telephone services as "call answering and advance calling, together with an optional remote access feature." AT&T Petition at 3. Call answering permits the automatic answering of simultaneous incoming calls to a customer's telephone when the customer's line is busy or, after a specified number of rings, when the customer does not answer. Call answering also permits callers to leave recorded messages for later retrieval by the customer. The second feature, advance calling, permits customers to record messages for subsequent transmittal to designated telephones at specified or non-specified times. The third feature, remote access, is described as an optional adjunct to call answering and advance calling which permits a CCS–II customer to access the other two features from Touch Tone service equipped telephones at distant locations. AT&T does not intend the waiver to allow provision of data services. It notes that "as presently structured, CCS–II services are not capable of reliably storing and transmitting digital data." AT&T Petition at 14.

2. AT&T waiver request is limited to the offering of CCS–II at voice storage systems (VSS) within the United States at which VSS equipment is installed on or prior to December 31, 1989. Additional CCS–II equipment may be added after that date to provide service and meet customer demand but only from those locations where equipment had been installed on or prior to December 3, 1989. The duration of the requested waiver is the technological life of the equipment, which AT&T estimates at fifteen years. AT&T's best estimate of the duration of the waiver, therefore, is until December 31, 2004.

3. Fifteen parties filed comments on the CCS–II Waiver Petition. AT&T and four other parties filed reply comments. ANPA's Opposition was filed three days after the deadline for comments and was accompanied by a Motion for Acceptance of Late-Filed Comments. There have been no objections to ANPA'S motion and we hereby grant it. Dusty's Answering Service, Inc. and Delphi Communications Corp. have filed supplemental comments which were received two and two and one-half months, respectively, after the authorized pleading cycle. AT&T has filed a motion to deny and strike these late pleadings. Dusty's Answering and Delphi responded, in part, to arguments first raised in AT&T's Reply and their late-filed pleadings represent the only opportunity these parties had to respond to AT&T's new arguments. In order to permit full and fail participation in this proceeding, we deny AT&T's motion. In so doing, however, we wish to make it clear that we did not find it necessary to rely upon the late filed pleadings in reaching our decision and we do not see that any valid purpose will be served by further extending the reply cycle, as AT&T has requested. We believe the record is ripe for disposition. Appendix A contains a list of all parties participating in this proceeding as well as the acronyms by which certain parties are identified throughout this order.

4. For the reasons explained below, we have concluded that AT&T's request for waiver must be denied.

Background

5. In the **Final Decision** in the *Second Computer Inquiry* we divided telecommunications services into two categories, "basic" services (which were to be subject to Title II regulation), and "enhanced" services (which were not to be subject to regulation). Basic services were defined as the common carrier offering of transmission capacity for the movement of information. Enhanced services were defined as services:

> Offered over common carrier transmission facilities used in interstate communications, which employ computer processing applications that act on the format, content, code, protocol or similar aspects of the subscriber's transmitted information; provide the subscriber additional, different, or restructured information; or involve subscriber interaction with stored information." [47 CFR 64.702(a), 77 FCC 2d at 498].

This demarcation has several benefits. Foremost is the fact that it frees the more dynamic enhanced services field from any possible inhibitory effects of regulation, while at the same time it provides for continued public interest regulation of the basic communications services upon which our national telecommunications industry is founded.

6. Having established in the *Final Decision* a firm boundary separating regulated basic services from

[1] *See Amendment of Section 64.702 of the Commission's Rules and Regulations (Second Computer Inquiry)* 77 FCC 2d 384 (*Final Decision*), *on reconsideration*, 84 FCC 2d 50 (*Reconsideration order*), *appeal pending sub nom. C.C.I.A v. F.C.C.*, Case No. 80-1471 (D.C. Cir. 1980).

unregulated enhanced services, we preceeded to address the mechanism through which carriers might offer these services to customers. We required that AT&T and GTE, because of their ability to subsidize non-Title II activity with monopoly generated revenues, offer enhanced services only through a separate subsidiary.[2]

7. The *Final Decision* also discussed the contention of several parties that the Commission's concerns regarding anticompetitive conduct could be alleviated by implementation of an adequate accounting mechanism. Although we recognized accounting to be a "fundamental regulatory tool" used in the fulfillment of our statutory responsibilities, we noted that accounting was "by no means . . . a substitute for structural separation." *Id.*, para. 210 Rather, we viewed "separation and accounting as part and parcel of a single regulatory mechanism." *Id.* We stated that

> Where a carrier has the incentive and ability to engage in sustained cross-subsidization, or predatory pricing, accounting may be employed to assist in the identification of such practices, but it cannot prevent the misallocation of joint and common costs associated with the provision of basic and enhanced services if provided by the same entity. On the other hand, the separation requirement serves as a structural check on the proper allocation of costs between basic and enhanced services. [*Id.*, para. 210].

We also pointed out that, in our view, the separate subsidiary requirement was the only practical means of obligating AT&T to offer competitors equality of interconnection to basic transmission facilities. *Id.* at paras. 229, 231.

8. On *Reconsideration* in the *Second Computer Inquiry* we affirmed the basic/enhanced dichotomy. *Id.*, para. 12. We also addressed specifically the question of whether storage and retrieval information services which did not involve modification of the stored information should be classified as basic rather than enhanced. These services, we stated, are dependent upon the availability of common carrier facilities, but "the end product is not the offering of a common carrier communications service." *Id.* In addition, we asserted that the inclusion of storage and retrieval services within the basic category would "destory any meaningful regulatory boundary that otherwise exists and unduly expand the common carrier offering beyond one of providing the appropriate communications pipeline for the transmission of information to services in which communications is merely a factor of production." *Id.*

9. In this context we rejected arguments by AT&T that CCS-II should be considered a basic service. We observed that the advanced calling and call answering features of CCS–II represented the offering of an "information retrieval service" and as such could not be fairly classified as a basic service. *Id.* at para. 16. Since CCS–II was an enhanced service, we found that it shoud only be offered through a separate subsidiary.

10. AT&T further argued, however, that even if CCS–II were held not to be a common carrier service, the Commission should still permit it to "* * * be provided as part of an integrated basic transmission network on the theory that * * * [CCS–II] must be offered in the network to be efficiently offered or ubiquitously available." *Id.*, para. 18. We rejected this argument as well. We stated that the issue "* * * is whether compelling reasons exist for allowing various services, even though enhanced, to be offered through network computer facilities of those carriers that would otherwise be subject to the separate subsidiary requirement" and that "[b]ased on the record in this proceeding * * *, evidence has not been presented that warrants such a determination." *Id.* We noted that:

> To the contrary, parties such as Delphi Communications Corp., IBM and CBEMA demonstrate that current voice storage services, and specifically AT&T's Custom Calling II features, actually employ entirely separate computer facilities which need not be colocated with the carrier's central office facilities to be provided or ubiquitously available on an economic basis. [*Id.*]

11. Nevertheless, we did recognize that circumstances might arise in which strict adherence to structural separation might foreclose the availability to consumers of certain enhanced services if, for example, state of the art technology dictates that only through the use of network facilities could the carrier provide a given enhanced service, or if complying with the separate subsidiary requirement results in the imposition of unreasonable costs upon consumers. *Id.*, para. 19. In the event that such situations arose, we were prepared to consider waiver of the separation requirement "for a specific service" after notice and opportunity for comment. *Id.*, para. 19. We noted, in addition, that in considering grant of a waiver we would need to determine whether the offering of services through the subsidiary would impose upon consumers unreasonable costs which were not counterbalanced by the benefits which we believe separation will afford.

12. It was also made clear that a party seeking waiver of the separation requirement carried the burden of demonstrating that the public interest concerns which gave rise to the structural separation requirement were outweighed in the individual case. We stated that:

> Petitioners carry the burden of demonstrating that concerns about any cross-subsidization or other anticompetitive effects which may arise from grant of a waiver are outweighed by the possibility of imposition of unreasonable costs upon consumers, or unavailability of an enhanced service, if the waiver is not granted. As part of a waiver request, a petitioner will be expected to provide detailed economic and technical information to support its assertions. [*Id.* at para. 21].

III. Discussion

A. The Standards for Waiver

13. Any applicant for waiver of an agency rule faces a "high hurdle" when seeking to avoid the proscription of a generally applicable determination. *WAIT Radio* v. *FCC*, 418 F. 2d 1153, 1157 (D.C. Cir. 1969). The applicant must clearly demonstrate that the general rule is not in the public interest when applied to its particular case and that the grant of the waiver will not undermine the public policy served by the rule. *Id.* In those instances in which this agency acts by rule rather than case-by-case adjudication, it does so in the expectation that all parties subject to the rule will conform to its dictates.

14. Regulatory uncertainty is detrimental to the progressive evolution of the telecommunication marketplace. Numerous firms invest in development and production of products and services based upon their understanding of this agency's regulatory policies.[3] Expectations should be disturbed only upon a clear showing of changed conditions, in which case the agency may alter its rule, or where a party is able to demonstrate special circumstances, waive the rule.

15. Moreover, where waiver is found to be in the public interest, it is generally expected that the waiver will not be so broad as to eviscerate the rule.

[2] On reconsideration we exempted GTE from the structural separation requirements because we found the benefits of "maintaining the separate subsidiary requirements for carriers other than AT&T [do] not outweigh other public considerations" 84 FCC 2d at para. 71.

[3] Regulatory intervention in the marketplace inevitably influences the ability of market entrants to compete with each other. Indeed, regulatory decisions must account for competitive effects. *See McLean Trucking Co.* v. *United States*, 321 U.S. 67 (1944); *Northern Natural Gas* v. *FPC*, 399 F. 2d 953 (D.C. Cir. 1963); *United States* v. *FCC*, 652 F. 2d 72 (D.C. Cir. 1980).

Rather, the waiver must be tailored to it the specific contours of the exceptional circumstances.

16. The general stringency of the waiver standard is echoed in the specific requirements for waiver adopted in our *Computer II* decision. We made it clear in that decision that a carrier seeking a waiver from the separation mandated in *Computer II* must carry the burden of showing that the waiver is in the public interest by demonstrating—in specific detail—that our "concerns about cross-subsidization or other anticompetitive affects * * * are outweighed by the possibility of imposition of unreasonable costs upon consumers or unavailability of an enhanced service * * *." *Reconsideration*, para. 21.

17. In evaluating AT&T's case for a waiver, we are struck by the many difficulties it presents. First, we are troubled by the apparent breadth of the waiver sought. AT&T's request here is not for a narrowly tailored waiver intended to make available a specialized service to a limited class of customers, but rather for an exception which would permit AT&T to provide every basic transmission customer voice storage enhanced services until the year 2004. Although AT&T has not enlightened us on this point, it may be expected that the revenues for CCS–II will eventually be quite large. Additionally, once we allow a waiver as extensive as that requested by AT&T in this case, the economics of providing any enhanced service through a separate subsidiary will be altered. Specifically, the marginal costs of providing additional enhanced services using some form of voice storage within the basic network would be decreased and the net cost of providing such service outside the basic network would be increased. Thus, the grant of a waiver here would put us on the proverbial "slippery slope" and create considerable uncertainty as to what new enhanced services we will allow to be provided through the basic network.

18. Second, once enhanced services are introduced into the basic network we have no way of effectively policing against possible cross-subsidization between such enhanced services and the basic monopoly services provided by AT&T. As we have shown, it has been this Commission's consistent view—and that view, if anything, is reinforced by the record in this proceeding—that accounting regulations are inadequate by themselves to guard against possible cross-subsidy between AT&T's regulated and unregulated services.

19. The fact that AT&T's request is limited to voice services is of small comfort. We have found in our order on *Reconsideration* that CCS–II may be used for data services now, and we have also determined, after considerable investigation, that any distinction between voice and non-voice services is illusory. *Id.* at para. 14. We certainly do not intend to prevent CCS–II customers from employing their facilities to the fullest extent. It would be extremely inefficient to impose an artificial barrier on the use of CCS–II facilities which would result in an irrational market segmentation. Although AT&T states that CCS–II is not capable "at the present time" of being used effectively for data purposes, it is possible that at some future date it can be modified to attain such capability. If that occurs we could not automatically preclude users from employing it for data purposes. Moreover, even if the waiver granted AT&T would specifically preclude data use, we cannot exclude the possibility that AT&T would later seek an additional waiver to accommodate newly found versatility which commenting parties claim is present in the system now. In such an event, a decision on the extension of the waiver must be based on a fresh examination of the public interest rather than on any prior promise or claim by AT&T in this proceeding.

20. Third, the structural separation of the Computer Rule was designed in part to require AT&T to offer equal interconnection arrangements to competing vendors. It was our view that efficient consumer utilization of the telephone network would be maximized if enhanced service vendors were not impeded in achieving network interconnection, or forced to incur additional interconnection costs beyond those incurred by the carrier's own subsidiary. Our objective was to give the carrier the incentive to provide an underlying facility which all enhanced service vendors could utilize equally. Absence of such an adequate facility or equality of interconnection would bias the unregulated enhanced service market in favor of the regulated carrier. We believe that grant of the waiver will in all likelihood reduce or eliminate AT&T's incentive to provide reasonable interconnection. The carrier, in fact, would be benefited if it were able to decline or delay equal interconnection to competitors while its own service established a market position. We cannot ignore the fact that the grant of a waiver under the circumstances present here would make it more difficult for us to meet our responsibility to insure interconnection to enhanced service vendors on an evenhanded basis.

21. Fourth, it is clear that we have previously addressed the question which AT&T raises in this proceeding. We have explicitly rejected the notion that CCS–II should be provided as part of the basic network. If we are to reverse our previous judgment it must be on the basis of either new evidence or a reinterpretation of our existing standards. In this case, this is an especially heavy burden because, although eighteen months old, the rule has not been given an opportunity to work. We are certainly not dealing with one of those instances in which a regulation has been outmoded by technological or economic change, and we are not compelled to make exception to it in order that users not be deprived of a new service. Indeed, as is clear from the above discussion, our regulatory plan for enhanced services was adopted with CCS–II in full view and contemplation.

22. As we show in the following sections, AT&T has not met the stringent test for waiver required in this case. It has not demonstrated that the application of the separation rules will result in unreasonable costs to consumers because of technical impossibility or economic infeasibility as so recently enunciated in our *Computer II* decision.

B. Technical Showing

1. AT&T's Contentions

23. AT&T asserts that its technical showings alone are sufficient to satisfy our waiver criteria. It notes that as its CCS–II services are now designed they rely upon an integrated configuration of a Voice Storage System (VSS) with its Electronic Switching System (ESS). AT&T represents that it is technically impossible for a separate subsidiary to offer the CCS–II package as it is currently designed. AT&T concedes that redesign of the system to permit a separate subsidiary or other vendors to provide such services is feasible, but states that "these entities could not independently provide a total service." AT&T Petition, p. 18. Under existing technology, the subsidiary or a vendor must still rely in part upon the Bell Operating Companies (BOCs) to provide these services because "[t]he ESS equipment, which is an inextricable part of the BOCs' network, performs essential functions in the provision of all CCS–II type services." *Id.*, p. 18. AT&T claims that, if the system were redesigned so that the separate subsidiary or other vendors could avail

themselves of the network components now required to offer CCS–II type services, the resulting services would be different from those which AT&T would provide under the requested waiver. The difference would be that "[c]all answering and advance calling would no longer be available on a completely usage-sensitive and casual basis, tailored to the needs of the light user." *Id.*, p. 19.

24. While AT&T has conceded that the CCS–II package could be offered through a separate subsidiary or other vendor, it claims that the system redesign required to accommodate such non-integrated operation "would be costly and time consuming, resulting in a delay of the introduction and availability of CCS–II-like services for a minimum of three years." AT&T Petition, p. 22. AT&T then lists the changes required within the ESS. The current CCS–II dialing plan would have to be augmented to include multiple vendor identification numbers and at least one additional access code. Central office line translations would have to be modified to include the identification number of the separate subsidiary or other vendor authorized by a customer for call answering. New translations would have to be developed, programmed and implemented to accommodate the separate subsidiary and other vendors. The ESS equipment would have to be programmed with additional software safeguards that insure that changes would be made in a customer's line translations only by the customer or an authorized vendor.

25. Other changes include augmentation of the ESS equipment to provide it with the capability of recording CCS–II transactions; hardware or software changes or both in the ESS equipment to verify that the vendor system properly returns answer supervision; the revision of ESS screening functions; and the development and implementation of new procedures for backing up and validating recent changes in customer line translations. Trunk testing routines would also have to be revised, and a new service order process, involving the development and implementation of additional ESS equipment software, would have to be formulated for adding, subtracting, and changing vendor related information in the ESS office. Finally, the current customer service order process would have to substantially modified.

26. AT&T states that the VSS also would have to undergo redesign. The modifications identified by AT&T consist of: augmenting the VSS translation function to enable the VSS to retain complete authorized customer service profiles and billing information; enhancing the VSS billing capacity to enable the separate subsidiary to recover charges from customers after it has been billed by the BOC for basic services; and reprogramming the VSS to permit acceptance of customer service orders. The VSS would also require alternate support systems and modified trunk testing procedures.

27. Because ESS software changes "have already been committed through the second quarter of 1984," AT&T estimates that it would require a minimum of three years to develop a system plan for non-integrated provision of voice storage and retrieval services. AT&T warns that this timetable may be optimistic. For significant software development it would need at least one additional year. AT&T estimates that the costs to the BOCs for required redesign of the ESS equipment would be $22.5 million, and to the separate subsidiary $6.5 million for redesign of the VSS equipment.

28. In its Petition, AT&T states that installation and testing of CCS–II equipment has been completed in Philadelphia, Dallas, New York City and Chicago by the Bell Operating Companies which serve these areas. Each operating company, according to the petition, has invested between $2–3 million for equipment and $250,000 for initial deployment. AT&T Petition, pp. 11–12. CCS–II equipment for use by operating companies in Indianapolis, Cleveland and Milwaukee is in various stages of manufacture and installation. AT&T states that these companies will incur cancellation charges imposed by the manufacturer, Western Electric, if the orders are not ultimately fulfilled. *Id.*, p. 12. In addition, Bell of Pennsylvania deferred the filing of a tariff for CCS–II service pending resolution of this proceeding.

29. AT&T has also asked that, if the waiver is granted, we clarify the status of state tariff requirements in the case of an enhanced service offered through the network by the BOCs pursuant to Commission waiver. Since we are not granting the waiver sought, it is not necessary for us to address the issue of state tariff jurisdiction for enhanced services at this time.

2. Comments of Opposing Parties

30. Several parties addressed AT&T's technical showing. The comments provide considerable detailed criticisms of each of AT&T's allegations. Most fundamentally, the parties question the technical criteria upon which AT&T seeks a waiver. For example, CBEMA submits that AT&T has "confuse[d] the term 'state-of-the-art technology' with the state of design of the CCS–II service as implemented by AT&T." CBEMA Opposition, p. 31.[4] Ford Industries, Inc. points out that the "petition is premised upon the mistaken view that the technology relevant to information storage and retrieval is static," with "AT&T bas[ing] its argument for a waiver entirely upon 'existing technical conditions'." Ford Industries Opposition, p. 3. IBM represents that, "[i]n the present case, 'state-of-the-art technology' is capable of modifying network ESS equipment so that CCS–II type services can be provided by an FSS [fully separated subsidiary] and by independent vendors." IBM Opposition, p. 13. Xerox notes that "the Petition acknowledges that no *technical* difficulty precludes the offering of CCS–II in a separated, competitive environment." Xerox Comments, p. 4 (emphasis in original).

31. The parties argue further that AT&T's previous discretionary decisions should not constitute the basis for waiver. Exxon claims that "AT&T unabashedly has designed the ESS to accommodate only its VSS service and has set the stage for denying comparable access to competitors." Exxon Comments, p. 12. ECS Telecommunications, based upon the attached affidavit of Robert J. Nacon, asserts that "[w]hile this Commission was actively considering a refinement of the basic service/enhanced service dichotomy in the Computer II Inquiry, Bell Laboratories, AT&T, and Western Electric were busily designing and engineering the CCS–II system to function exclusively within the telephone network so that prospective competitors could not obtain the substantial technological features and interfaces enjoyed by CCS–II in a monopoly environment." ECS Motion, p. 8. SPCC states that AT&T "[s]imply * * * made imprudent design decisions." SPCC Comments, p. 20. In short, the parties contend that the waiver should not be granted merely because the necessary technology has not yet appropriately been incorporated into AT&T's system configuration.

32. As described above, AT&T contends that the redesign effort now required to provide CCS–II through a separate subsidiary would be costly and time-consuming, resulting in a delay of

[4] One of the conditions under which the Commission would consider granting a waiver is that if "state-of-the-art technology dictates that only through the use of network facilities could the carrier provide a given enhanced service." 84 FCC 2d 50, 57 (1980).

the introduction and availability of CCS–II like services for a minimum of three years. To support this claim, AT&T lists all the changes to the ESS and VSS required to complete the redesign effort. Several parties dispute AT&T's contention and two, SPCC and ECS, challenge each of the redesign modifications, claiming that the complexity of each has been grossly exaggerated.[5] Because it is difficult to comprehend the meaning of these criticisms without reviewing AT&T's assertions, we will repeat the redesign efforts that AT&T claims are necessary as we summarize the parties' objections concerning such efforts.

33. AT&T asserts that the current CCS–II dialing plan would have to be augmented to include multiple vendor identification numbers and at least one additional access code. In response to this, ECS notes that a new sophisticated digit interpretation program can be substituted for AT&T's proposed numbering access plan. SPCC says that only casual customers and very small businesses without PBXs will require vendor identification digits. This means that it is relatively easy to employ a two-digit code to identify a vendor or AT&T's subsidiary. The parties feel these factors refute AT&T's allegation that substantial expansion of the ESS digit reception and analysis program is necessary.

34. AT&T also claims that central office line translations would have to be modified to include the identification number of its separate subsidiary or other vendor authorized by a customer for call answering. In response, ECS states the ESS computer program is already capable of interfacing with multiple VSS systems and keeping track of which customer goes to which system. SPCC submits that only a two-digit vendor code needs to be provided in the customer's line translation. Thus the parties opposing the waiver believe that any changes to central office line translations would be minimal.

35. AT&T says new translations would have to be developed, programmed and implemented to accommodate the separate subsidiary and other vendors. ECS, however, counsels that any ESS system has the capability of keeping track of hundreds of separate groups of facilities between central offices today. SPCC says that the connection from an ESS office to the vendor can be made using Direct Inward Dialing. The parties therefore consider AT&T's allegation of the need for new translations to accommodate the separate subsidiary and other vendors to be without merit.

36. AT&T states the ESS equipment would have to be programmed with additional software safeguards that insure that changes would be made in a customer's line translations only by the customer or an authorized vendor. ECS claims that the magnitude of the job of providing additional software safeguards in the ESS for security purposes is less than AT&T implies, while SPCC believes that a two-digit vendor identification code would obviate the need for such changes.

37. AT&T also alleges the ESS equipment would have to be augmented with the capability of recording CCS–II transactions. In contrast to this position, ECS asserts that augmenting the ESS to provide a capability for recording CCS–II transactions is unnecessary. SPCC claims that the billing that BOCs must complete is for leased lines, rendering any requirement for detailed transaction information null.

38. Continuing the list of modifications to the ESS which it asserts would be needed to provide CCS–II through a separate subsidiary, AT&T states that hardware or software changes or both would be required in the ESS equipment to verify that the vendor system properly returns answer supervision. ECS claims, however, that hardware and software changes necessary in the ESS equipment to verify that the vendor system properly returns answer supervision represent a trivial matter that requires only a positive signal from the vendor before it places the call in the talking state. SPCC states no such changes are necessary because the Direct Inward Dialing trunks would provide the same signaling and answer supervision that is currently available.

39. In response to AT&T's claim that ESS screening functions would require revision, ECS proffers that such revision is an insignificant modification which actually would result in a small savings. SPCC questions whether revision is even necessary because advance calls need only be treated as regular direct distance dialing calls by the BOC.

40. According to AT&T, new procedures would have to be developed and implemented for backing up and validating recent changes in customer line translations. ECS submits that it is perfectly feasible that the vendor and the separate subsidiary provide the necessary backup information for their respective customers, if AT&T lost this information due to a system failure. SPCC notes that changes can be made to a vendor's software to enable the same procedure for retrieving backup data as currently exists in AT&T's system design. Thus, the parties dispute the contention that additional expenses will be incurred by the BOCs for developing and implementing new procedures to validate recent changes in customer line translations.

41. AT&T also foresees modifications to the service systems underlying provision of CCS–II through a separate subsidiary. First, it claims that trunk testing routines would have to be revised. ECS asserts that alleged revisions to the trunk testing routines would result in a division of responsibility for trunk testing that would not be significantly different from that which now exists between AT&T and the independent telephone companies. SPCC says no trunk testing revisions are needed since trunk testing routines already exist for leased Direct Inward Dialing trunks, and these trunks can be used effectively to interconnect vendors to the ESS.

42. Additionally, according to AT&T, it would not only have to formulate a new service order process, involving the development and implementation of additional ESS software for adding, subtracting and changing vendor-related information, but also would have to modify substantially the current customer order process. ECS, however, states that a new service order process can easily be provided for by ESS generic computer programs which allow for easy addition, deletion and feature changes to trunk group translation. SPCC submits no new service order process is necessary since AT&T already has in place an order process for leasing Direct Inward Dialing trunks. Responding to AT&T's claim that substantial modification to the customer service order process is necessary, ECS argues that all of the necessary customer service information would come automatically from the vendors directly to the ESS over the interconnecting trunk facilities. SPCC finds no changes are necessary because call answering services can be initiated and terminated by the customer using a procedure similar to the existing one.

43. AT&T states that the VSS also would have to undergo redesign. The modifications identified by AT&T consist of: augmenting VSS translation functions to enable the VSS to retain complete authorized customer service profiles and billing information; enhancing the VSS billing capacity to

[5] Other parties also contest AT&T allegations. CBEMA, for example, asserts that some of the modifications require no more than implementation of the system used for CCS–I. CBEMA Opposition, p. 31–36. Delphi disputes in great detail many of the modifications that AT&T claims are necessary for a multiple vendor environment and concludes that AT&T claims are impossible to accept.

enable the separate subsidiary to recover charges from customers after it has been billed by the BOC for basic services; and reprogramming the VSS to permit acceptance of customer service orders. The VSS also would require alternate support systems and modified trunk testing procedures.

44. With respect to AT&T's allegations of the changes necessary to the VSS, ECS notes that a simple microcomputer can provide the ability to keep track of necessary billing and service profiles. ECS finds no change in the VSS equipment is required for billing capability. The billing can be performed with the same microcomputer referred to above. ECS submits that the new system required to interface with various network support systems are a necessary cost for all competitors. It says this function is subsidized under the current operations. ECS admits that trunk testing procedures may need to be improved for subsidiary and vendor access to the BOC switching equipment, but says that outside entities can help identify and correct malfunctions, thereby actually simplifying trouble reporting procedures. Regarding the alleged modification of VSS equipment to accept customer service orders, ECS observes that no change in the design of the VSS is necessary if such orders are entered into an offline computer which interfaces with the VSS equipment.

45. More generally, ECS believes that additional costs for VSS equipment changes represent part of a normal operation of any competitive call answering service organization. SPCC agrees, noting that these additional costs arise totally as a consequence of conscious design decisions by AT&T.

46. Several parties challenge AT&T's contentions regarding the time and cost required to redesign the VSS and ESS equipment on other grounds. Delphi notes that the estimated redesign costs "equal the total R & D costs for the initial development of CCS–II," even though "none of the changes involved appear to call for substantial departures from existing technology." Delphi Opposition, p. 30. SPCC submits that "the three-year time period AT&T asserts is required is not a function of engineering or programming, but rather it is a function of AT&T's planning and scheduling process." SPCC Comments, p. 23. Finally, ECS states that "the great bulk of the design and engineering of CCS–II occurred between 1977 and 1979—a two year period—and there is simply no rational explanation or support for the assumption that modest softward changes (see Petition at page 28) will somehow require three more years." ECS Motion, p. 15.

47. The parties also attempt to negate AT&T's appeal for favorable treatment of its Petition on equity grounds, that is, because of the magnitude of the redesign costs. SPCC says these redesign costs pale "when compared with the amounts AT&T can be expected to earn." SPCC Comments, p. 34. Delphi notes that it "alone has invested at least as much in the development of DELTA as AT&T has invested in CCS–II." Delphi Opposition, p. 6.

48. The final issue in AT&T's technical showing concerns service to the casual user. Several parties challenge AT&T contention that the casual user will not be served if its Petition is denied. Delphi, while noting that "AT&T's ability to accommodate 'casual' users depends upon less genuine service economies than upon . . . inter-service subsidies," claims that "a competitive offering, such as DELTA, can serve casual users even under existing technology, and that billing and credit procedures could be optimized if competing vendors have access to ESS identification functions and to AMARS [Automatic Message Accounting Recording System.]" Delphi Opposition, pp. 27, 43. CBEMA argues that "[a]ll that AT&T can, admittedly, offer with CCS–II, and that which makes CCS–II feasible on such a casual basis, is the billing of the service on the subscriber's telephone bill with the attendant ability to cut-off phone service for non-payment." CBEMA Opposition, p. 39 (emphasis omitted). CBEMA concludes that there is no technical limitation to the offering of casual call answering service and that the separate subsidiary could undertake the same service as AT&T proposes for CCS–II if the subsidiary considered that there was a sufficiently lucrative market for casual, bill-by-the-call service. As noted, Delphi, for example, says that it stands ready to serve the casual user provided the necessary interconnection facilities are available.

49. Commenting parties also state that a delay in the introduction of CCS–II will not disadvantage consumers, including casual users, because substitute services are available in the marketplace. SPCC provides in its comments perhaps the most comprehansive summary of alternative services now available to consumers:

> Delphi Communications Corp., a subsidiary of Exxon has developed its own system, and has had a prototype system operating in the San Francisco bay area for over three years. Delphi should be able to deliver production units by late 1981. Electronic Communications Systems, Inc. (ECS) in Dallas, has developed its Voice Message System. ECS presently has its own system serving customers there and in New York City. Additionally, ECS has sold Voice Message Systems to several customers. IBM has developed a system which it calls Voice Mail. Televoice International, Inc. of Santa Clara, California and STC Communications Corporation of Broomfield, Colorado are also designing and developing systems to compete in the marketplace. NEC of Japan, BNR in Ottawa, Ontario and others also have equivalent voice store-and-forward systems on the drawing boards. Some manufacturers such as Televoice and Delphi are seeking not only to produce the systems but also to provide the service. Delayed voice services can also be expected to be provided by other companies already providing telecommunications services. For example, the value added carriers are reportedly developing store-and-forward systems for their packet-switched systems. MCI Telecommunications Corporation has announced that it intends to add delayed voice store-and-forward services to its list of offerings. [SPCC Opposition, p. 11].

50. CBEMA also challenges the AT&T claim that the services comprising OCS–II are either innovative or unique. It claims that "in the market allegedly targeted by AT&T, the demand for call answering and advanced calling services is now being met on a regular basis through customer premises telephone answering equipment and through a variety of automated and/or semi-automated centralized answering services." CBEMA Opposition, p. 6. In short, the parties believe that refusal to grant the requested waiver will in no way deny consumers the features of call answering and advance calling.

3. AT&T's Response

51. AT&T has chosen not to rebut in any detail the major criticisms levied against its technical showing. In response to the criticisms of AT&T's showings concerning the design modifications, the time to develop and implement the modifications, and the cost of the modifications, AT&T submits "[t]he design modifications represent AT&T's considered judgement as to appropriate engineering solutions to meet the three requirements referred to above and, at the same time, to preserve to the extent reasonably possible the desirable features and operations of the current CCS–II design." AT&T Reply, p. 31. It simply says "AT&T affirms that the design modifications, and associated costs and time, specified in the Petition are reasonable in relation to the redesign objectives." *Id.*, p. 32 (footnote omitted). AT&T argues further that, "because the FSS economically cannot provide CCS–II-type services, AT&T submits that the actual implementation

of the modifications, the precise design required, and associated time and cost, are not legitimate issues in the consideration of the waiver request." *Id.* (footnotes omitted).

52. With respect to service to the casual user, AT&T attempts to supplement its showing that the casual user will not be served if its Petition is denied. AT&T explains why each of the services proffered in the comments as serving the casual user really cannot do so, with the exceptions of terminal answering devices, telephone answering services. AT&T further argues that, even with the necessary network interfaces, "neither the FSS nor any other vendor could offer CCS–II-type services to a potential customer unless the customer previously had established an account with the FSS or other vendor." AT&T Reply, p. 17. AT&T concludes that "speculation [concerning the supply of CCS–II to the casual and small business user] is not a proper basis for the Commission to deny the certainty of service availability which will result if the waiver is granted." *Id.*, p. 18.

4. Discussion

53. In judging AT&T's technical showing we must first determine whether denial of the Petition will foreclose the availability of call answering and advance calling to consumers, given the state-of-the-art technology. In this regard, AT&T confirms our understanding that it is *technically* possible for it to provide call answering and advance calling through a fully separated subsidiary. AT&T Petition, pp. 19–28. Additionally no technical reason is proffered for the separate subsidiary's alleged inability to serve the occasional or light user with CCS–II services. The only reason AT&T provides for the subsidiary's inability to serve the casual user relates to the different billing arrangements that are available for the BOCs. AT&T believes the casual user (not now served by terminal answering devices, telephone answering services and similar services) can be served only on a usage sensitive basis without prior subscription. AT&T Petition, p. 19; AT&T Reply, pp. 7, 14–15. We view this as an economic argument and thus it will be addressed in the next section. As we will explain, we believe that the casual user will not be denied call answering and advance calling if AT&T's Petition is denied.

54. Rather than arguing it is technically impossible to provide CCS–II through its separate subsidiary, AT&T has narrowed the scope of its argument by claiming the requisite "redesign effort would be costly and time consuming, resulting in a delay of the introduction and availability of CCS–II-like services for a minimum of three years." AT&T Petition, p. 22. We cannot base a grant of the petition upon such a rationale. With respect to the alleged time delay, we note that parties opposing the Petition have seriously questioned AT&T's inability to complete the necessary modifications for such a long period of time.[6] AT&T's only response to those comments is that "AT&T affirms that the design modifications and associated * * * time, specified in the Petition are reasonable in relation to the redesign objectives." AT&T Reply, p. 32.[7]

55. We are deeply troubled by the lack of support for this judgment. The criticisms of AT&T's analysis are substantial enough to require persuasive rebuttal and cannot be dismissed lightly. Moreover, without insight into the decisional factors leading to AT&T's scheduling process, including the time required for implementing each of the necessary actions, AT&T's judgment in this instance appears to be highly subjective. For example, AT&T simply states that "ESS software changes to be introduced in the ESS during 1981, 1982 and 1983 already have been committed * * *. Therefore, a minimum of three years would be required to develop a system plan, detailed requirements and software, test and integrate the software, and test all early applications of the software." AT&T Petition, pp. 28–29.

56. In essence, by tying the delay of three years in the introduction of CCS–II to prior management decisions about planned changes in ESS software, AT&T seeks to establish a principle of granting a waiver of our structural separation requirements based on a management decision concerning software scheduling priorities. While we do not challenge those priorities here, we note that AT&T is free to modify them, and therefore has the choice to introduce CCS–II in less than three years if it desires.

57. In this regard, we think it is significant that no argument is advanced suggesting that AT&T is unable to devote more funds to implement the necessary design modifications at an earlier date. Changing the software program for the #1 ESS requires considerable expertise. Nevertheless, we urge AT&T to recognize its obligation to provide prompt and reasonable access to its local bottleneck facilities, including the #1 ESS. *Bell Telephone Company of Pennsylvania* v. *FCC*, 503 F. 2d 1250 (3rd Cir. 1974), *cert. denied*, 422 U.S. 1026 (1975). As we shall discuss later, provision of reasonable access to AT&T's local exchange facilities is expected to lead to robust development of call answering and advance calling services, including the availability of service to the casual user.

58. The second reason that we reject AT&T's argument that CCS–II-like services cannot technically be provided under current regulations for a minimum of three years is simply that many entities are already providing voice storage services. The available services and equipment have been described extensively in the record and we have summarized them above. Therefore, we believe that, if there is an immediate and pressing need for voice storage services that the AT&T subsidiary chooses not to, or cannot, meet, alternative services and equipment are available in the marketplace. We recognize that outside vendors will require network interfaces to the ESS to provide call answering (although not necessarily advance calling) service to users that do not have a switch at the customer premises such as a private branch exchange. However, in these instances, if there is a significant demand for call answering service, terminal answering devices are ubiquitously available in the marketplace. In sum, AT&T has not provided sufficient reason for us to conclude that the state-of-the-art technology forecloses the near-term or long-term availability of call answering and advance calling services if the petition is not granted.

59. With respect to the cost of redesign alluded to in AT&T's Petition, we believe the question for us to resolve devolves to one of whether AT&T has established equities in favor of granting the waiver because of its existing investment in CCS–II. AT&T contends that it has invested approximately $30 million in CCS–II development and that a similar expenditure would be required to modify the ESS and VSS to conform to a non-integrated other vendor environment. Here again we are troubled by an apparent lack of information. For example, it is not apparent why the relatively modest modifications contemplated would require an expenditure equivalent to the entire cost of development to date. Nor is it clear how much of this expenditure might ultimately prove useful to AT&T

[6] These comments have been summarized above. For further discussion, see ATAE Opposition at 18–21; CBEMA Opposition at 31–36; Delphi Opposition at 29–33; ECS Motion at 10–15.

[7] AT&T contends further that, "because the FSS economically cannot provide CCS–II-type services, AT&T submits that the actual implementation of the modifications, the precise design required, and associated time and cost, are not legitimate issues in the consideration of the waiver request." AT&T Reply, p. 32 (footnotes omitted).

or its subsidiary in development of related equipment or services. As of May 1980, the time the *Final Decision* was issued in the *Second Computer Inquiry*, AT&T was aware that enhanced services, including voice storage and automatic call answering services, must be provided through a separate subsidiary. *See id.* at paras. 98, 223. Thus, for any expenditures incurred after this date, AT&T's equitable claims are less compelling than if it had no notice of our intent regarding CCS–II. However, even for expenditures incurred before the *Final Decision* was issued, all parties to the *Second Computer Inquiry* were on notice that we might take actions which would influence their participation in enhanced services markets. The Commission cannot be expected to be held to building upon the *status quo* when seeking to impose a regulatory policy. *General Telephone Company of the Southwest* v. *United States*, 449 F. 2d 846 (5th Cir. 1971).

60. In addition, any amounts lost to AT&T or its subscribers must be balanced against the serious problems which grant of the waiver would create. Many firms have invested significant sums, in certain instances equivalent to that by AT&T in CCS–II development, in the face of the same level of regulatory uncertainty. Any consideration of equities favoring AT&T in this proceeding must be balanced against equities favoring competing vendors and, even more important, the interests of users. As noted earlier, grant of the waiver requested by AT&T would make it more difficult to police cross-subsidy and, as a consequence, the cost to monopoly ratepayers might well exceed the relatively small amounts expended by AT&T on CCS–II thus far.[8] Moreover, the lack of structural separation for AT&T would eviscerate the Commission's ability to ensure nondiscriminatory access to AT&T's bottleneck facilities which, in turn, would stifle competition and innovation.

C. Economic Showing

1. AT&T's Contentions

61. In its Petition, AT&T further asserts that its economic showings alone are sufficient to satisfy the waiver criteria. AT&T submits that the costs of providing CCS–II service would increase by 75 percent if the service were provided through a separated subsidiary. AT&T finds this cost increase to be high so as to foreclose recovery through price increases.

62. AT&T's economic analyses purport to show the relative economic viability of offerings of CCS–II services by the BOCs and the separate subsidiary. The studies were based on the provisions of CCS–II over a ten-year period in a serving area of approximately 300,000 main stations. The study for the separate subsidiary, however, was conducted "with the number of CCS–II customers reduced by one-third." AT&T Petition, p. 30. This reduction was assumed "because of the unavailability of CCS–II services to casual users, and the operational differences of FSS-provided CCS–II-like services under present technology." *Id.*, p. 33. Revenues per customer were inflated at the rate of two percent per year for both the BOC and the separate subsidiary. AT&T also reported that "[m]arket research studies and a service trial show that price increases [today] would result in reductions in the number of residence customers and total revenues." AT&T Petition, p. 34.

63. With respect to costing methodology, the "BOC analyses considered the incremental economic effects of providing CCS–II." AT&T Petition, B–2. The separate subsidiary analysis also considered the incremental effects of providing CCS–II. Ongoing ESS and VSS investments were inflated at the rate of 7 percent per year. Ongoing trunk facilities investment was inflated by the rate of 10 percent per year. Cost of capital for the BOC was 14½ percent, while it was specified to be 17 percent for the separate subsidiary. The economic life of the VSS equipment was assumed to be 10 years in both analyses. Billing and marketing expenses were inflated at the rates of 5 and 10 percent, respectively.

64. The studies' results, according to AT&T, show that "the estimated internal rate of return of 27% for the BOC provision of CCS–II exceeds the cost of capital for the BOC of 14.5% * * * by a sufficient margin to assure that ratepayers will not be burdened by a BOC provision of CCS–II." AT&T Petition, p. 32. With respect to the separate subsidiary's provision of CCS–II, "[t]he economic results show an internal rate of return of 2% and a payback period of far longer than 10 years, if ever." *Id.*, p. 33. Based on this analysis, AT&T concludes that "the FSS could not undertake to offer CCS–II-like services under these circumstances." *Id.*

65. AT&T also provided a reference analysis specifying the same number of customers as used in the economic analysis of the BOC provision of CCS–II, even though AT&T describes this procedure as "unrealistic." The result here is an "internal rate of return of 18% [which] just about breaks even with the 17% cost of capital used in the FSS analysis." *Id.*, p. 34. However, AT&T finds this return "insufficient to justify the risk of the FSS making the capital investment using existing technology." *Id.*, p. 35.

2. Comments of Opposing Parties

66. Several parties have responded to AT&T's economic analyses. The criticisms are far ranging, although the majority agree that AT&T has provided insufficient factual data to support its conclusions. IBM describes AT&T's economic analyses as "conclusory economic projections, purportedly supported by unsupplied market research studies." IBM opposition, p. 14. IBM finds that "it is impossible to assess the validity of AT&T's projections in the absence of the underlying studies." *Id.* ATAE notes that "AT&T has totally failed to provide the Commission (or any interested parties) with any 'detailed economic and technical information' to support its claims as required by the Commission in its Reconsideration Order." ATAE Opposition, p. 18. The Justice Department finds that AT&T "has presented only unsupported assertions with minimal factual detail." Justice Opposition, p. 9. Justice concludes that "AT&T has failed to meet its burden and its petition should be denied summarily." *Id.*

67. The parties also attack the assumptions used in AT&T's analyses. For example, SPCC, noting that AT&T's "results are wholly dependent on the assumptions used to generate them," points out that AT&T uses "a model that requires 37 assumptions * * * in a period of highly erratic national economic performance." SPCC Comments, pp. 25, 29. ATAE says that "[w]hile AT&T describes the myriad of assumptions upon which its assertions are based, it provides no detailed factual support for these assumptions." ATAE Opposition, p. 31.

68. One set of assumptions that has particularly disturbed the commenting parties is that the separate subsidiary is assumed to capture one-third fewer subscribers and less revenues than the BOC because the subsidiary allegedly cannot serve the casual user. ANPA claims that "AT&T fails to explain the basis for its conclusion that its CCS–II customer base will decline by 33 percent if the service is provided through a separate subsidiary as required by § 64.702." ANPA Comments, p. 5. Delphi,

[8] Although $30 million is a substantial amount in absolute dollar terms, it is less impressive as an equitable consideration when compared to the billions of dollars which enhanced services are expected to generate over the next decades.

while noting that "a competitive offering, such as DELTA, can serve casual users even under existing technology," says that "AT&T assumes that the average revenue per customer per year is the same in all three analyses. However, in the separated offering, casual customers are assumed to have dropped out and therefore revenues per customer should be higher." Delphi Opposition, p. 43. Xerox asserts that "[e]ven assuming the loss of some 'casual' users, the effect on the volume of business and revenues would not be proportionate to the percentge of casual users as compared to regular customers. The unjustified projection of a one-third reduction in revenues, while keeping costs constant, calls into question the validity of the economic analyses underlying the Petition." Xerox Comment, p. 7.

69. ECS points out that "anyone can make a number of different assumptions of market penetration, numbers of customers, frequency of calling, etc., to come up with virtually any set of annual revenue requirements and estimated revenues." ECS Motion, p. 18. In this regard, CBEMA notes that "the analysis assumes revenues per CCS–II customer of $124 per year (for monthly customers only). Yet the Bell-Pa. tariff imposes a minimum monthly rate of $12.00, per month, e.g. $144.00 per year." CBEMA Opposition, p. 37. SPCC submits that AT&T "should have documented the expected reduction in quantity of service demanded as the price of service increases. Using that data, AT&T should then have composed its estimated average revenues per customer for service through the network and through a subsidiary with its data on customers' willingness to pay. In this way it could have determined the approximate number of customers who would, in fact, choose to forego service rather than pay the alleged higher price AT&T required for service provided through its separate entity *vis-a-vis* the BOCs." SPCC Comments, p. 26.

70. Many parties also criticized the assumptions and estimates in AT&T's economic showing relating to the analysis of costs for CCS–II. Ford claims that "AT&T does not present or explain the critical method by which the investment was 'derived'," nor does it "present or identify the costs it allegedly examined in making its calculation." Ford Opposition, p. 27. Ford also finds that "AT&T provides no explanation of how it computed a major portion of FSS expenses." *Id.*, p. 18. SPCC takes the same approach to AT&T's economic analysis, saying "[i]t totally lacks any description of cost methodology." SPCC Comments, p. 29.

71. Several parties directly opposed AT&T's costing methodology. Xerox submits that, "[i]f waivers are to be granted on the basis of economic infeasibility, more should be required than mere current cost savings for dominant carriers using incremental cost allocations." Xerox Comments, p. 20. CBEMA asserts that "AT&T's economic analysis suffers a threshold if not fatal defect—as already noted, it is apparently based on an incremental analysis of expenses for the integrated CCS–II service, but assumes that the structurally separated subsidiary will be starting 'from scratch' in making the offering." CBEMA Opposition, p. 36.

72. The opposing parties also attacked AT&T's costing methodology on more specific grounds. The Justice Department believes that the "Commission should reject as frivolous any attempt by AT&T to cite * * * intra-corporate charges it has imposed on itself as evidence of the cost of having to offer CCS–II in a competitive mode." Justice Opposition, p. 13. IBM similarly finds several detailed faults with the methodology AT&T relied upon to perform its economic analysis. First, "AT&T has charged much higher maintenance and administrative costs to the FSS version of CCS–II than it would if the above centralized systems were in place." IBM Opposition, p. 15. Second, the significant difference in cost of capital is attributable to "AT&T's arbitrary choice of giving the BOC version the full advantage of AT&T's embedded monopoly cost of capital while burdening the FSS version with the cost of what is normally the most expensive type of financing—all-equity financing." *Id.* Third, "AT&T uses significantly different tax lives for the VSS equipment in the BOC and FSS version." *Id.* at 16.

73. Xerox criticizes the analysis "for maintaining the cost of service at a constant level while reducing the customer base." Xerox Comments, p. 7. SPCC, noting that AT&T relies extensively on [Net Present Value] investment criteria for most of its engineering economy studies," says "[t]here is a missing element of the economic analysis, the total absence of NPV results." SPCC Comments, p. 31.

3. AT&T's Response

74. AT&T has sought to rebut the major criticisms levied against its economic showing by other parties. Most significantly, to the criticisms that the economic analysis fails to provide any real economic support data, AT&T responds that its "Petition is not a tariff filing" and that full "disclosure [of economic information] at the level of granularity customary in tariff filings would deprive AT&T of its proprietary rights without increasing the Commission's ability to resolve the very different issues in this proceeding." AT&T Reply, pp. 34–35. AT&T further urges that, since CCS–II "is likely to be an untariffed enhanced service, and surely not one subject to the Commission's tariff regulation," the Commission "would be inconsistent, and would place the petitioner at an unfair competitive disadvantage, if it required that a Petition for Waiver parallel a tariff filing." *Id.*, p. 35. Similarly, in response to criticisms alleging that AT&T employed an improper incremental cost analysis, AT&T states that "[i]t should not be required * * * to make and defend its decisions concerning enhanced services on the basis of standards intended for the economic regulation of tariffed services." *Id.*, p. 36.

75. In response to the other criticisms of its economic analysis, AT&T runs its model through a few other iterations and provides the bottom line calculations for each of these iterations.[9] In all cases, its conclusion remains unchanged. CCS–II services can be provided profitably by AT&T only if its petition is granted.

4. Discussion

76. In judging AT&T's economic analysis we must determine whether denial of the Petition will impose uneasonable costs upon consumers in the form of significantly higher prices for the services or, in the extreme, economically foreclose the provision of the service to the public. We have specifically stated that, "[a]s part of a waiver request, a petitioner will be expected to provide detailed economic * * * information to support its assertions." 84 FCC 2d 50, 57 (1980). Moreover, as discussed above, because of the significance of this requested waiver, it is particularly important that we be fully apprised of the relevant facts in this instance. These facts must provide "good cause" for granting the waiver. 47 CFR 1.3.

[9] Specifically, AT&T has adjusted its analysis by assuming that the separate subsidiary would achieve 24 percent less revenue for CCS–II than a Bell System Operating Company providing an integrated service. Previously this figure was assumed to be 33 percent. The result is that the internal rate of return for the separate subsidiary increases from 2 percent to 12 percent with the adjustment. Additionally, as discussed below, AT&T provides the result of a net present value test of the economic projections relied upon in its Petition.

77. AT&T has failed to meet this test in several respects. First, AT&T has provided us with little factual information and no economic support data. The economic showing is based upon marketing studies and economic projections that have not been placed in the record or made available to us by other methods. We do not even know such a basic statistic as the total revenue that AT&T expects from the service. Our understanding of the basic premises of the analysis—such as AT&T's inability to market CCS–II to larger users—is virtually nil.[10] Under these circumstances it is impossible to determine the validity of AT&T's assumptions and projections.

78. AT&T's reason for not submitting the necessary factual information is that the "Petition is not a tariff filing" and that the "disclosure of such data * * * would deprive AT&T of its proprietary rights." AT&T Reply, pp. 34, 35. This logic escapes us. We have rendered a long history of decisions which, although not relating to tariff filings, nevertheless have required substantial information from the moving party in order to receive a "hard look".[11] AT&T's Petition totally fails to substantiate its allegations and, therefore, renders it difficult, if not impossible, to give the Petition a hard look.

79. AT&T also has not explained why the data is confidential or what its competitors will do with the data. In fact, a careful reading of its pleadings suggests that AT&T believes that no one else can provide the service. In any event, the concern that the data is confidential cannot justify withholding information from this Commission. All relevant cost support data must be filed to receive a waiver of § 64.702 of the Commission's Rules. Of course a protective order can be issued if the Commission deems it appropriate.

80. Second, a gleaning of the limited data AT&T has made available suggests that AT&T's conclusion from its analysis concerning the feasibility of a CCS–II offering by the separate subsidiary, despite claims to the contrary, is not very robust. For example, in its Reply Comments, AT&T applies a "net present value" test to its working assumptions and estimates for the separate subsidiary and, while relaxing only one of those parameters, finds the result to be positive. *See* AT&T Reply at 44. Our understanding of the net present value test is that if the resulting figure is positive, the project can be accepted as a viable one.[12]

81. The one assumption that AT&T relaxes concerns the amount of revenue the separate subsidiary can garner from CCS–II customers compared to a BOC. By assuming no loss in revenue for the separate subsidiary, the subsidiary's offering, as explained above, appears viable. AT&T, however, classifies this assumption as unrealistic because the subsidiary will not be able to serve the casual user. We disagree. There are numerous methods that the separate subsidiary can employ to serve the casual user. For example, AT&T, through its telephone operating companies, could offer billing services on a nondiscriminatory basis to all voice storage vendors, including the separate subsidiary. The subsidiary also may arrange to have bills charged directly to one of the ubiquitous charge plans, thereby avoiding the alleged problems of theft of service or the requirement of prior subscription.

82. Moreover, and perhaps most importantly, even if AT&T is correct in asserting that the occasional user can be served only on "a usage sensitive basis without prior subscription" (AT&T Reply, p. 15), it does not follow that such a requirement would seriously discourage usage. The traditional practice in the telecommunications industry in cases where a customer does not have an established line of credit is to require a deposit. Given the small assessments a casual user would be charged for CCS–II, the deposit required to establish an account would not be large enough to discourage many users from subscribing to the service.

83. We also believe it is incumbent upon AT&T to inform us and other interested parties of the sensitivity of its results to other changes in its assumptions and underlying projections. The following examples may be illustrative of the areas that seem ripe for sensitivity analysis. First, AT&T could have calculated the economic analysis over a fifteen year period, instead of a ten year period as it has done. We note that AT&T requests a waiver for fifteen years from the date of installation of its Voice Storage Systems. Second, AT&T could have varied its assumption concerning revenues per customer. AT&T assumes this figure to increase by only 2 percent per year, while at the same time it uses estimates for expenses and costs that increase from 5 to 10 percent per year. In essence, AT&T argues that consumers only will be willing to pay less for CCS–II in real dollars over time. AT&T's assumption for revenues in this regard seems to fly in the face of the available information.[13]

84. It should be obvious that we could proceed to speculate about other of AT&T's assumptions. However, we must agree with ECS in that "anyone can make a number of different assumptions of market penetration, numbers of customers, frequency of calling, etc., to come up with virtually any set of annual revenue requirements and estimated revenues." ECS Motion, p. 18. AT&T must show, or enable us to determine, how sensitive its results are to changes in the underlying assumptions. Based upon the information we have now, the economic showing does not support the conclusion that AT&T's separate subsidiary cannot economically provide CCS–II.

85. In any event, the fact that AT&T might not be willing to provide CCS–II services if its petition is not granted does not necessarily foreclose the availability of similar services to consumers. Provided the necessary interconnection facilities are available from the local telephone companies, the record clearly demonstrates that other entities are willing to risk their capital to provide voice storage services similar to CCS–II services. We would point out that provision of the necessary facilities in this regard will benefit AT&T as well because it will lead to more efficient and

[10] AT&T says that although large business users were canvassed in its market study, it "believes that CCS–II does not offer the same advantages to large business users that it does to residential and small business users." AT&T Reply, p. 16, n. * * *. Based upon this belief, AT&T has determined that it "has no present plans to market CCS–II to large business customers." *Id.* We have two fundamental problems in understanding this reasoning. First, AT&T has not supplied any marketing studies to enable us to ascertain the purchasing behavior of large business users. Second, AT&T provides no indication of the sensitivity of its results to changes in its presumption concerning large business users. What will happen to its economic projections, for example, if large business users subscribe to CCS–II for nighttime service?

[11] *See, e.g., WAIT Radio* v. *FCC*, 418 F.2d 1153, 1157 (1969), where the Court said that allegations "stated with clarity and accompained by supporting data, are not subject to perfunctory treatment, but must be given a 'hard look'," quoting *Pikes Peak Broadcasting Co.* v. *FCC* 422 F.2d 671, *cert. denied* 315 U.S. 979 (1969). *See also WTCN Television, Inc.*, 1 FCC 2d 337 (1965), and *compare Carolina Broadcasting Co.*, 18 FCC 2d 482, 484 (1969), where we said "the burden [of the petitioner], of course, becomes more difficult as the deviation from the standard specified in the rules increases."

[12] *See, e.g.*, J.F. Weston and E.F. Brigham, *Managerial Finance* at 146 (4th Ed. 1972); *see also AT&T, Engineering Economy* at 291 (3rd Ed. 1977). By employing an internal rate of return test with these same assumptions, AT&T estimates that the separate subsidiary will earn 18 percent on its investment. Since the assumed cost of capital of 17 percent for the separate subsidiary includes a risk factor, AT&T is technically incorrect in saying the 18 percent return "is insufficient to justify the risk of the FSS making the capital investment using existing technology." AT&T Petition, p. 35.

[13] *See, e.g.*, International Resources Development, Inc., *Store and Forward Switching* (1980).

extensive use of AT&T's core network.[14] While AT&T attempts to disparage the willingness of others to provide voice storage services, this appears to represent a classic example of where a modicum of experience is worth more than a multitude of analyses.[15] We believe that competition in the marketplace is the only definitive way to resolve this dispute between the parties, based on the evidence available in this proceeding. AT&T has failed to convince us that others will not be able to provide the service ubiquitously.

86. Finally, we believe that AT&T's finding of a 75 percent increase in cost attributable to providing CCS–II services through its separate subsidiary cannot withstand close scrutiny. This reported difference is primarily due to incremental analysis employed for the BOC provision of CCS–II services.[16] However, whenever any enhanced service shares joint and common costs with the regulated services provided by AT&T, fully distributed costing methodologies must be employed. *American Telephone and Telegraph Co.* (Docket No. 18128), 61 FCC 2d 587 (1976), *as modified on rehearing sub nom. Aeronautical Radio, Inc.* v. *FCC*, 642 F.2d 1221 (D.C. Cir. 1980), *cert. denied*, 49 LW 3780, 3787 (1980). With application of this costing methodology, we expect that the reported cost differential between the BOC provision and the separate subsidiary's provision of CCS–II services would diminish markedly.

87. For these reasons, we find that AT&T has failed to meet its burden of showing that denial of its Petition will impose unreasonable economic costs upon consumers. Indeed, a careful reading of its showing suggests that the separate subsidiary may, very well, be able to provide CCS–II economically.

D. Costs of Granting the Waiver

88. In the *Reconsideration Order*, we said:

> Petitioners carry the burden of demonstrating that concerns about any cross-subsidization or other anticompetitive effects which may arise from grant of a waiver are outweighed by the possibility of imposition of unreasonable costs upon consumers, or unavailability of an enhanced service, if the waiver is not granted.

84 FCC 2d 50, 58 (1981).

89. In its petition, AT&T does not address the costs involved with the increased risks of cross-subsidization or other anticompetitive effects, except to mention that "an allocation procedure * * * will be implemented by the BOCs in order to attribute the investments and expenses associated with CCS–II. In addition, the BOCs will separately identify the revenues associated with CCS–II." AT&T Petition, p. 35.

90. Parties opposing AT&T's petition claim that granting the petition would impose substantial costs on consumers. The Justice Department notes that, if AT&T is permitted to carry out the plan described in the petition, "[n]o other company will be able to interface with the ESS central office for the purpose of providing custom calling services." Justice Opposition, p. 5. Justice also finds that "the waiver sought by AT&T is yet another attempt to use its monopoly power over local exchange services, and the associated essential facilities, to obtain a position of market power in competitive services." *Id.* Finally, Justice submits that "[s]ince, under the AT&T proposal, the CCS–II equipment will be intertwined with the local central office equipment, and will employ facilities also used for local exchange service, the local ratepayers may be paying for much of the CCS–II enhancement." *Id.*, p. 6.

91. ATAE purports to show that "the granting of a waiver will effectively prohibit the provision of competitive service offering to the general public by others for both technical and economic reasons." ATAE Opposition, p. 23. Ford states that "grant of the waiver would sacrifice a unique opportunity to establish innovative and competitive information storage and retrieval services." Ford Opposition, p. 7.

92. The parties provide numerous specific examples of why structural safeguards are necessary for AT&T's provision of CCS–II and, conversely, why elimination of these safeguards would be costly. For example, Delphi, noting that "AT&T's reliance on BOC credit and billing services * * * provides an indirect, non-monetary subsidy of CCS–II," emphasizes that "AT&T gives no assurance that its use of BOC customer billing systems will be acquired on a fully compensatory basis." Delphi Opposition, p. 25.

93. Dusty's submits that, "[i]f the BOC were enabled by a grant of the Petition to provide competing TAS [telephone answering service], it would be impossible to protect the integrity of the TAB [telephone answering bureau] customer list." Dusty's Opposition, p. 3. Exxon finds that, "in order to arrange for specialized transmission service, Exxon necessarily would have to disclose to its competitor, AT&T, considerable information concerning the technical parameters of a proposed enhanced services offering. Such circumstances represent an untenable competitive situation for Exxon, which could be avoided if the structural separation were retained as originally conceived." Exxon Opposition, p. 15.

94. SPCC submits "there is nothing in AT&T's Comments which demonstrates that AT&T is capable of accurately allocating costs between regulated and unregulated services." SPCC Comments, p. 38. Indeed, after providing numerous detailed examples, SPCC concludes that "[t]he integration of regulated and unregulated services will be an accounting nightmare." *Id.*, p. 39. Delphi agrees, noting that the Commission already has found that accounting alone cannot prevent the misallocation of joint and common costs associated with the provision of basic and enhanced services if the same entity provides both.

95. Exxon, pointing to the Commission's concerns in the *Second Computer Inquiry* regarding joint use of physical space, states tht AT&T "proposes no offsetting safeguard against the potential abuses from the joint use of physical space." Exxon Opposition, p. 7. Delphi concurs with this assessment, stating that "the co-location of enhanced and basic service elements within the same central offices" is "inherently discriminatory against other enhanced service vendors." Delphi Opposition, p. 39.

96. Exxon, among others, emphasizes that "[o]f particular concern is the potential for a carrier to establish means for discriminating against other enhanced service vendors 'through such mechanisms as the manner in which a subsidiary is able to interconnect or through its charges for the facilities necessary to interconnect enhanced services with the underlying network where the need for such facilities by its own subsidiary might be eliminated'." Exxon Opposition, p. 7, quoting the Commission at 77 FCC 2d at 477–78. Exxon continues by stating that the "Commission acknowledged that the organizational costs of establishing a separate subsidiary and the dedication of separate resources to the dominant carrier's enhanced activities were far outweighed by the anticipated benefits." Exxon Opposition, p. 5. Exxon notes that "it is these institutional factors and cost

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[14] *See, e.g.*, "Voice mail arrives in the office," Business Week, June 9, 1980. *See also Final Decision* at para. 209.

[15] *Cf. American Telephone and Telegraph* v. *FCC*, 572 F.2d 17, 23 (2nd Cir. 1978), where the Court held that a dispute concerning economic impact "is the kind of issue where a month of experience will be worth a year of hearing" (quoting *American Airlines Inc.* v. *CAB*, 350 F.2d 624, 633 (en banc 1966), *cert. denied*, 385 U.S. 845 (1966)).

[16] For a discussion of AT&T's costing methodology, *see* AT&T Petition at 31; B–2; AT&T Reply at 36.

elements which AT&T now labels 'unreasonable' in the instant request." *Id.* IBM notes that the "Petition does not demonstrate that the cost of providing CCS–II through the FSS would be substantially more burdensome than the cost of providing any other enhanced service through the FSS during the same time period." IBM Opposition, p. 15. The Department of Justice, citing *WTCN Television, Inc.*, 1 FCC 2d 337, 339 (1965), contends that "a cost-benefit analysis is an integral part of AT&T's burden since in seeking a waiver of the Commission's rules, a party must analyze the feasibility of other, less anticompetitive alternatives." Justice Opposition, p. 10. Justice finds that "AT&T has made no attempt to demonstrate whether, if at all, CCS–II services, if offered by the Bell Operating Companies, would have tangible benefits that outweigh the costs of the potential for cross-subsidization and other unacceptable effects upon ratepayers." *Id.*

97. Other parties sound this same warning. Delphi, for instance, submits that "AT&T has failed altogether to address the adverse effects of the proposed waiver." Delphi Opposition, p. 14. CBEMA concludes that AT&T's "failure to discuss, much less refute, the potential concerns for cross-subsidization, the lack of a tariff for the basic service elements of CCS–II, and/or other anticompetitive effects of the requested waiver (a burden on the petitioner clearly imposed by the Commission in the Reconsideration) is, *prima facie*, grounds for dismissal of the Petition." CBEMA Opposition, p. 21.

98. In reply to these arguments, AT&T simply states that its economic analysis establishes that granting the waiver will not result in cross-subsidization and that no other risk of anticompetitive behavior exists because network interfaces are available to other vendors. For example, AT&T asserts that the "use of BOC resources in the BOC provision of CCS–II services, on a compensatory basis, as proposed herein, is in no way anticompetitive." AT&T Reply, p. 28. Additionally AT&T states that "[t]his reply shows that any claimed anticompetitive effects raised by the Comments are without merit, and that there is no basis for any concern regarding such claims." *Id.*, p. 54. In essence, AT&T implicitly argues that no benefits will be foregone if its Petition is granted.

99. We cannot accept AT&T's position in this regard. The two major concerns which led this Commission to impose a separate subsidiary requirement upon AT&T were its ability to cross-subsidize enhanced services and its ability to discriminate in the provision of interconnection facilities to enhanced service providers. *Final Decision*, 77 FCC 2d at 463–64. The record here does little to dissipate those concerns.

100. For example, with respect to the question of discriminatory access, we note that AT&T has designed its network precisely in a manner that precludes outside vendors from having comparable interconnection facilities.[17] Because of the incentive that AT&T has to preclude competitors, the Commission has been careful to note that the importance of the control of local facilities cannot be overstated. *Id.* at 468. Granting the petition before us, however, would automatically give AT&T an advantage in the voice storage segment of the enhanced service market. It would also provide AT&T with the ability to provide discriminatory access. The result undeniably will be a reduction in competition in this market. Granting the petition also can reasonably be expected to chill the desire of other business entities to enter the enhanced service market generally.[18]

101. With respect to cross-subsidization, the problem of appropriate accounting methodology for a non-separated CCS–II service offering is readily apparent. AT&T's thirteen-page description of CCS–II costs and revenues in Appendix B of its reply comments is replete with examples of expenses and investment for CCS–II that are held in common with the provision of regulated services. The lack of precision by which joint and common costs are allocated is well known. The Commission has previously concluded with respect to AT&T that accounting alone "cannot prevent the misallocation of joint and common costs associated with the provision of basic and enhanced services." 77 FCC 2d at 464. We believe that granting the petition will impose substantial costs upon consumers in the form of increased risks of cross-subsidization and discriminatory access to AT&T's local bottleneck facilities.

E. Other Matters

102. Several parties have filed Motions for hearing, discovery and the provision of network interfaces by AT&T to competitive vendors of call-answering and call-forwarding services. ECS requests the opportunity to take oral depositions and obtain production of documents pertinent to the issues raised in AT&T's Petition, and moves that the Commission conduct an evidentiary hearing. ECS Motion, p. 26. ATAE submits a detailed list of requests to which it believes AT&T should initially be required to respond before relief is considered. ATAE Opposition, p. 33–37. ATAE maintains that, "should the Commission elect to go forward on the petition as filed, the Commission should then use its powers to direct and allow a full and complete examination of the factual questions raised through its discovery and hearing process." *Id.*, p. 11. ECS and SPCC request that competitive vendors receive equivalent access to the ESS equipment as provided to the BOCs in the current CCS–II design. ECS Motion, p. 26; SPCC Comments, p. 41. Finally the Department of Justice submits that, should the Commission choose not to deny AT&T's petition summarily, "it should hold an evidentiary hearing to determine whether, in fact, the public interest will be served by granting the waiver." Justice Opposition at 3. Because of the disposition of this proceeding, we are dismissing the ATAE and ECS requests as moot. The ECS and SPCC requests that we order equivalent access to the Bell ESS will not be addressed because they are not properly raised in this proceeding.

IV. Conclusion

103. For reasons we have elaborated upon fully above, we are denying AT&T's petition for waiver. AT&T has not provided sufficient justification for us to conclude that the state-of-the-art technology forecloses the availability of services similar to CCS–II if the Petition is not granted. AT&T also has failed to provide the factual information needed to determine whether the economic analysis relied upon in its petition is sound. Based upon the information it does provide in its pleadings, however, its economic analysis does not appear to support the conclusions reached. Additionally, the record developed in this proceeding offers no reasonable basis to believe that call answering and advance calling services cannot be offered economically under the current regulatory scheme, if the local telephone companies provide the requisite interconnection facilities. Finally, and perhaps most importantly, we find that granting AT&T's petition would be likely to create potentially substantial costs to consumers. Not only would the ability of AT&T to cross-subsidize its enhanced services without detection increase

[17] Some parties have argued that this was intentionally done as a matter of marketing strategy. *See, e.g.*, the Reply Comments of ECS Telecommunications, Inc., especially the affidavit of Robert J. Nacon. We reach no judgment in that regard.

[18] *See, e.g.*, the Opposition of Exxon at p. 14. *Cf. Final Decision*, 77 FCC 2d at 463–464.

significantly, but the competitive evolution of the enhanced voice storage market would also be jeopardized because of the difficulty of compelling AT&T to provide nondiscriminatory access to its local bottleneck facilities. These costs could be expected to compound themselves throughout the life of the waiver request. Final Decision, 77 FCC 2d at 463–64. Given these findings, the result of the calculus we must weigh is clear. We deny AT&T's petition for waiver.

V. Ordering Clauses

104. Accordingly, it is ordered, pursuant to Sections 4(i) and 4(j) of the Communications Act of 1934, As Amended, and § 1.3 of the Commission's Rules, 47 CFR 1.3, that the AT&T Petition for Waiver of § 64.702 of the Commission's Rules, 47 CFR 64.702, to provide Custom Calling Services II is denied.

105. It is further ordered that the ATAE requests for information and conducting of a hearing into this matter is dismissed as moot.

106. It is further ordered that the motion to take oral depositions, obtain production of documents, and that the Commission conduct an evidentiary hearing, filed by ECS, is dismissed as moot.

107. It is further ordered that the Motion for Acceptance of Late-Filed Comments submitted by the American Newspaper Publishers Association is granted.

108. It is futher ordered that AT&T's Motion to deny and strike the late filed pleadings of Dusty's Answering Service and Delphi Communications Corp. is denied.

109. It is further ordered that the Secretary shall cause a copy of the decision to be published in the **Federal Register.**

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix A

Commenting Parties

American Newspaper Publishers Association (ANPA)
Amtel Communications, Inc. (Amtel)
Associated Telephone Answering Exchanges, Inc. (ATAE)
Computer and Business Equipment Manufacturers Association (CBEMA)
Delphi Communications Corp. (Delphi)
Dusty's Answering Service (Dusty's)
ECS Telecommunications, Inc. (ECS)
Exxon Enterprise (Exxon)
Ford Industries, Inc. (Ford)
International Business Machines Corporation (IBM)
National Association of Regulatory Utility Commissioners (NARUC)
Satellite Business Systems (SBS)
Southern Pacific Communications Company (SPCC)
United States Department of Justice (Justice)
Xerox Corporation (Xerox)

Reply Comments

American Telephone and Telegraph Company (AT&T)
Associated Telephone Answering Exchanges, Inc. (ATAE)
Attorney General of the State of New York (New York)
Computer and Business Equipment Manufacturers Association (CBEMA)
Dusty's Answering Service (Dusty's)
Southern Pacific Communications Company (SPCC)

Late Filings

Delphi Communications Corp. (Delphi)
Dusty's Answering Service (Dusty's)

[FR Doc. 81-35531 Filed 12-11-81; 8:45 am]
BILLING CODE 6712-01-M

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47 CFR Part 73

[BC Docket No. 81-741; RM-3727; RM-3876; FCC 81-493]

Proposed Authorization of Transmission Teletext by TV Stations

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: Action taken herein addresses the possible authorization of teletext transmissions by broadcast television stations. Two petitions for rulemaking regarding teletext, one from CBS, Inc. (RM-3727) and the other from the United Kingdom Industry Group (RM-3876), are included, in part, in this proceeding. The Federal Communications Commission believes that teletext, a new form of broadcast operation, offers substantial opportunities for extending and diversifying the service of television stations and for improving the efficiency of spectrum utilization. The proposed rules would authorize teletext transmissions in the vertical blanking interval and allow licensees to use their own discretion with respect to the kind of service to offer and the technical system they use for transmissions.

DATES: Comments must be submitted by January 11, 1982 and reply comments by February 10, 1982.

FOR FURTHER INFORMATION CONTACT: Alan Stillwell, Broadcast Bureau, (202) 632-6302.

SUPPLEMENTARY INFORMATION:

Adopted: October 22, 1981.

Released: November 27, 1981.

1. The Commission is today initiating a proceeding to study the possible authorization of teletext service by television stations. This new form of broadcast operation, which would be transmitted in the vertical interval of the video signal, appears to offer substantial opportunities for diversifying television service into new areas and for improving the efficiency of spectrum usage. Teletext development has been pursued extensively in several foreign countries in recent years and there is now apparent interest in introducing this service in the United States. In keeping with the Commission's responsibility to regulate use of the radio frequencies in accordance with the public interest, we believe it is important to provide a regulatory environment that is conducive to the emergence and implementation of new technology and new uses of the spectrum.[1] Our goal in this proceeding is, therefore, to create such an environment for teletext.

2. The Commission also received petitions from CBS, Inc. (RM-3727) and the United Kingdom Teletext Industry Group (RM-3876) asking for the issuance of rules that would authorize teletext service. These petitions make separate requests that the Commission adopt a single system for technical operation. Since both petitions are closely related to the issue raised herein, we are incorporating parts of them into this proceeding. However, as discussed below, the Commission does not believe that it is necessary or desirable to specify a single system for technical operation. Therefore, those portions of the petitions that request adoption of standards for a single system are being denied.

3. The term teletext is generally used to describe broadcast systems that superimpose alphanumeric and/or graphic information on a television signal in addition to regular programming. Teletext signals are transmitted in the vertical blanking interval and do not interfere with the reception of regular programming.[2] They can only be viewed on receivers that are equipped with special decoder circuitry. Since authorization of such data signals has not been considered in the past, they are not permitted under the Commission's current standards for

[1] See sections 307 (a) and (b) of the Communications Act of 1934, as amended.

[2] It is also technically feasible to transmit teletext on all 525 lines of the television signal. However, such "full field" teletext transmission would, by definition, replace a station's regular service. The Commission is not raising the issue of whether teletext might be allowed to supplant normal television service. We are limiting this proceeding to consideration of authorization of teletext in the vertical blanking interval only.

television transmissions.[3] This proceeding will study the possible amendment of these rules to permit teletext service.

4. Teletext has the potential to serve a wide variety of applications. Some of those identified thus far, such as closed captioning for the deaf, are related to a station's regular programming activities, while others are wholly independent services. Examples of non-program related information that can be provided through teletext include weather reports, news, comparative shopping prices, and community bulletins. Such information can be transmitted as either an "advertiser supported" service or a subscription service. In addition, commercial data and messages can be disseminated over teletext. These examples are but a few of those that have been identified thus far. However, no one knows which, if any, of these services will ultimately find favor in the market.

5. A related service, known as "videotex," is emerging concurrently with teletext for use on common carrier and cable communications systems. Videotex can provide interactive (two way) capability and is thus able to offer more extended capabilities than teletext. It is not yet clear what effect, if any, videotex will have on teletext development.

6. Three major teletext systems have been competing for acceptance in the United States: 1) The British teletext system; 2) the French "Antiope" system; and 3) the Canadian "Telidon" system. Operational tests of each of these systems have been conducted on a number of television stations over the last two years. Results of these tests demonstrate that teletext is compatible with the technical environment of television in this country.[4] Several stations are also now engaged in trials to study non-technical aspects of teletext such as operation of an information service and user interests.[5]

7. More recently, the parties involved in the technical development process have been engaged in various efforts to develop a consensus for a common system or for a framework that would allow operation of multiple design concepts. The proposal for a "North American Broadcast Teletext Standard," as produced jointly by the developers of the Canadian Telidon system, CBS Inc., the American Telephone and Telegraph Company (AT&T), and the developers of the French Antiope system, represents one such effort.[6] This hybrid system incorporates features from the French and Canadian approaches and also includes some enhancements not found in either of these other systems. Its rules and formats (protocol) for presentation and display functions correspond to the "Presentation Level Protocol" developed by AT&T for use in videotex applications.[7] The AT&T presentation protocol is not, in itself, a fully complete teletext specification but instead is one part of a seven level specifications structure.[8] The intent of this design concept is to promote an environment in which a user can access all teletext and videotex data bases regardless of the type of equipment that is used. In a similar move the Conference of European Postal and Telegraph Authorities (CEPT) has tentatively announced a new videotex standard that incorporates features of the British, French, and German systems into a single European standard.[9]

8. Recognizing the potential of teletext services, the Broadcast Television Systems Committee of the Electronics Industry Association has established a subcommittee to study possible standards for the U.S. Studies are also being conducted by the CCIR and the CCITT looking towards international standards.

9. It is apparent from the comments received in response to the CBS and United Kingdom petitions and from other activity on the part of the broadcast and related industries that there is substantial interest in developing teletext service and that such service would constitute a fuller and more effective use of the television frequencies. On this basis, the Commission considers teletext to be consistent with the public interest and thus believes it appropriate to undertake action that proposes authorizing teletext service and allowing its development. However, the Commission also recognizes that authorization of teletext transmissions by reserving lines of the vertical interval for it might preclude some other use of the vertical blanking interval that may arise in the future. We therefore carefully note the distinction between a policy that reserves spectrum for the exclusive use of a service and one that authorizes service but could allow other uses in the same spectrum area, albeit at a different time or geographic location.

10. In matters concerning authorization of a new service, the Commission generally has two decisions to make: (1) Whether to permit the new use and; if so, (2) the environment for its technical operation. These decisions can be highly interrelated, depending on how many different uses are possible under the service and how many technical designs can be devised to serve these uses. The level of complexity associated with this interrelationship tends to increase as the number of uses and designs increases. Teletext is a multi-purpose concept that embodies several known applications and probably others that have not yet emerged. Some of these uses may be able to use a common design while others may require different technical capabilities that are not necessarily complementary.

11. In developing a policy for teletext, the Commission intends to be guided by the principle that the best approach to regulation is one that achieves its objectives with the least government intervention in the affairs of both business firms and consumers. The Commission holds the opinion that intervention in the decisions of free enterprises and consumers is justifiable only where markets fail to satisfy public policy objectives and the benefits of correcting the failure through government action outweigh attendant costs or where a recognized public interest objective could be better achieved by direct action.

12. In the case of teletext, the available evidence appears to indicate that the forces of competition and the open market are well suited to obtaining the kinds and amounts of service that are most desirable in terms of the public interest. There are clearly many divergent applications and uses for this new form of broadcasting. The need for and importance of the different uses for teletext are likely to vary by market and even within markets by stations and by

[3] See § 73.682 of the Commission's rules.

[4] The first teletext tests were conducted by KSL-TV in Salt Lake City and CBS, Inc. over stations in Los Angeles and St. Louis. The KSL experiment used a modified version of the British CEEFAX system. The CBS tests were more extensive and involved both the CEEFAX and Antiope systems.

[5] Stations KNXT and KCET in Los Angeles, WFLD in Chicago, and WETA in Washington, are currently engaged in teletext market trials.

[6] This system was proposed by CBS in a modification of their petition. The CBS proposal was supported by the French and Canadian system developers in their response to the British petition.

[7] AT&T, "Videotex Standard: Presentation Level Protocol," May 1981.

[8] This design concept follows the International Standard Organization's standards for an open systems interface that are designed to allow the different aspects of a system to be sensitive to one another while maintaining functional independence. The seven level structure helps produce an environment in which information can be exchanged without regard to terminals or the transmission medium that is used. These standards are described in ISO/TC 97/SC16 "Reference Model For Open Systems Interconnection "Doc N227", June 1979 and ISO/TC 74/SC98 Dec. 1981 (Rev).

[9] The alpha-mosaic portion of the CEPT standard is not compatible with the corresponding portion of the proposed North American Standard.

user groups. Moreover the pattern of demand for services is likely to shift over time with changes in the needs and interests of users and in response to developments in other areas of communications technology. Finally, new technological developments may well be in the offing in the future.

13. With these factors and principles in mind, the Commission is proposing to adopt rules that would establish an open environment policy for teletext. Our proposal would allow licenses to exercise their own discretion in activities and operations relating to teletext and thus provide the freedom of choice necessary to establish service based on their present needs and to respond to changes in demand and technical options. We are thus proposing to place responsibility for the determination of service and technical issues in the private sector and eliminate the expenses, delays, and value judgements associated with government regulation.

14. One of the major benefits of the open environment approach is that it would provide a mechanism for resolving the trade-offs among the various systems' characteristics and prices that pose such difficult problems for regulatory decision makers. These matters would be dealt with through the forces of the marketplace. Another feature of the market approach is that it would permit the processes of change and development associated with both user preferences and technology to evolve unencumbered by the costs and delays associated with changing government regulations and avoids the possibility that government action might arbitrarily obsolete existing equipment. This kind of flexibility seems particularly important in the present context where teletext development seems far from mature.

15. The Commission's major performance concern under an open environment policy is that teletext signals not interfere with other radio services. This concern extends to the regular program service of the originating station as well as the services of other broadcast and non-broadcast stations. There is substantial evidence from the experiments of CBS, KSL-TV, and others that teletext can be broadcast without producing interference to other stations or causing degradation of the normal service of the originating station. The use of transmission systems other than those that have already been tested would be also permitted as long as they meet the non-interference standards proposed herein.

The Proposed Rules

16. The open environment plan provides service authorization subject only to certain minimum standards designed to prevent interference. Licensees would otherwise be free to make their own decisions as to whether to offer teletext service and to the technical system they use for it. The proposed authorization would allow both consumer subscription and business services as well as advertiser supported services that may or may not be related to regular programming.

17. To be consisitent with the theme of maximum freedom for licensees, teletext would be treated as an anciallary service. Stations would not be required to observe service guidelines or other performance standards. The only restriction on activities using the vertical interval would be that they adhere to the definitional limitations for teletext described below.

18. The rules we are proposing include standards for some interference-related technical parameters and a definition of the type of transmissions to be considered teletext. The purpose of these proposed rules is to set forth the nature of the teletext authorization, to define the segment of the vertical interval in which teletext transmissions are permitted, and to assure that such transmissions will not cause unacceptable degradation or interference to the aural or visual transmissions of the originating station or to other broadcast or non-broadcast radio services. The technical parameters that we intend to study in relation to this proposal include the specific vertical interval lines that may be utilized, the bit transmission rate, the transmitted pulse shape, and the signal level. We are also interested in information concerning any additional parameters pertinent to interference that may be associated with transmission methods other than those digital systems now being tested.

19. We are proposing that lines 14 through 18, 20 and 21 authorized for teletext use at this time.[10] Lines 17 and 18 could not, under present rules, be used by stations with remote controlled transmitters.[11] This proposal would thus immediately upon adoption provide a maximum of seven lines for teletext data transmissions. Tests conducted by CBS and others indicate that digital data signals can be inserted on these lines without producing degradation of normal program reception. We wish to emphasize that this proposal is only to authorize the use of these lines and that we do not intend to reserve them exclusively for teletext. If new uses and services are developed for the vertical interval in the future, we anticipate that such applications will be given full consideration, without prejudice to what would be an existing teletext authorization.

20. In proposing to allow teletext to use line 21 on an equal access basis with closed captioning transmissions, we recognize that this has the potential to affect the competitive relationship between teletext and the captioning system that is not in place. The Commission is also aware that a substantial number of Line 21 decoders are currently in use. We would like comment on the impact of our proposal on television service for hearing impaired persons. In addition, we invite interested parties to submit information concerning the kinds of service that teletext can provide for this segment of the population.

21. From the information on currently available systems, it appears that teletext has the capability of providing captioning services that are in many respects superior to those of the existing captioning system and also offers many new features with potential value for all television users. Thus, while we are not considering the elimination of the authorization for the existing captioning system, we do recognize the advantages inherent in an advanced data system for serving the needs of a multiplicity of viewers. The authorization embodied in the proposed rules is sufficiently broad to allow stations to use the Line 21 system for captioning programs. Under this proposal the current authorization and standards for the Line 21 system that are in § 73.682(a)(22) of the rules would clearly be redundant and unnecessary. We are therefore proposing that if the rules for the open environment are adopted, the Line 21 rules be replaced with the new authorization. In making this proposal we wish to emphasize again that it is not our intention to rescind authorization for the Line 21 system or to discourage in

[10] These lines are generally those that are not reserved for other purposes or on which teletext pulse transmissions would not be visible on sets now in use. See § 73.682 of the Commission's Rules. In addition, the Commission is considering a proposal that would authorize transmission of a station identification code (SID) on line 20 (BC Docket 78-309). This would be an optional use and would not preclude use of line 20 for teletext. Also, use of Line 14 would be limited to a 40 IRE signal level (see table I in Appendix A).

[11] The Commission currently has under consideration a notice of proposed rule making to study possible changes in the requirement for VITS (BC Docket 81-239). Teletext policy may ultimatedly be affected by the outcome of Commission action on this matter.

any way its use. We are merely proposing to eliminate duplicative text in the rules.

22. In addition to the line use authorizations proposed above, we also wish to address a plan for the possible use of lines 10–13 in the future. This would allow stations to reduce their information access time, increase their page inventory, or some combination of the two.[12] Tests conducted by KCET–TV and others indicate that signals transmitted on these lines produce noticeable degradation on some, primarily older, receivers.[13] In order to make lines 10–13 available in the future, without additional rule making, we are proposing that use of these lines by authorized according to the schedule on Table I in Appendix A.[14] This approach would allow teletext on these lines when it could be expected that sets that would experience degradation would no longer be in use. Table I also provides for increased signal strength on line 14 in the future. We are suggesting that the standard for a tolerable level of visual degradation be that teletext signals affect no more than one percent of the total receiver population.

23. The phase-in approach for lines 10–14 would enable receiver manufacturers to design in the necessary circuitry to insure that their receivers will have complete vertical retrace blanketing with no visible degradation. It would also serve to notify receiver manufacturers of the planned future availability of the remaining unused vertical interval lines. It is the Commission's understanding that to modify receiver designs to accommodate use of lines 10–14 would not add to the price of receivers. The alternative approach would be to wait until the natural process of product development yields receivers that blank active signals on these lines and then initiate a further rule making. Comment is invited concerning information about all aspects of this plan. Information is desired regarding the extent of visual degradation caused by signals on lines 10–14 on sets in use today and the outlook for reduced degradation in the future. We would also like any available cost data for possible receiver redesigns that would overcome this interference problem.

[12] Teletext information is typically organized in a page format where each page corresponds to one screen of data.

[13] KCET Teletext Project, "The Viewers Perception of Teletext Transmissions on Lines 10–14 of the Vertical Broadcast Interval," (Los Angeles), July 16, 1980.

[14] The data on Table I is based on the KCET experiment.

24. Bit transmission rate, pulse shape and pulse amplitude are all closely interrelated in determining the overall performance quality of a system and its potential for causing interference. A higher bit rate will allow more data to be transmitted in a given interval of time but will also tend to produce more errors due to ghosting caused by terrain and other factors. A high bit rate combined with a pulse shape containing harmonics is more likely to cause interference to the aural and visual signals of its own and other channels.[15] The use of higher transmission rates require higher signal levels and narrower (shorter) pulses.

25. The pulse shape that generally has been employed in the teletext experiments is the raised cosine with some rolloff.[16] The CBS tests were done with a 100 percent raised cosine pulse shape. This requires little pulse shaping at the transmitter but requires extra processing at the decoder. The 100 percent raised cosine shape may pose a problem for cable systems due to significant power at the band edges. On cable systems that carry signals on adjacent channels, the power at the band edges of a signal may "spill over" to the adjacent channels. With a 55 percent roll-off pulse shape, as used in the Telidon transmission system, there is zero power at the band edges. This appears to be most compatible with cable systems but the possibility for overshoots increases.[17] These overshoots could be picked up and treated as a sync pulse by a process amplifier which would result in degradation of the regular television picture. In order to minimize the opportunity for interference from this source, we are proposing that data pulses be shaped to limit spectral energy to the nominal video baseband.

26. The binary signal code used in the known systems is for zero IRE units to represent "0" and for the maximum signal level to indicate "1." A positive pulse of 70–100 IRE units appears to provide an adequate range for the signal strength flexibility that maybe needed to compensate for any spectral, terrain or other factors with which individual licensees may have to contend.[18] This range also appears to provide sufficient flexibility in power to accommodate the designs of various alternative systems. We note that a signal amplitude of 50 IRE units and a relatively slow data rate are used in the line 21 captioning system.[19] Comment is invited regarding all aspects of the signal strength question. We desire information about any limitations that specification of signal strength may place on the further development of teletext systems and on the extent of interference or picture degradation that may result from the use of higher amplitude signals.

27. We are requesting comment concerning the extent to which it may be necessary or desirable to impose other limits or standards on the signalling methods used for teletext in order to prevent interference. Parties are asked to focus their responses on why they believe the rules proposed herein do not provide adequate protection from interference and to suggest alternative standards or performance ranges that would assure such protection.

28. Both CBS and the United Kingdom group have suggested in their proposals that the Commission approve the use of an adaptive equalizer pulse to provide a reference signal for a device that can compensate for multipath reflections. An equalizer device of this type can be used to correct ghosting of both teletext and regular television signals. We recognize the potental value of this technique for reducing errors through signal enhancement and are proposing that an adaptive equalizer pulse be permitted on any of the vertical interval lines authorized for teletext. Comment is invited on this proposal and on the alternative suggested by CBS that the reference signal be included in a portion of the television synchronization waveform (lines 1–9).

29. In its decision regarding authorization of the line 21 captioning service, the Commission specified that priority treatment be accorded to visual emergency messages that are transmitted pursuant to Section 73.635 of the rules.[20] This was done to resolve potential conflicts between open and

[15] Of the various bit rates that have been tested and discussed thus far, 5.727272 Megabits/Sec. appears to be the highest rate that is suitable for teletext under U.S. television standards. This rate is 364 times the line frequency and 8/5 times the frequency of the color subcarrier. It may also be advantageous to use some other reference. The data rate could be related to the horizontal line rate. For example, the Canadian 525 line version of Telidon transmits data at 4.58 Mb, which is 291 times the horizontal line frequency.

[16] After shaping, the spectrum of the NRZ data wave form is determined by a Nyquist filter with a roll-off of 100% followed by a phase corrected low-pass filter with cut-off frequency of 4.1MHz. A 100 percent roll-off denotes a pure cosinusoid wave form, while percentages less than 100 percent indicate the presence of harmonics.

[17] An overshoot is an excessive response to a unidirectional signal change. Sharp oversheots are sometimes referred to as "spikes."

[18] The CBS proposal suggests a signal level of 70 IRE units. The KSL tests demonstrated that a signal level of 100 IRE units could also be used above line 14 without causing degradation of the visual picture.

[19] See § 73.682(a)(22)(i) of the Commission's rules.

[20] See 83 FCC 2d 388.

closed captioning "during a single emergency." The Commission desires to preserve this solution in cases where teletext captions may conflict with emergency captions on the regular visual image. Therefore, we are proposing that any captioning arrangement used in connection with a teletext service provide a facility for giving way to visual emergency messages.

30. In order to offer the widest possible opportunity for development of individual facets of teletext service, the range of services authorized under the open environment plan should be broad and unrestricted. Nevertheless, we are not at this time proposing that all types of data transmission be authorized on the vertical interval but are instead limiting this proceeding to teletext. Since teletext is generally understood to be a visual medium, we propose to define it as a data system for transmission of textual and graphic information intended for display on viewing screens.

31. Applications such as control functions or data transmissions intended for purposes other than the viewing screen and not otherwise permitted under the current rules would not be permitted under this proposal. We wish to state that in taking this approach we are not indicating any adverse position with respect to these other uses but are merely limiting the scope of this proceeding to teletext. Comments are requested as to whether the definition of teletext should be expanded to include data transmissions not necessarily intended for visual display. If possible, we prefer that comments include a statement of the suggested expanded definition.

32. It is likely that equipment manufacturers will develop and market external decoder devices that can be attached to existing television receivers to enable them to display teletext material. We would like specific comment as to whether such external decoders should be treated as a Class I TV device under Part 15 of the Commission's rules or should they be considered a receiver under Part 15, Subpart C.[21]

33. The proposed changes to Part 73 of the FTC Rules that would embody the principles and standards for an open environment policy toward teletext as discussed above are set forth in Appendix A. Comments and suggestions are encouraged on any and all of these proposals. Parties are also invited to suggest specific alternatives for improvements or modifications to any of our proposals.

34. We recognize that if teletext were regulated under an open environment approach it is possible that a single system might emerge through the natural forces of the market to become a *de facto* technical standard. So long as such a standard would evolve through fully legitimate processes, the Commission would consider it an acceptable result that is consistent with our policy objectives. Whatever the outcome of the market process would be, the Commission might choose to review and evaluate the performance of open environment policy after it had been in effect for a reasonable period of time.

Teletext and Cable Television

35. Teletext transmissions, especially those at higher data rates, have the potential for producing interchannel interference on cable systems and some head-end processor equipment may not pass teletext signals without a high error rate. These kinds of difficulties may pose particular problems in the case of local "off-air" stations that our rules require cable systems to carry. In order to better understand the cable impact issue, we are asking for comment on these questions:

(1) What problems does retransmission of teletext signals pose for cable head-end processors and what are the options for eliminating these problems?

(2) To what extent might teletext produce interchannel interference if television signals are carried on adjacent cable channels? How might such interference be overcome?

(3) Will small reflections in a cable distribution plant cause excessive data error rates?

(4) What would it cost to make cable systems compatible with teletext signals?

36. Another issue that the Commission may need to address concerns the possibility that cable systems may wish to delete the teletext signals of television stations and perhaps replace them with teletext or data from another source. To examine this matter we need responses to two questions:

(1) If teletext were to be designated an ancillary service as we are proposing, should cable systems be permitted to delete teletext signals or to replace a television station's teletext signals with those from another source?

(2) If such a policy were adopted, should it apply to "must carry" stations only or to all over-the-air broadcasts that are retransmitted on cable?

Procedural Matters

37. Pursuant to the Regulatory Flexibility Act of 1980, the Commission finds as follows:

I. *Reason for action.* It appears that use of a portion of the television vertical blanking interval for teletext would provide opportunities for extending and diversifying service from television stations and for improving the efficiency of spectrum utilization. This type of service is currently not permitted under § 73.682 of the Commission's rules.

II. *The objective.* The Commission is proposing to authorize teletext service in order to allow development of a new aspect of broadcasting that has come into existence through relatively recent technological advances.

III. *Legal basis.* The proposed action is authorized under section 303 of the Communications Act of 1934, as amended, which charges the Commission with the responsibility to explore new and improved uses of radio.

IV. *Description, potential impact and number of small entities affected.* The authorization of teletext transmissions by television stations could be expected to have a beneficial effect on most parties involved in providing or using such service. The proposed modification of the rules would be permissive, authorizing service but not requiring it. The authorization would have its most direct effect on television stations, permitting them to engage in a new form of business activity. At present, none of the lines in the vertical blanking interval is authorized for any activity that is not related to control functions or regular programming. There are approximately 1025 television stations, including both commercial and noncommercial broadcasters. Manufacturers of electronic equipment related to both transmitting and receiving/decoding teletext signals would also be affected. The number of potential manufacturers, while unknown, is expected to be substantial since component parts suppliers as well as assemblers of final products would be involved. Other groups on which this authorization could be expected to have important economic effects are information suppliers and teletext producers. Information providers include entities such as the weather bureau, the police department (traffic reports), community service organizations, and businesses that supply the basic material that is presented on the data service. Teletext producers are the groups that organize the material from the information providers and prepare it for display. These groups could be part of a station's

[21] The Commission is considering a change of terminology from "Class I TV device" to "TV interface device (Docket 79-244).

regular staff or could function independently on a franchise basis. The number of information providers is potentially very large, while the teletext producers will likely be one group per station offering the service.

The following is a listing of the types of entities, many of which are small, that are expected to be affected by teletext authorization and a description of the expected impacts:

1. Broadcast television stations would have the option to engage in an additional line of business. They would not be required to offer teletext service if it would not be profitable.

2. Manufacturers of electronic equipment would have the opportunity to increase their product lines to include teletext encoding, transmitting, and decoding equipment. These firms would likely also have substantial other product lines so that teletext business would not be expected to have a significant impact on them, although it would contribute additional revenue.

3. Information providers would have another medium for dissemination of news, bulletins, and other material. This would allow local governments, community service groups, and other ready access to the broadcast format and might reduce their overall publicity exenses.

4. Small business would most likely have available a new outlet for advertisement. This would have a positive effect on their business activity.

5. Teletext and user organizations would benefit from the availability of a new source of information with new features and operating efficencies.

V. *Recording, recording keeping and other compliance requirements.* None.

VI. *Federal rules which overlap, duplicate or conflict with this rule.* None.

This notice discusses an open environment policy for teletext. Another possible alternative which the Commission has rejected for reasons discussed above, would be to adopt a single system standard or some intermediate policy between open environment and a single system. The only other alternative would be not to authorize teletext.

38. In order to provide opportunity for the further development and testing of technical systems, the Commission intends to continue to grant special temporary authority (STA's) and experimental test authority for teletext to those licensees who submit requests.

39. With respect to the requests for rulemaking submitted by CBS, Inc. and the United Kingdom Teletext Industry Group, to the extent that these petitions are inconsistent with the proceeding opened herein they ARE DENIED. Other matters addressed in these petitions are being included in this proceeding.

40. Accordingly, it is proposed to amend Part 73 of the Commission's Rules and Regulations as set forth below.

41. Authority for the actions taken herein is contained in sections 4(i), and 303 (a), (b), (c), (d), (e), (f), (g), (h), (n) and (r) of the Communications Act of 1934, as amended.

42. Pursuant to procedures set out in §§ 1.4, 1.415 and 1.419 of the Commission's Rules and Regualtions, interested parties may file comments on or before January 11, 1982, and reply comments on or before February 10, 1982. 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.

43. In accordance with § 1.419 of the Commission's rules, an original and five copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission. Members of the general public who wish to participate informally in the proceeding may submit one copy of their comments, specifying docket number BC 81-741.

44. 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, N.W., Washington, D.C.

45. For further information concerning this proceeding contact Alan Stillwell, Broadcast Bureau, (202) 632-6302. However, members of the public should note that from the time a notice of proposed rule making is issued until the matter is no longer subject to Commission consideration or court review, *ex parte* contacts presented to the Commission in proceedings such as this one will be disclosed in the public docket file.

46. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentations requested by the Commission. If a member of the public does wish to comment on the merits of this proceeding in this manner, he or she should follow the Commission's procedures governing *ex parte* contacts in informal rule making. A summary of these procedures is available from the Commission's Consumer Assistance Office, FCC, Washington, D.C. 20554. Phone (202) 632-7000.

(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.

Appendix A

PART 73—RADIO BROADCAST SERVICES

1. It is proposed that § 73.681, which contains definitions applicable to television technical standards, be amended by adding this definition, in its proper alphabetical order:

73.681 Definitions.

* * * * *

Teletext. A data system associated with a television broadcast signal that is used for the transmission of textual and graphic information intended for display on the screens of suitably equipped receivers.

* * * * *

2. It is proposed to revise § 73.682(a)(22) to read as follows:

73.682 Transmission standards.

(a) * * *

(22) Specific scanning lines in the vertical blanking interval may be used for the purpose of transmitting teletext signals, subject to the following conditions:

(i) Teletext signals may be transmitted on both fields of lines 14–18, 20 and 21. Lines 17 and 18 may not be used by stations with transmitters operated by remote control since such operation requires use of the VITS as specified in § 73.676.

(ii) No observable degradation shall be caused to any portion of the visual or aural signals.

(iii) Teletext signals shall not produce emissions outside the authorized television channel bandwidth. Data pulses shall be shaped to limit spectral energy to the nominal baseband.

(iv) Transmission of emergency visual messages pursuant to § 73.1250 shall take precedence and shall be cause for interrupting teletext caption presentations.

(v) A reference pulse for a decoder-associated adaptive equalizer filter designed to improve the decoding of teletext signals may be inserted on an otherwise unused line in that portion of vertical blanking interval approved for teletext.

(vi) All lines authorized for teletext transmissions may be used for other purposes upon prior approval by the Commission.

(vii) Lines 10–14 may be used for teletext transmissions according to the schedule set forth in Table I.

TABLE I

	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991
10	X	X	X	X	X	X	X	50 IRE			70 IRE.
11	X	X	X	X	X	X	X	50 IRE			70 IRE.
12	X	X	X	X	X	X	X	50 IRE			70 IRE.
13	X	X	X	X	X	X	X	70 IRE	80 IRE	90 IRE	100 IRE.
14	40 IRE							70 IRE	80 IRE	90 IRE	100 IRE.
15	100 IRE										
16	100 IRE										
17	100 IRE [1]										
18	100 IRE [1]										
19	[2]										
20	100 IRE [3]										
21	100 IRE										

[1] Not presently available to stations with remote-controlled transmitters (see RM-2856).
[2] Presently dedicated to the vertical interval reference (VIR) signal.
[3] SID (Also authorized for non-exclusive use).

* * * * *

Appendix B—Teletext Comments

1. Twenty-four parties submitted comments and or replies in response to the CBS proposal. The respondents were generally divided among three basic policy positions: 1) No rule making now; 2) rule making now, but with no specified position regarding the standards suggested by CBS; and 3) rule making now, with an indicated preference for the CBS proposal. A list of the parties submitting comments on the CBS petition follows this discussion.[1]

2. Eleven respondents are opposed to the initiation of a rule making proceeding at this time to establish standards for teletext service.[2] The majority of this group states that it would be premature to set such standards now. They argue that teletext technology and system concepts are still in the developmental stages and that standards would tend to freeze this process when there are many questions concerning both technical issues and user applications about which more information is needed.

3. Technical matters said to require more investigation and research include equipment cost, teletext compatibility with cable retransmission of broadcast signals and with subscription television systems, the relationship between teletext and videotex, closed captioning for the hearing impaired, and alternative for providing flexibility for extension of service in the future. A number of commenters opposed to rule making now suggest that such action be deferred at least until the Electronic Industries Association's teletext subcommittee completes its study and releases its report and recommendations. This report is expected to address many of these issues and to recommend a single system for adoption as the U.S. standard. ABC cites color television standards and AM stereo standards as a reminder of the need to proceed cautiously on adoption of teletext standards.

4. Four commenting parties also suggest that there may be avantages to coordinating system selection with Canada and other international teletext users. The Canadians state that Canada and France are now working towards a common approach to a transmission scheme and that considerable progress has been achieved in evolving a common system for teletext.

5. Another consideration mentioned by opponents of rule making now is that very little is known about user demand for teletext in this country or about the likelihood for its economic success. To date, there has been no licensed teletext service operating in the U.S. nor has any market or user oriented teletext experiment been completed. The Canadian Government, the Subscription Television Association, and the NCTA argue that adoption of standards at this time would arbitrarily restrict uses without sufficient information to justify such action. They suggest that we withhold action until the results of field trials conducted in both the U.S. and Canada are available.

6. In their initial response, the NTIA takes a position in favor of a combined inquiry and rule making proceeding to consider teletext standards. They urge caution in moving to a single system standard before a complete record is developed and there is a clear commitment on the part of the industry to bring a teletext service to the market. NTIA further suggests that only non-system sensitive standards such as definition of teletext, transmission of bit rate, and screen character/row format be proposed as rules at this time. Selection of a system standard could be considered in an inquiry to develop a factual record for a possible future rule making. In their reply comments, they modify this position and recommend that there be no inquiry and that all teletext issues, including selection of a standard system, be considered in the rule making proceeding. This change results from their concern that the delays inherent in the regulatory process would impede the progress of the introduction of teletext service to the American public. A rule making would allow the Commission to adopt a system standard if the comments support such action. If the comments do not provide the information necessary to support standards, then the Commission could issue a further notice of proposed rule making and thus in effect accomplish the two-step procedure they suggest in their earlier remarks.

7. ABC raises a concern about the effect of teletext authorization on alternative use of the vertical blanking interval. They argue that, even though CBS proposes only authorization of use rather than dedication of lines 10 through 16 for teletext, once teletext becomes even minimally established it is highly doubtful that the Commission would authorize any alternative use for the space. Because of this and the lack of any evidence of significant demand for teletext service in this country, they feel it may be advisable to allow additional time for alternative use proposals to emerge.

8. In general, the respondents did not argue against the merits of the specific standards proposed by CBS or the need for authorization of teletext service. The prevailing view was that the CBS system should be considered along with other systems at such time as rule making to authorize service would be appropriate. There were, however, a few exceptions to this general pattern.

9. The United Kingdom Teletext Group (United Kingdom) and the Canadian government, the proponents of CEEFAX and Telidon, respectively, offer comparative statements of the advantages of their systems in relation to the Antiope system proposed by CBS. United Kingdom asserts that decoders for their system would be one-third cheaper than Antiope because most of the information processing activity is accomplished at the transmission point rather than at the receiver. This obviates the need for expensive processing circuitry in the decoder units that consumers will buy either separately or as an integrated part of a television set. They also claim that their system is less susceptible to interference, transmission errors, and multipath effects than is the Antiope system. The Canadians argue that the system proposed by CBS would be less flexible than Telidon. A successful transition from the CEEFAX capability to that of Telidon could be achieved only by preparing and transmitting all pages with graphics twice, in both the old and new formats in order to accommodate different decoders. Thus there would be a serious obsolescence problem involving both terminal and data bases if an alpha-mosaic graphics standard is adopted with the intent of a later transition to alpha-geometric graphics. The transition from limited to high performance Telidon terminals

[1] The comments of the San Juan Unified School District and letters of seven hearing-impaired students from within this district were treated as a single response in the counts of totals expressed herein.

[2] Those opposed to rule making at this time include: ABC, the Government of Canada, the North American Philipo Corp., the National Captioning Institute, the Electronics Industries Association, the San Juan Unified School Distric (informal), the National Cable Television Association, the Corporation for Public Broadcasting, the GTE Telenet Communications Corp., the Public Broadcasting Service, and the Subscription Television Association.

does not involve the same serious problems since all terminals recognize the alpha-geometric code. The Canadians also criticize the use of a five-bit rather than an eight-bit header. They assert that the eight-bit header provides for superior error correction and recovery capability and is necessary for full field (full screen) teletext transmissions. If the five-bit standard were adopted there would be a risk of obsoleting early decoders designed to work only on the vertical blanking interval.

10. The National Captioning Institute (NCI) and several others argue that a number of issues related to captioning need to be resolved before any action on teletext and on the CBS petition, in particular, is appropriate. Their position is that the Commission must require that the captioning provided by any teletext service be receivable by the home viewer at least to the same extent that the underlying visual and aural television is received and that any teletext service must always be capable of providing reliable captioning service. They are also concerned that teletext might interfere with service on the Line 21 captioning system that is currently in use and therefore ask the Commission to require that any captions transmitted on teletext also be transmitted on Line 21. The essence of the latter issue is that many hearing-impaired individuals have already or will soon acquire, separate Line 21 decoders or television sets equipped with integrated decoders. If captioning is not available on both systems, it would be necessary to purchase a second, expensive decoder in order to be able to access all of the available captioned programs.

11. Five respondents favored the initiation of a rule making proceeding to consider teletext standards at this time but chose not to take a position with respect to the substantive standards the Commission should adopt.[3] The NAB urges the Commission to commence rule making at the earliest possible time so that teletext transmissions could begin in the near future and thus enable licensees to expand their service to viewers. The NAB, along with the Information Industry Association (IIA), further argue that delay might interfere with efforts to make teletext compatible with videotex systems. They point out that compatibility between the two types of systems would facilitate the use of a single decoder and thereby permit more efficient use of receiver equipment. Cable television systems and common carriers are not burdened by the technical constraints on the broadcast signal and thus can implement videotex systems without the prior approval of the Commission. United Kingdom agrees that rule making is appropriate now, but as discussed above, they believe that their system would be a more appropriate standard than the system proposed by CBS.

12. The remaining seven respondents urged the Commission to move forward expeditiously with rule making to authorize teletext service and to adopt standards as proposed by CBS.[4] The consensus opinion among the supporters of the CBS proposal was that the research conducted thus far has provided sufficient information for the Commission to make a decision on standards and that the system proposed by CBS has proven to be an effective and practical method for teletext operation and offers the sophistication needed to provide for flexibility and extension in the future. They believe that teletext approval and standards for it are needed as soon as possible to prevent the public from being deprived of a valuable information resource. Westinghouse, in its reply comments, endorses the CBS petition with the statement that unfolding technology is enhanced by its use.

13. Antiope Videotex Systems (AVS), the owner of Antiope technology in the U.S., states that Anitiope's asynchronous technology offers a software based, variable format approach. They argue that the Antiope/Didon system is superior to the fixed format technology of the British system because it maintains the distinction between the means of transmitting the data within the television signal and the actual message the data contains.[5] This allows any size display on any type of display device. AVS argues that the "polyglot C" version of the British system, which overcomes some of the limitations of the basic fixed format technology, is only a "band-aid" beause it introduces complexities that require additional page attributes to be transmitted and requires a more complex decoder. They also claim that all comparative studies conducted to date show that the variable format system and fixed format system are comparably rugged. The variable format would also provide for more efficient use of the spectrum because it does not require transmission of meaningless information such as blanks to fill a line. Finally, they point out that the variable format is decoder-independent and thus allows each manufacturer many options in decoder design. By contrast, the fixed format system is claimed to be decoder dependent and, as a result, manufacturer options are dictated by the transmission system. United Video states that it has tested the Antiope system successfully on its satellite common carrier service.

14. In contrast to the more cautious approach recommended by NCI, two other respondents representing interests associated with the hearing impaired endorse the CBS petition and encourage the Commission to take action to adopt the proposed standards as quickly as possible. The WGBH Educational Foundation, which has provided open captioned programming for the past decade, states their belief that teletext offers unprecedented opportunities for better and more extensive communications service for the hearing impaired. Teletext features which they foresee as useful in serving the hearing impaired are multiple levels of text for different viewers, unrestricted placement of captions, variable color and font size, supplementary information pages, and graphics.

15. Marshall Wick suggests that the deaf population would probably form a proportionately greater initial part of the market for decoders even if teletext had no captions.[6] He points out that communication for the deaf is visual and that the ability to examine a weather or news report that hearing impaired persons cannot obtain by phone or radio is very important to the hearing impaired. As a deaf individual himself, he agrees with the WGBH assessment of the potential for teletext to provide new service to the hearing impaired and also agrees with the NCI argument that teletext captions should also be carried on the Line 21 system to avoid the possibility that such closed captioning would be overlooked in the proliferation of new services.

16. In summarizing these comments, we find that almost all of the commenting parties agree that teletext should be authorized and that the Commission should select a single technical system to serve as the standard for the United States. The main topics of disagreement are whether or not teletext development has progressed to the point where sufficient information is available for the Commission to make a sound determination regarding standards and, among the proponents of the three systems competing for acceptance at this time, which system would be most appropriate. The primary trade-off among the available systems appears to be decoder cost versus system sophistication especially with respect to extensibility for future applications. Other technical issues that were said to need attention include the relationship between teletext and videotex and the compatibility of teletext transmissions with carriage of broadcast signals on satellite and cable systems. The major service questions raised in the comments relate to service for the hearing impaired. Representatives of this group are both enthusiastic about the potential teletext offers for new services and concerned for the impact of teletext on the current Line 21 captioning service.

17. In their reply comments, CBS argues that nothing in the comments filed alters their conclusion that standards are necessary to foster teletext development and that additional studies are not necessary for adoption of standards. It is their belief that more than seven years of experimental and regular operation throughout the world and several tests in the United States have provided sufficient information to go forward with rule making. They also argue strongly for a single system standard rather than an approach that would permit multiple systems to coexist. They point out that television receiver manufacturers would be aware of potential consumer resistance to decoders

[3] Those supporting this position include: the NAB, the National Telecommunications and Information Administration, the United Kingdom Industry Group, and NBC.

[4] The respondents supporting rule making to adopt teletext standards as proposed by CBS are: Community Telecasters of Southern California (CTSC), Antiope Videotex Systems, Inc., the WGBH Educational Foundation, United Video, Inc., Westinghouse, Telease, Inc., and Marshall Wick.

[5] Didon is the transmission system utilized by Antiope.

[6] Mr. Wick is an assistant professor at Gallaudet College, a school for the deaf and hearing impaired located in Washington, D.C.

that might become obsolete and therfore would not make sets equipped with decoders. In answer to NCI's statements regarding the potential harm of teletext to service for the hearing impaired, CBS questions whether impeding the opportunity of hearing impaired persons to take advantage of the superior capabilities of teletext while encouraging them to purchase decoders for an already antiquated system best serves the interests of these individuals. Finally, CBS maintains that teletext is not only compatible with videotex but that fair and effective competition between the two requires that the Commission begin rule making to adopt a standard. They cite the IIA comments in pointing out that teletext transmissions cannot begin until authorized by the Commission, whereas videotex operations do not require such approval.

List of Parties Submitting Responses and/or Replies to the CBS Petition

Responses

1. American Broadcasting Company (ABC)
2. Community Telecasters of Southern Californis (KCET-TV)
3. National Broadcasting Company (NBC)
4. The Government of Canada
5. The National Telecommunications and Information Administration (NTIA)
6. Antiope Videotex Systems, Inc.
7. The United Kingdom Teletext Industry Group
8. North American Phillips Corporation
9. The National Captioning Institute
10. The Consumer Electronics Group of the Electronics Industry Association
11. The San Juan Unified School District including letters from seven students
12. The WGBN Educational Foundation
13. United Video, Inc.
14. The National Cable Television Association
15. The Information Industry Association
16. The Corporation for Public Broadcasting
17. The National Association of Broadcasters
18. GTE Telecommunications Corporation
19. The Public Broadcasting Service

Replies

1. Westinghouse, Inc.
2. The Corporation for Public Broadcasting
3. Telease, Inc.
4. Marshall Wick
5. The Subscription Television Association

Separate Statement of Commissioner Mimi Weyforth Dawson re: Authorization of Transmission of Teletext by TV Stations

The Commission's action today provides the opportunity for the prompt implementation of teletext in the United States. Development of teletext has taken place largely outside the United States and has resulted in various system designs. Today we have adopted a rulemaking to permit all systems access to the vertical blanking interval (VBI). The citizens of this country will not, by this decision, be limited to a single system and, thus, will have the opportunity to respond to any service a provider may wish to make available. Moreover, consumers will not be frustrated while a regulatory body engages in an inane debate over how many angels can dance on the head of the standard setting pin.

It has been reported that representatives of the competing systems are negotiating compatability standards which may permit development of a single decoder for all receivers. By our action today, I believe we are contributing to the incentive for successful resolution of the compatibility question. Regardless of the outcome of these negotiations, teletext service can now proceed unhampered by technical constraints generated at the earliest stage of this services development. The rapid growth of technology cries out for approaches which permit implementation of service today without unduly hamstringing tomorrows developments.

Our action today clearly reflects, in my opinion, a positive step in the regulatory process. We have opened the VBI for new users, we will permit use of the VBI in a non-interference manner to all the people, particularly the hard of hearing, without undue delay, and we are permitting ingenuity to continue to grow without unnecessary government constraints.

Among the important technical questions we must address in this rulemaking are those essential to assure proper use of the VBI so as to prevent interference with signals of other stations and the regular visual and aural signals of the originating stations. The technical standards that are to be set pertain to the specific vertical interval lines to be used, the bit transmission rate, the transmitted pulse shape and the signal level. It is important that we identify the minimum technical parameters for the maximum utilization of the VBI for this and other services. This can be done without impeding the ability of service providers to bring new opportunities to the public.

[FR Doc. 81-35446 Filed 12-11-81; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 97

[FR Docket No. 81-823; RM-3474; RM-3522; FCC 81-549]

Beacon Operation in Amateur Radio Service

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission proposes to amend the Amateur Radio Service Rules to define certain types of experimental transmissions as "beacon operation." The proposal also includes rules to govern this type of operation, including provisions to permit beacon operation under automatic control. Amateur radio operators would like to expand the use of experimental transmissions for determining radio propagation conditions and adjusting equipment, however they feel that current requirements that a control operator be present at all times during the operation effectively limits this use. The proposed provisions to permit automatic control would allow beacon operation without a control operator being in attendance. Amateur operators have also expressed concern about some experimental transmissions being used to harass bona fide operations. The proposed rules include provisions to curtail this abuse.

DATES: Comments are due by March 15, 1982 and replies by April 15, 1982.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Steve Lett, Private Radio Bureau, Rules Division, (202) 632-7597.

SUPPLEMENTARY INFORMATION:

Adopted: November 24, 1981.

Released: December 9, 1981.

Introduction

1. Notice of proposed rule making in the above-entitled matter is hereby given.

2. The Commission has before it at this time two petitions for rule making. The first, RM-3474, was submitted by the Johns Hopkins University Applied Physics Laboratory Amateur Radio Club and received by the Commission on June 28, 1979. This petition requests the Commission to "establish a new class of operation to be called 'Beacon Operation'" and "to permit unattended automatic control of amateur stations engaging in 'Beacon Operation' under specific provisions." Detailed rule changes are also proposed by the petition to meet these requests. The petition claims that these changes will enable amateur operators to better utilize their stations as an aid in the detection of unusual propagation conditions and as an aid in adjusting and checking-out amateur radio equipment.

3. The second petition, RM-3522, was submitted by Charles Spencer *et al* and received by the Commission on October 22, 1979. This petition requests that § 97.89 paragraph (b) of the Commission's rules be amended to require that an amateur station terminate transmissions authorized by that paragraph if other amateur operators and the Commission determine that such operation is causing undue interference. The provisions of that paragraph authorize one-way transmissions "for the measurement of emissions, temporary observation of transmission phenomena, * * * and similar experimental purposes * * *." These transmissions are often referred to by the amateur community as "beacon transmissions." The petition claims that this term is finding increasing use as a guise for malicious operations.

4. The Commission desires to provide amateur operators the greatest freedom possible in their experimental activities. However, this must be balanced by a regulatory structure that avoids subversion of the intent of the Rules for the purpose of causing malicious interference. The two petitions show merit in these respects and the Commission finds it appropriate to propose rules based upon them.

Background

5. As noted above, § 97.89 paragraph (b) of the Commission's rules authorizes experimental transmissions by amateur stations that are not addressed to another amateur station.[1] Continuous or periodic transmissions authorized by this provision are often used by amateur operators to study propagation conditions and to develop and test theories regarding the causes and effects of such conditions. Usually, amateur operators attempt to receive those transmissions from certain other stations in order to determine propagation conditions at any given time. The authorization in paragraph (b) also provides a means for amateur operators to test and adjust their equipment by receiving such transmissions from other amateur stations. [2]

6. Currently, the rules prohibit automatic control[3] of most amateur radio stations including those operating as "beacons."[4] These stations must have a control operator at an authorized control point during all periods of operation.[5] Since one of the functions of a beacon is to aid other stations in determining propagation conditions; and since these conditions are often unpredicitable, particularly in the VHF and UHF bands,[6] the Commission has granted numerous Special Temporary Authorizations (STAs) to amateur licensees to allow them to operate beacons in the amateur bands by automatic control. These authorizations permit the continuous, uninterrupted operation of a beacon transmitter over a period of months without requiring the control operator's presence at a control point during operation.[7] This, in turn, makes it practical for licensees to engage their stations in long-term beacon operation and results in the availability of reliable signals to alert other operators to changes in propagation conditions as they occur. The continuous availability of beacon singals is also an added convenience to those using them for equipment test purposes.

7. As a final background note, the Commission has recently found that some operators allegedly operate "beacons" to intentionally harass legitimate operations (e.g. networks and repeaters). This seems to be one instance of increased amateur-to-amateur malicious interference and is a situation the Commission will not tolerate.

Proposal

8. The Commission proposes to specifically classify beacon operation as a form of amateur radio operation defined in the rules and regulations. It is further proposed to permit automatic control of amateur stations engaged in beacon operation. These proposals are intended to expand the opportunity for experimentation by amateur operators and facilitate more reliable communications by permitting unattended transmissions to alert operators to changing propagation conditions. Stations operating under STAs have demonstrated that automatic control is adequate for most beacon operation and there is no apparent reason to continue to prohibit such control for this form of operation.

9. We propose to limit beacon operation, whether manually or automatically controlled, to certain portions of the amateur frequency bands above 28 MHz. RM-3474 requests that only the following frequencies be made available for beacon operation: 28.05 to 28.10 MHz, 50.025 to 50.075 MHz, 144.04 to 144.06 MHz, 220.025 to 220.075 MHz, 222.025 to 222.075 MHz, 431.9 to 432.0 MHz and all amateur frequencies above 1215 MHz. The frequencies we have selected to propose fall within the same bands as those proposed by RM-3474, however, they are a compromise between that request and the commonly accepted American Radio Relay League[8] band plans. The frequencies we propose are set forth in the Appendix.

10. We are proposing to limit beacon operation to certain frequencies in order to prevent beacon transmissions from being used to harass other operations. We are also proposing this limitation to avoid compounding interference to existing operations due to increased beacon activity which may result from the authorization of automatic control. This reasoning agrees with RM-3474 and RM-3522. Another clear benefit we anticipate as a result of these frequency limitations is that operators will be better able to locate beacon transmissions occurring within each of the amateur bands.

11. We realize that this frequency limitation proposal would prohibit manual beacon operation currently authorized on frequencies below 28 MHz as well as such operation on frequencies above 28 MHz where it would not specifically be permitted. We are proposing the rules in this form since there appears to be no demonstrated need for beacon operation below 28 MHz. This is substantiated by the fact few STA requests have been received by the Commission for automatically controlled beacon operation on these frequencies. We believe there is sufficient two-way communications activity below 28 MHz to serve most of the functions of a beacon operation. Furthermore, the congestion on these bands would make continuous beacon operations undesirable from the standpoint of interference. However, we will continue to entertain STA requests for authorization to perform beacon operations below 28 MHz and above 28 MHz where they would not otherwise be allowed, provided that the request demonstrates a unique need for such operations. In situations where a beacon style operation outside of the authorized beacon frequencies would be so limited in nature as to not warrant an STA, transmissions authorized by § 97.65 paragraph (a) of the Rules may be

[1] Section 97.89 paragraph (b) reads, in its entirely, "Amateur stations may be used for transmitting signals, or communications, or energy, to receiving apparatus for the measurement of emissions, temporary observation of transmission phenomena, radio control of remote objects, and similar experimental purposes and for the purposes set forth in § 97.91."

[2] Although § 97.89 paragraph (b) also authorizes the "radio control of remote objects," that provision is not a part of this proceeding except as explained in paragraph 17 of the above text.

[3] Automatic control is defined in § 97.3 paragraph (m) of the rules as "* * * the use of devices and procedures for control (of an amateur radio station) so that a control operator does not have to be present at the control point at all times."

[4] Although "beacon," "beacon transmission," and other related terms are not currently defined in the rules, in the interest of simplicity they will be used throughout the text to refer to activities described in paragraph 5.

[5] Section 97.79 paragraph (b) reads, in part, "Every amateur radio station, when in operation, shall have a control operator at an authorized control point. The control operator shall be on duty, except where the station is operated by automatic control."

[6] The UHF bands are those frequencies between 30 and 3000 MHz.

[7] Typically, the Commission has made Speical Temporary Authorizations for this purpose effective for a period of 180 days.

[8] The American Radio Relay League is an association of radio amateurs that has developed informal recommendations for situating compatible forms of operation on certain frequencies segregated from other, noncompatible forms of operation in each amateur band. These "band plans" have gained widespread acceptance by amateur operators.

adequate to carry out the intended objective.[9]

12. We propose to limit the emissions of stations in beacon operation below 450 MHz to A, A1, F and F1. These emission modes should be adequate for carrying our virtually all types of experimentation and equipment adjustment commonly associated with beacon operation while also conserving spectrum. We would limit the frequency shift of F1 emissions to 900 Hz in order to conserve spectrum as well. Using these emission modes, the amount of spectrum that we have proposed authorizing for use by beacon operations in the 144 MHz and 420 MHz bands should be sufficient to support enough stations to meet the usual objectives of such operation. We have proposed authorizing somewhat more spectrum for beacon operations in the 28 MHz and 50 MHz bands since propagation at these frequencies often has a range long enough to limit frequency reuse. Widely varying propagation conditions on these bands might prompt the establishment of more beacon operations, also warranting slightly more spectrum. We have proposed authorizing somewhat more spectrum for beacon operations on the 220 MHz band since there is little congestion in this band and since this would be consistent with the American Radio Relay League band plan and the request of RM-3474.

13. RM-3474 suggested "that beacons should not be permitted to emit overpowering signals over large local areas" stating that such operation "would be counter-productive and could become a source of interference to various amateur activities and hence lead to friction within the amateur community." The petition recommends that "(s)tations engaging in Beacon operation * * * be limited to a transmitter power output of no more than 100 watts."

14. We agree that the power of a station engaged in beacon operation should be limited in order to avoid interference. We also believe that a reasonable power limitation should not hamper the objectives of beacon operation. With this intent, consideration was given to applying an effective radiated power (ERP) limitation to beacon operation as the most appropriate form of interference protection for other co-channel operations. However, we recognize that it may be desirable to employ directional antennas in some instances of beacon operation and that regulations limiting ERP may be complex or ambiguous for such situations. Consequently, we are proposing a power input limitation since this would be less ambiguous and consistent with our current regulations regarding operating power measurements. We have selected 100 watts as a reasonable compromise to propose for a power input limitation.

15. We propose, in accordance with RM-3474, to require stations engaged in beacon operation to identify themselves at least once each minute. This seems appropriate since identification of a beacon transmission is generally essential to its usefulness. We would also require beacon transmission to be identified by an "operation designator" similar to those required for repeater and auxiliary operation. That is, the station call sign would be followed by the word "beacon" or the telegraphy abbreviations "BCN" or "B." Automatic identification made using telegraphy would be limited to a maximum speed of 20 words per minute by existing requirements of § 97.84 paragraph (g) of the rules.

16. We have included in our proposed rules a paragraph which explicitly states that the Commission may order the termination of any beacon operation that it deems improper. This is proposed to insure compliance with the intent of the Rules and meets the request of RM-3522. We have also included a paragraph which would prohibit beacon operation on more than one frequency in the same band, from the same location. This is proposed to prevent a station from monopolizing frequencies authorized for beacon operation. We anticipate that amateur operators engaged in bona fide beacon operations would take part in an informal coordination program in situations where this is necessary to avoid mutual interference.

17. Finally, we propose an editorial change in the Rules which would specifically classify radio control operation [10] as a form of amateur radio operation defined in the rules and regulations. This is proposed strictly in the interest of maintaining the readability of the Rules after their amendment to define beacon operation. No substantive change is proposed.

Conclusion

18. Notice if hereby given that it is proposed to amend 47 CFR Part 97 in accordance with the proposal set forth below.

19. For purposes of this non-restricted notice and comment rule making proceeding, members of the public are advised that *ex parte* contacts are permitted from the time the Commission adopts a notice of proposed rule making until the time a public notice is issued stating that a substantive disposition of the matter is to be considered at a forthcoming meeting or until a final order disposing of the matter is adopted by the Commission, whichever is earlier. In general, an *ex parte* presentation is any written or oral communication (other than formal written comments/pleadings and formal oral arguments) between a person outside the Commission and a Commissioner or a member of the Commission's staff which addresses the merits of the proceeding. Any person who submits a written *ex exparte* presentation must serve a copy of that presentation on the Commission's Secretary for inclusion in the public file. Any person who makes an oral *ex exparte* presentation addressing matters not fully covered in any previously-filed written comments for the proceeding must prepare a written summary of that presentation; on the day of oral presentation, that written summary must be served on the Commission's Secretary for inclusion in the public file, with a copy to the Commission official receiving the oral presentation. Each *ex parte* presentation described above must state on its face that the Secretary has been served, and must also state by docket number the proceeding to which it relates. See generally, § 1.1231 of the Commission's rules, 47 CFR 1.1231. A summary of the Commission's procedures governing *ex parte* contacts in informal rulemakings is available from the Commission's Consumer Assistance Office, FCC Washington, DC 20554, (202) 632-7000.

20. Authority for issuance of this Notice is contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended (47 U.S.C. 154(i) and 303(r)). Pursuant to applicable procedures set forth in § 1.415 of the Commission's Rules, interested persons may file comments on or before March 15, 1982, and reply comments on or before April 15, 1982. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision, the Commission may take into

[9] Section 97.65 paragraph (a) reads, "Type A emission, where not specifically designated in the bands listed in § 97.61, may be used for short periods of time when required for authorized remote control purposes or for experimental purposes. However, these limitations do not apply where type A emission is specifically designated."

[10] Radio control operation being those forms of radio communication currently authorized by § 97.89 paragraph (b) as "* * * radio control of remote objects."

consideration information and ideas not contained in the comments, provided that such information or a writing indicating the nature and source of such information is placed in the public file, and provided that the fact of the Commission's reliance on such information is noted in the Report and Order.

21. In accordance with § 1.419 of the Commission's Rules, 47 CFR 1.419, formal participants must file an original and five copies of their comments and other materials. Participants who wish each Commissioner to have a personal copy of their comments should file an original and eleven copies. Members of the general public who wish to express their interest by participating informally may do so by submitting one copy. All comments are given the same consideration, regardless of the number of copies submitted. All documents will be available for public inspection during regular business hours in the Commission's Public Reference Room at its headquarters in Washington, D.C.

22. The Commission has determined that sections 603 and 604 of the Regulatory Flexibility Act of 1980 (Pub. L. 96-354) do not apply to this rule making proceeding since this proposal simply recommends a procedural change in amateur radio operations. While the proposal is primarily deregulatory in nature, certain new restrictions would be placed on amateur operations. However, these new restrictions would neither compel amateur operators to acquire any new or different equipment, nor interfere with commonly employed practices. Consequently, there would be no economic impact on small businesses, small organizations or small governmental jurisdictions.

23. It is ordered that the Secretary shall cause a copy of this Notice to be served upon the Chief Counsel for Advocacy of the Small Business Administration and that the Secretary shall also cause a copy of this notice to be published in the Federal Register.

24. For further information on this proceeding, contact Steve Lett, Federal Communications Commission, Private Radio Bureau, Washington, DC 20554, (202) 632-7597.

(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—AMATEUR RADIO SERVICE

It is proposed that Part 97 of the Commission's rules and regulations, 47 CFR Part 97, be amended as follows:

1. In § 97.3, paragraph (l) would be revised to read as follows:

§ 97.3 Definitions.

* * * * *

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

Fixed operation. Radio communication conducted from the specific geographical land location shown on the station license.

Portable operation. Radio communication conducted from a specific geographical location other than that shown on the station license.

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

Repeater operation. Radio communication, other than auxiliary operation, for retransmitting automatically the radio signals of other amateur radio stations.

Auxiliary operation. Radio communication 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.

Beacon operation. One-way radio communication conducted in order to facilitate measurement of radio equipment characteristics, adjustment of radio equipment, observation of propagation or transmission phenomena, or other related experimental activities.

Radio control operation. One-way radio communication for remotely controlling objects or apparatus other than amateur radio stations.

* * * * *

2. In § 97.61, paragraph (a) would be revised and paragraph (e) would be added to read as follows:

§ 97.61 Authorized frequencies and emissions.

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

Frequency band	Emissions	Limitations (see paragraph (b))
kHz		
1800-1900	A1, A3	
1900-2000	A1, A3	1,2
3500-4000	A1	
3500-3775	F1	
3775-3890	A5, F5	
3775-4000	A3, F3	4
4383.8	A3J/A3A	13
7000-7300	A1	3,4
7000-7150	F1	3,4
7075-7100	A3, F3	11
7150-7225	A5, F5	3,4
7150-7300	A3, F3	3,4
14000-14350	A1	
14000-14200	F1	
14200-14275	A5, F5	
14200-14350	A3, F3	
MHz		
21.000-21.450	A1	
21.000-21.250	F1	
21.250-21.350	A5, F5	
21.250-21-450	A3, F3	
28.000-29.700	A1	
28.000-28-500	F1	
28.500-29.700	A3, F3, A5, F5	
50.0-54.0	A1	
50.1-54.0	A2, A3, A4, A5, F1, F2, F3, F5.	
51.0-54.0	A0	
144-148	A1	
144.1-148.0	A0, A2, A3, A4, A5, F0, F1, F2, F3, F5.	
220-225	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.	
420-450	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.	5,7
1215-1300	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.	5
2300-2450	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	5,8
3300-3500	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	5,12
5650-5925	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	5,9
GHz		
10.000-10.500	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.	5
24.000-24.250	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	5,10
48.000-50.000	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	
71.000-78.000	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	
165.000-170.000	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	
240.000-250.000	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	
Above 300.000	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	

* * * * *

(e) The following amateur frequency bands and emissions are available for beacon operation: 28.08-28.10 MHz, 50.06-50.08 MHz, 144.05-144.06 MHz, 220.05-220.06 MHz, 222.05-222.06 MHz and 432.07-432.08 MHz using type A0, A1, F0 or F1 emissions (When type F1 emission is employed in these bands, the frequency shift shall be less than 900 Hz.); all amateur frequency bands above 450 MHz using emission types authorized under paragraph (a) of this section. Limitations of paragraph (b) of this section apply.

3. In § 97.67, paragraph (e) would be added to read as follows:

§ 97.67 Maximum authorized power.

* * * * *

(e) Within the limitations of paragraph (b) of this section, the power input to the transmitter final amplifying stage of an amateur radio station in beacon operation shall not exceed 100 watts, exclusive of power for heating the cathode of a vacuum tube(s).

4. In § 97.84, the introductory text of paragraph (d) would be revised and paragraph (d)(3) would be added to read as follows:

§ 97.84 Station identification.

* * * * *

(d) When an amateur radio station is in repeater, auxiliary or beacon operation, the following additional requirements shall apply:

* * * * *

(3) When identifying by radiotelephony, a station in beacon operation shall transmit the word "beacon" at the end of the station call sign. When identifying by radiotelegraphy, a station in beacon operation shall transmit the fraction bar DN followed by the letters "BCN" or "B" at the end of the station call sign. This station identification shall be made at intervals not to exceed one minute during any period of operation.

* * * * *

5. A new § 97.87 would be added to read as follows:

§ 97.87 Beacon operation.

* * * * *

(a) A station in beacon operation shall not concurrently operate on more than one frequency in the same amateur frequency band, from the same location.

(b) A station in beacon 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.

(c) Operation shall cease upon notification by the Commission or any Engineer-in-Charge of a Commission field facility that the station is operating improperly or causing undue interference to other operations. Beacon operation shall not resume without prior approval of the Commission or Engineer-in-Charge.

6. In § 97.89, paragraph (b) would be revised to read as follows:

97.89 Points of communications.

* * * * *

(b) Amateur stations may transmit one-way signals to receiving apparatus while in beacon operation or radio control operation.

7. Section 97.91 would be revised to read as follows:

97.91 One-way communications.

In addition to beacon operation and radio control operation, the following kinds of one-way communications, addressed to amateur stations, are authorized and will not be construed as broadcasting: (a) Emergency communications, including bona fide emergency drill practice transmissions; (b) Information bulletins consisting solely of subject matter having direct interest to the amateur radio service as such; (c) Round-table discussions or net-type operations where more than two amateur stations are in communication, each station taking a turn at transmitting to other station(s) of the group; and (d) Code practice transmissions intended for persons learning or improving proficiency in the international Morse code.

[FR Doc. 81-35420 Filed 12-11-81; 8:45 am]

BILLING CODE 6712-01-M

Notices

Federal Register
Vol. 46, No. 239
Monday, December 14, 1981

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.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Elimination of Legal Size Paper

At the request of the Archivist of the United States and upon recommendation of its Court Administration Committee, the Judicial Conference of the United States adopted the 8½×11 inch paper size standard for use throughout the Federal Judiciary and directed the elimination of the use of legal size paper measuring 8½×14 inches. During the transaction period from now until December 31, 1982, both 8½×11 inch and 8½×14 inch size paper will be accepted by United States courts (unless previously adopted local court rules prohibit filing on 8½×14 inch size paper).

Effective January 1, 1983, the 8½×11 inch paper size will be the only accepted size in all Federal courts. No requirement will be imposed to use both sides of a sheet of paper.

For further information contact Mr. Rick McBride, Chief, Management Services Branch, Administrative Office of the United States Courts, Washington, D.C. 20544, telephone (FTS) 633–6067.

Done at Washington, D.C. this 9th day of December, 1981.

William E. Foley,

Director.

[FR Doc. 81-35828 Filed 12-14-81; 8:45 am]

BILLING CODE 2210-01-M

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

1981 Crop Price Support Rates—Ohio Filler, Connecticut Valley Broadleaf, Connecticut Valley Havana Seed, New York and Pennsylvania Havana Seed, Southern Wisconsin, Northern Wisconsin, and Puerto Rican Tobacco

AGENCY: Commodity Credit Corporation (CCC), USDA.

ACTION: Notice of determination of 1981-Crop Price Support Rates for Tobacco.

SUMMARY: This notice sets forth the price support rates applicable to eligible grades of 1981-crop Ohio filler, Connecticut Valley Broadleaf, Connecticut Valley Havana Seed, New York and Pennsylvania Havana Seed, Southern Wisconsin, Northern Wisconsin, and Puerto Rican tobaccos. Price support is made available to eligible producers of these types of tobacco in accordance with Section 106 of the Agricultural Act of 1949, as amended.

DATE: Effective December 14, 1981.

FOR FURTHER INFORMATION CONTACT: Harry D. Millner, ASCS, (202) 447–4281. This notice sets forth the rates at which eligible grades of 1981-crop tobacco of the types specified herein will be supported. These rates reflect a price support level which has been determined in accordance with the formula prescribed in Section 106 of the Agricultural Act of 1949, as amended. Since there are no options to be considered in connection with this determination, an Impact Analysis has not been prepared.

SUPPLEMENTARY INFORMATION: This notice has been reviewed under USDA procedures established in accordance with Executive Order 12291 and Secretary's Memorandum 1512–1 and has been classified "not major" since these program provisions will not result in: (1) An annual effect on the economy of $100 million or more; (2) major increase in costs to consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment investment, production, innovation, or an ability of United States—based enterprises to compete with foreign enterprises in domestic or export markets.

It has been determined that the Regulatory Flexibility Act is not applicable to this notice of determination since the Commodity Credit Corporation (CCC) is not required by 5 U.S.C. 53 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this notice.

The title and number of the Federal Assistance Program to which this notice applies as set forth in the catalog of Federal Domestic Assistance are: Title: Commodity Loan and Purchases; Number: 10.051. This action will not have a significant impact specifically on area and community development. Therefore, review as established by Office of Management and Budget (OMB) Circular A–95 was not used to assure that units of local government are informed of this action.

Price support for Ohio filler, Connecticut Valley Broadleaf, Connecticut Valley Havana Seed, New York and Pennsylvania Havana Seed, Southern Wisconsin, Northern Wisconsin, and Puerto Rican tobaccos is made available each year to producers of these types of tobacco by CCC through a producer-owned cooperative marketing association in accordance with regulations codified at 7 CFR Part 1464. Price support is mandatory for eligible kinds of tobacco at the level determined in accordance with Section 106 of the Agricultural Act of 1949, as amended. The level of support for the 1981 crop of tobacco is determined under Section 106 by multiplying the support level for the 1959 crop of eligible kinds of tobacco by the ratio of the average of the index of prices paid by farmers, including wage rates, interest, and taxes for the three calendar years 1978–80 (which is 851) to the average index of such prices paid by farmers, including wage rates, interest, and taxes for the 1959 calendar year (which is 298). The resulting ratio is 2.86. The support level for the 1981 crop of each eligible kind of tobacco is, therefore, 286 percent of the 1959 level.

The support rates determined by the Secretary for the various grades of 1981-crop tobacco as set forth in this notice reflect the statutorily required support level.

Since the Secretary of Agriculture has no discretion in determining the level of support for 1981 crops of Ohio filler, Connecticut Valley Broadleaf, Connecticut Valley Havana Seed, New York and Pennsylvania Havana Seed, Southern Wisconsin, Northern Wisconsin, and Puerto Rican tobaccos and must establish such level in accordance with the formula prescribed by Section 106 of the 1949 Act, it has

been determined that no further public rulemaking is required with respect to the price support rates specified herein.

Accordingly, the Secretary has determined that the following price support rates will be in effect for the 1981 crops of Ohio filler (Types 42–44), Connecticut Valley Broadleaf (Type 51), Connecticut Valley Havana Seed (Type 52), New York and Pennsylvania Havana Seed (Type 53), Southern Wisconsin (Type 54), Northern Wisconsin (Type 55), and Puerto Rican (Type 46) tobaccos:

DETERMINATIONS.—1981 CROP

Grade	Rate [3]
A. Ohio Filler Tobacco, types 42–44: [2]	
Crop run (stripped together):	
X1	89
X2	79
X3	75
X4	69
Nondescript: N	57
B. Connecticut Valley Broadleaf Tobacco, Type 51: [1]	
Binders:	
B1	142
B2	131
B3	117
B4	107
B5	95
Nonbinders: X1	81
C. Connecticut Valley Havana Seed Tobacco, Type 52: [2]	
Binders:	
B1	138
B2	129
B3	115
B4	106
B5	95
Nonbinder: X1	81
D. New York and Pennsylvania Havana Seed Tobacco, Type 53, and Southern Wisconsin Tobacco, Type 54: [2]	
Crop run:	
X1	89
X2	82
X3	74
Farm Fillers:	
Y1	67
Y2	65
Y3	64
Nondescript:	
N1	63
N2	59
E. Northern Wisconsin Tobacco, Type 55: [2]	
Binders:	
B1	110.0
B2	100.0
B3	93.5

DETERMINATIONS.—1981 CROP—Continued

Grade	Rate [3]
Strippers:	
C1	90.5
C2	83.5
C3	79.0
Crop run:	
X1	90.0
X2	82.5
X3	78.0
Farm fillers:	
Y1	64.0
Y2	62.0
Y3	58.0
Nondescript:	
N1	56.0
N2	52.0
F. Puerto Rican Tobacco, Type 46: [3]	
Price Block I (CIF and CIP)	92.0
Price Block II (X1F, XIP, and X1S)	84.5
Price Block III (X2T, X2F, X2P, and X2S)	73.5
Price Block IV (N)	29.0

[1] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "N1" or "N2" (nondescript) or "S" (Scrap) or designated "No-G" (no grade). The cooperative association through which price support advances are made available to the producer is authorized to deduct from the advance paid to such producer $1 per hundred pounds to apply against association overhead and receiving costs.

[2] Tobacco is eligible for loan only if consigned by the original producer. No loan is authorized for tobacco graded "S" (Scrap) or designated "No-G" (no grade). The cooperative association through which price support advances are made available to the producer is authorized to deduct from the advance paid to such producer $1 per hundred pounds to apply against association overhead and receiving costs.

[3] Dollars per hundred pounds, farm sales weight.

(Secs. 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714(b), 714(c)); Secs 101, 106, 401, 403, 63 Stat. 1051, as amended, 1054, 74 Stat. 6 (7 U.S.C. 1441, 1445, 1421, 1423))

Signed at Washington, D.C. on December 9, 1981.

Everett Rank,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 81-35622 Filed 12-11-81; 8:45 am]

BILLING CODE 3410-05-M

Forest Service

Forest Plans for the Black Hills National Forest, Custer, South Dakota and the Nebraska National Forests (and Associated Units) Nebraska and South Dakota; Correction

The Black Hills National Forest Land and Resource Management Plan Draft Environmental Impact Statement was released to the public on October 21, 1981. A notice of availability of the statement was published in FR 10-30-81, Vol. 46, No. 210, p. 53778. The expiration date for public review of the Black Hills National Forest Plan is hereby corrected to January 30, 1982.

The Nebraska National Forests Land and Resource Management Plan Draft Environmental Impact Statement was released to the public on November 13, 1981. The notice of availability was published in FR 11-27-81, Vol. 46, No. 228, p. 57949. The expiration date for public review of this statement is hereby corrected to February 27, 1982.

Dated: December 8, 1981.

David E. Ketcham,

Director of Environmental Coordination.

[FR Doc. 81-35726 Filed 12-11-81; 8:45 am]

BILLING CODE 3410-11-M

Coronado National Forest Grazing Advisory Board; Meeting

The Coronado National Forest Grazing Advisory Board will meet in the Federal Building, Room 7X, 301 West Congress, Tucson, Arizona at 10:00 a.m., January 19, 1982. The purpose of this meeting is to discuss allotment management planning, the use of range betterment funds, and to elect board officers.

The meeting will be open to the public. Persons who wish to attend should notify Larry Allen, Coronado Supervisor's Office, telephone 602-792-6418. Written statements will be filed with the board before or after the meeting.

The board has established the following rule for public participation: Nonmembers are asked to withhold comments until the close of business.

December 4, 1981.

R. B. Tippeconnic,

Forest Supervisor.

[FR Doc. 81-35638 Filed 12-11-81; 8:45 am]

BILLING CODE 3410-11-M

CIVIL AERONAUTICS BOARD

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q of the Board's Procedural Regulations (See, 14 CFR 302.1701 et seq.)

Week Ended December 4, 1981.

Subpart Q Applications

The due date for answers, conforming application, or motions to modify scope are set forth below for each application. Following the answer period the Board may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Date filed	Docket No.	Description
Nov. 30, 1981	40270	Kodiak Western Alaska Airlines, Inc., c/o Richard P. Taylor, Steptoe & Johnson, 1250 Connecticut Avenue, N.W., Washington, D.C. 20036. Application of Kodiak Western Alaska Airlines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations requests to add the following points to its current certificate of public convenience and necessity for Route 141: Aniak, Alaska; Barrow, Alaska; Barter Island (Kaktovik), Alaska; Bethel, Alaska; Bettles, Alaska; Cordova, Alaska; Fairbanks, Alaska; Ft. Yukon, Alaska; Galena, Alaska; Hilo, Hawaii; Juneau, Alaska; Homer, Alaska; Honolulu, Oahu, Hawaii; Iliamna, Alaska; Kailua-Kona, Hawaii, Hawaii; Kahului, Maui, Hawaii; Kamuela, Maui, Hawaii; Kaunakakee, Molokai, Hawaii; Kenai, Alaska; Kotzebue, Alaska; Lanai, Lanai, Hawaii; Lihue, Kauai, Hawaii; McGrath, Alaska; Mekoryuk, Alaska; Nome, Alaska; Umiat, Alaska; Unalakleet, Alaska; Valdez, Alaska; Yakutat, Alaska. Conforming Applications, motions to modify scope, and Answers may be filed by December 28, 1981.
Dec. 2, 1981	40276	Servicio De Carga Aerea, S.A. d/b/a Central America Air Cargo, c/o Roy Nerenberg, 1825 K Street NW., Suite 720, Washington, D.C. 20006. Application of Servicio De Carga Aerea, S.A. d/b/a Central America Air Cargo pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations requests a foreign air carrier permit to authorize air transportation of property and mail in non-scheduled and charter operations between the terminal point San Jose, Costa Rica; the intermediate points Panama City, Panama; Managua, Nicaragua; San Salvador, El Salvador; San Pedro Sula and Tegucigalpa, Honduras; Guatemala City, Guatemala; Belize, Belize, Belize; Mexico City, Mexico; and the terminal point Miami, Florida. Answers may be filed by December 29, 1981.
Nov. 3, 1981	40172	Sunjet International Airlines Limited, c/o Herbert Alan Dubin Baskin and Sears, 818 Connecticut Avenue, N.W., Washington, D.C. 20006. Amended Application of Sunjet International Airlines Limited to embrace service to the intermediate points on UK Route 9 as provided for in Section 3 of Annex 1 of the Air Services Agreement between United Kingdom and United States signed at Bermuda on July 23, 1977, specifically Bahamas, Barbados, Dominican Republic, Grenada, Guadeloupe, Guyana, Haiti, Jamaica, Martinique, St. Maarten, St. Martin, Trinidad & Tobago, Antigua, Dominica, St. Lucia, St. Vincent, Belize, British Virgin Islands, Cayman Islands, Montserrat, and Turks & Caicos Islands, to be served as intermediate points in scheduled and charter foreign air transportation of persons, property and mail on UK Route 9, between St. Kitts, B.W.I. and Miami, Florida. Answers may be filed by December 31, 1981.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-35737 Filed 12-11-81; 8:45 am]

BILLING CODE 6320-01-M

Commuter Fitness Determination

The Board is proposing to find the following carriers fit willing and able to provide commuter air carrier service under section 419(c)(2) of the Federal Aviation Act, as amended, and that aircraft used in this service conform to applicable safety standards.

Order	Applicant	Response date
81-12-37	Sun Aire Lines	Dec. 23, 1981.
81-12-38	North American Airlines, Inc. d/b/a/ Air Miami.	Dec. 18, 1981.
81-12-42	Shasta Air, Inc.	Dec. 28, 1981.
81-12-46	New England Airlines, Inc.	Dec. 29, 1981.
81-12-47	Greater Pacific Airways, Inc.	Dec. 29, 1981.

All interested persons wishing to respond to the Board's tentative fitness determination shall serve their responses on all persons listed in Attachment A of the respective orders and file response or additional data for Orders 81-12-38, -42, -46, and -47 with the Special Authorities Division, Room 915, and for Order 81-12-37 with the Essential Air Services Division, Room 921, 1825 Connecticut Avenue, N.W. Washington, D.C. 20428.

The complete text of the orders is available from the Distribution Section, Room 100, 1825 Connecticut Avenue, Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request to the above address.

For further information contact: Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, Washington, D.C. 20428 for Orders 81-12-37: Barbara Pfeiffer, (202) 673-5354; for Order 81-12-38: Ms. Joyce Snovitch, (202) 673-5074; for Order 81-12-42: Mr. James Lawyer, (202) 673-5088; for Order 81-12-46 Mr. J. Kevin Kennedy, (202) 673-5918; for Order 81-12-47: John McCamant, (202) 673-5082.

By the Civil Aerinautics Board: December 9, 1981.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-35735 Filed 12-11-81; 8:45 am]

BILLING CODE 6320-01-M

[Docket 40269]

Visit USA Fare/Export Inland Contract Rate Investigation; Postponement of Prehearing Conference

Notice is hereby given that the prehearing conference in the above-entitled matter orginally scheduled to be held on December 23, 1981, is hereby postponed until January 28, 1982, at 10:00 a.m. (local time) in Hearing Room "D", Universal North Building, 1875 Connecticut Avenue, N.W., Washington, D.C. before the undersigned administrative law judge.

The Bureau of International Aviation and the Bureau of Compliance and Consumer Protection will circulate their prehearing conference materials on or before January 8, 1982, and the other parties on or before January 22, 1982. The submissions of the other parties shall be limited to points on which they differ with the Bureaus and shall use the numbering and lettering used by the Bureaus to facilitate cross-referencing. The January 8 and January 22nd are dates for actual delivery of materials and not mailing dates.

Dated at Washington, D.C., December 8, 1981.

John M. Vittone,

Administrative Law Judge.

[FR Doc. 81-35736 Filed 12-11-81; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

Application for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230, on or before January 4, 1982.

Regulations (15 CFR 301.9) issued under the cited Act prescribe the requirements for comments.

A copy of each application is on file, and may be examined between 8:30 A.M. and 5:00 P.M., Monday through Friday, in Room 2119 of the Department of Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

Docket No. 82-00035. Applicant: Naval Research Laboratory, 4555 Overlook Avenue, S.W., Washington, D.C. 20375.

Article: Electron Beam Microfabrication System. Manufacturer: Cambridge Instruments Ltd., United Kingdom. Intended use of article: The foreign article is intended to be used in research in a number of areas involving electron devices and electro-optical devices. In nearly every area of device research, future progress depends on the capability for fabricating test devices and structures with smaller geometries, more accurate geometries, and tighter parameter control. At NRL, the capability for fabricating complex, state-of-the art devices is centered in the Micro-electronics Fabrication Facility. This facility, though a part of the Electronics Technology Division (Code 5200), serves as a research "tool" for work done throughout NRL. The acquisition of this lithography capability would permit NRL to advance its device research, especially in the area of very small devices and very accurate geometry devices, in a very significant way. Application received by Commissioner of Customs: November 2, 1981.

Docket No. 82-00037. Applicant: Yale University, Dept. of Engineering & Applied Science, P.O. Box 2159, Yale Station, New Haven, CT 06520. Article: Optically Contacted Fabry Perot Assembly. Manufacturer: IC Optical Systems Ltd., United Kingdom. Intended use of article: The article is intended to be used as an intracavity spectral tuning element in a broadband pulsed dye-laser. This is expected to narrow the laser emission linewidth to approximately 3 Angstroms. The dye-laser is to be employed in experimental studies on possible population inversions in the atomic levels of hydrogen in a laser-produced plasma. This work is being pursued by a graduate student in partial fulfillment of the degree of Doctor of Philosophy. Application received by Commissioner of Customs: November 2, 1981.

Docket No. 82-00038. Applicant: Texas Department of Health, 1100 West 49th Street, Austin, TX 78756. Article: Electron Microscope, Model H-600-3 and Accessories. Manufacturer: Hitachi Scientific Instruments, Japan. Intended use of article: The article is intended to be used for studies of human tissues in both normal and infected modes as seen by a diagnostic microbiology laboratory, and related to investigations of infectious disease processes in tissues, especially kidney, spleen, brain and integument. Experiments will consist of application of current technology to existing problems in clinical microbiology, such as the application of immunochemical techniques to the problem of rapid indentification of viruses, and the identification of cellular receptor sites of bacteria and protozoa as detected with ferritin-labelled antibodies. Further research will consist of classification of viral particles directly from exudative material by morphology. The article will also be used for educational purposes at many levels which will include the use of materials and actual human cases for teaching medical and veterinary students, pathology interns and residents, laboratory technicians and students of microbiology. Application received by Commissioner of Customs: November 2, 1981.

Docket No. 82-00039. Applicant: University of Southern California, Dept. of Biological Sciences, University Park, Los Angeles, CA 90007. Article: (3) Micromanipulators, MP1-2 with Accessory. Manufacturer: Narishige Scientific Instrument Laboratory, Japan. Intended use of article: The articles are intended to be used in the courses: Neurobiology Laboratory, BISC 422L, Comparative Physiology of Animals—BISC 437L and Neurobiology, BISC 564 to train students in the technique of intracellular electrical recording from living cells for which the articles are indispensable. Application received by Commissioner of Customs: November 2, 1981.

Docket No. 82-00040. Applicant: Geophysical Institute, University of Alaska, 903 Koyukuk Ave., No., Fairbanks, AK 99701. Article: Wide Band Digital Imaging System. Manufacturer: MacDonald Dettwiler & Associated Ltd., Canada. Intended use of article: The article is intended to be used for studies of geophysical episodic events such as navigation hazards, wildfires, floods, volcanic eruptions, river freezeup and breakup, and sea-ice morphology. The experiment to be conducted involves acquisition of raw spacecraft data in real-time and the generation of high-resolution photographic images in color and black and-white on an immediate basis without the delays of many weeks which are involved with existing channels for distribution of data from most earth-sensing satellites. the objectives of the research are to develop the means to provide custom-processed satellite data products in near real-time of important episodic events relating to geophysical phenomena in the state of Alaska. Application received by Commissioner of Customs: November 6, 1981.

Docket No. 82-00041. Applicant: Harris Hospital-Methodist, 1300 West Cannon Street, Fort Worth, Texas 76104. Article: Electron Microscope, Model JEM-100CX and Accessories. Manufacturer: Jeol Ltd., Japan. Intended use of article: The article is intended to be used primarily and clinically (1) to better characterize certain human pathologic states which cannot be specifically diagnosed by light microscopy, as an aid to the appropriate treatment of the patients, (2) to confirm diagnoses made by light microscopy, initially regarded as equivocal, and (3) to obviate the use of special tissue stains whenever possible because of the difficulty in interpretation and their questionable value. Research usage will be (1) to acquire a better understanding of the pathophysiology of human tissue, i.e., bone marrow, liver, and kidney through the study of cellular ultrastructure, (2) to identify infectious and noninfectious virus particles as well as to reveal viruses that cannot be replicated in cell cultures or laboratory animals or observed indirectly by conventional virological or serological methods, and (3) to study the ultrastructure of hepatoparenchymal damage in an effort to develop a more accurate correlation of the various liver function tests than can be provided by chemical analysis alone. The article will also be used to provide education and training for microscopists at both the technical and professional levels. Application received by Commissioner of Customs: November 6, 1981.

Docket No. 82-00043. Applicant: Auburn University, Auburn, Alabama 36849. Article: Surface Analysis System; XPS, UPS, AES, ISS. Manufacturer: Leybold-Heraeus GMBH & Co., West Germany. Intended use of article: The article is intended to be used for studies of surfaces, thin films, interfaces of various elements, organic/inorganic compounds, and absorbed gases. Experiments to be conducted include preparation and reaction of materials in selected atmospheres followed by study using the available surface analysis techniques. The objectives pursued in the course of the investigations will be to obtain an understanding of the physics and chemistry of surfaces and interfaces. Included will be the determination of chemical composition and structure of surfaces and interfaces of the surface atoms. Such measurements are essential to the research objectives of: novel catalyst design, better fabrication procedures for thin film semiconducting devices, and the study of coal surfaces under reaction (gasification or liquefaction). The article will also be used in the training of M.S. and Ph. D. students during the course of their thesis research. Application

received by Commissioner of Customs: November 9, 1981.

Docket No. 82–00044. Applicant: U.S. Department of Agriculture, Plant Stress Laboratory, PPHI, Bldg. 177B, BARC-East, Beltsville, MD 20705. Article: Electron Microscope, Model H–300 with Film Desiccator and Holders. Manufacturer: Hitachi Scientific Instruments, Japan. Intended use of article: The article is intended to be used for studies of ultrastructural features of cells including observations of membranes, ribosomes, golgi and other cellular organelles. Experiments will be conducted in an effort to increase food and fiber quality and production. Application received by Commissioner of Customs: November 9, 1981.

Docket No. 82–00045. Applicant: Lyndon B. Johnson Space Center, Houston, TX 77058. Article: Red Filter for Precision Approach Path Indicator. Manufacturer: Barrel Lighting Co., Ltd., United Kingdom. Intended use of article: The article is intended to be used in a test evaluation at Northrup Strip, NM using T–38 aircraft and the Shuttle Training Aircraft to determine the suitability of this apparatus to the approach to landing portion of Shuttle Operations. Application received by Commissioner of Customs: November 9, 1981.

Docket No. 82–00046. Applicant: USDA, SE/ARS, Biological Control of Insects Research Laboratory, Box A, Research Park, Columbia, MO 65205. Article: Electron Microscope, Model JEM 100S and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used to examine and study various types of microorganisms (bacteria, viruses, fungi, protozoa) and biological specimens (organs and cells) of invertebrate, especially insects. Phenomena to be studied include the effects of these microorganisms on organs and tissue as well as the ultrastructure morphology and characteristics of these microorganisms. Experiments to be conducted will include:

(a) Characterization of the morphology and ultrastructure of viral entities as well as components of bacterial, fungal and protozoan cells.

(b) Studies of the various chemical and biological agents on sub-cellular components (both *in vivo* and *in vitro*) of cells and tissue of invertebrates.

(c) Effects of microorganisms on non-homologous and homologous cells.

(d) Mode of absorption, penetration, replication and synthesis of invertebrate viruses in homologous and non-homologous hosts.

(e) Studies on the development and formation of antibodies in the hemolymph of insects exposed to microorganisms and to multicellular invertebrate as well as changes in the cellular and subcellular ultrastructure of hemocytes of insects.

(f) Characterization of mutants and recombinants based on physiological and biochemical reactions to histochemicals as well as ultrastructures and morphology.

(g) Detection and description of the ultrastructure of receptor cells which permit benefical predators and parasites to seek out potential hosts.

(h) Characterization and description of membrane(s) and wall structure(s) of viral inclusion bodies as well as microscopic-capsular spheres.

(i) Anaylsis and observation of cells specially labeled with radioactive isotopes utilizing autoradiographic procedures.

Application received by Commissioner of Customs: November 9, 1981.

Docket No. 82–00047. Applicant: University of California, Lawrence Livermore National Laboratory, P.O. Box 5012, Livermore, CA 94550. Article: Imacon 500, Ultrafast Streak Camera. Manufacturer: Hadland Photonics, Ltd., United Kingdom. Intended use of article: The article is intended to be used for studies of metals such as Al, Au, Cu, U, Be, Mo. The equations of state of these metals are to be investigated under the conditions of ultra-high pressure. The shock velocities in the metals noted above will be used to determine the material equation of state along the Hugoniot curve (the locus of final states reached by shock waves of varying strengths). The shock velocity measurement is central to this investigation. Application received by Commissioner of Customs: November 9, 1981.

Docket No. 82–00048. Applicant: The Regents of the University of California, Riverside; Material Management Department, Riverside, CA 92521. Article: Saddle Field Neutral Source. Manufacturer: Ion Tech Ltd., United Kingdom. Intended use of article: The article is intended to be used as the central element of a specially-constructed fast atom bombardment (FAB) source for a fourier transform mass spectrometer. This instrument is being modified to permit gas-phase studies of molecular species with masses in the 10,000–20,000 dalton range. In order to accomplish this, these involatile materials must be volatilized and ionized. That is the purpose of the saddle field gun. by incorporation of the gun in the instrument's direct insertion sample probe it is expected that bombardment of samples with both xenon and argon neutral atoms with energies of circa 5 KeV will be possible. Once the unique research instrument is constructed it will be used for advanced graduate-level training of students studying for the Ph. D. and M.S. degrees in Analytical Chemistry. Application received by Commissioner of Customs: November 18, 1981.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Richard M. Seppa,

Director, Statutory Import Programs Staff.

[FR Doc. 81-35831 Filed 12-11-81; 8:45 am]

BILLING CODE 3510-25-M

Drycleaning Machinery From West Germany; Preliminary Results of Administrative Review of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of antidumping finding.

SUMMARY: The Department of Commerce has conducted an administrative review of the antidumping finding on drycleaning machinery from West Germany. The review covers the two known manufacturers and exporters of this merchandise to the United States presently covered by the finding and separate time periods for each firm up to June 30, 1980. The review indicates the existence of dumping margins for each firm.

As a result of the review the Department has preliminarily determined to assess dumping duties for those firms equal to the calculated differences between United States price and foreign market value on each of their shipments during the periods of review. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: December 14, 1981.

FOR FURTHER INFORMATION CONTACT: Betsy E. Stillman or David R. Chapman, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202–377–4833/2657).

SUPPLEMENTARY INFORMATION:

Background

On November 8, 1972, the Department of the Treasury published in the **Federal Register** an antidumping finding with respect to drycleaning machinery from

West Germany (T.D. 72-311, 37 FR 23715).

On January 1, 1980, the provisions of title I of the Trade Agreements Act of 1979 became effective. Title I replaced the provisions of the Antidumping Act of 1921 ("the 1921 Act") with a new title VII to the Tariff Act of 1930 ("the Tariff Act"). On January 2, 1980, the authority for administering the antidumping duty law was transferred from the Treasury Department to the Department of Commerce ("the Department"). The Department published in the Federal Register of March 28, 1980 (45 FR 20511-20512) a notice of intent to conduct administrative reviews of all outstanding dumping findings. As required by section 751 of the Tariff Act, the Department has conducted an administrative review of the finding on drycleaning machinery from West Germany. The substantive provisions of the 1921 Act and the appropriate Customs Service regulations apply to all unliquidated entries made prior to January 1, 1980.

Scope of the Review

Imports covered by this review are shipments of drycleaning machinery, currently classifiable under item 670.4100 of the Tariff Schedules of the United States Annotated (TSUSA). The Department knows of two firms engaged in the manufacture and exportation of drycleaning machinery to the United States and presently covered by the finding.

This review covers one firm for all time periods up to June 30, 1980, the most recent date for which information is available, during which the company shipped drycleaning machinery to the United States and for which appraisement instructions ("master lists") were not issued by Treasury. The review for the other firm covers the one-year period from July 1, 1979 to June 30, 1980. We will analyze this firm's sales of drycleaning machinery made during previous unreviewed periods, and certain machines sold during the most recent period, in a subsequent administrative review.

The issue of the Department's obligation to conduct administrative review of entries, unliquidated as of January 1, 1980 and covered by previously issued master lists, is under review. Liquidation has been suspended pending disposition of the issue.

United States Price

In calculating United States price, the Department used exporter's sales price, as defined in section 772 of the Tariff Act or section 204 of the 1921 Act.

Exporter's sales price was based on the packed price from the firm's U.S. affiliate to the first unrelated purchaser in the United States. Where applicable, deductions were made for U.S. duty, brokerage fees, ocean freight, insurance, U.S. and foreign inland freight, handling and demurrage. We also made deductions, where applicable, for discounts and selling expenses. No other adjustments were claimed or allowed.

Foreign Market Value

In calculating foreign market value, the Department used home market price, as defined in section 773 of the Tariff Act or section 205 of the 1921 Act. The foreign market value was adjusted, where applicable, for discounts and for differences in packing. We made deductions for technical assistance, differences in credit costs and for commissions to unrelated parties in accordance with section 353.15 of the Commerce Regulations and § 153.10 of the Customs Regulations. Adjustments were also made for differences in similar merchandise in accordance with § 353.16 of the Commerce regulations and § 153.11 of the Customs regulations. In accordance with § 353.15(c) of the Commerce regulations we made allowances for actual selling expenses incurred in the home market up to the amount of selling expenses incurred in the United States. All selling expenses in the U.S. were deducted from the resale price in accordance with section 772 of the Tariff Act. This was accomplished by deducting all U.S. selling expenses which remained after deducting such expenses to offset the commission paid in the home market.

Additional claims for adjustments for selling expenses were disallowed when they were determined not to be selling expenses or were not properly quantified. We did not allow claims for adjustments to home market price for selling expenses for one respondent because that respondent did not separate U.S. direct from U.S. indirect selling expenses. We could not, therefore, establish the limit to the exporter's sales price offset required by section 353.15(c) of the Commerce Regulations. Level of trade adjustments were disallowed because they were not properly quantified. No other adjustments were claimed or allowed.

Preliminary Results of the Review

As a result of our comparison of United States price to foreign market value, we preliminarily determine that the following margins exist:

Firm	Time period	Margin (percent)
Boewe Maschinenfabrik Gmbh	7/1/79-6/30/80	65.95
Seco Maschinenbau Gmbh & Co. Kommanditgesell- schaft.	1/1/78-6/30/80	10.56

Interested parties may submit written comments on these preliminary results on or before January 13, 1982 and may request disclosure and/or a hearing on or before December 29, 1981. Any request for an administrative protective order must be made no later than December 21, 1981. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing.

The Department shall determine, and the U.S. Customs Service shall assess, dumping duties on all entries made with export dates during the time periods involved. Individual differences between United States price and foreign market value may vary from the percentages stated above. The Department will issue appraisement instructions separately on each shipper directly to the Customs Service.

Further, as provided by § 353.48(b) of the Commerce Regulations, a cash deposit based upon the margins calculated above shall be required on all shipments of drycleaning machinery entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results. This requirement shall remain in effect until publication of the final results of the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and §353.53 of the Commerce Regulations (19 CFR 353.53).

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

December 7, 1981.

[FR Doc. 81-35632 Filed 12-11-81; 8:45 am]

BILLING CODE 3510-25-M

Viscose Rayon Staple Fiber From Italy; Final Results of Administrative Review of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of final results of administrative review of antidumping finding.

SUMMARY: On October 8, 1981, the Department of Commerce published the preliminary results of its administrative review of the antidumping finding on

viscose rayon staple fiber from Italy. The review was limited to the only known exporter, Snia Fibre S.p.A. (formerly Italviscosa), and to the period June 1, 1980 through May 31, 1981. Interested parties were given an opportunity to submit written or oral comments on these preliminary results. We received no comments.

EFFECTIVE DATE: December 14, 1981.

FOR FURTHER INFORMATION CONTACT: J. Linnea Bucher or David R. Chapman, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202–377–4273/2657).

SUPPLEMENTARY INFORMATION:

Background

On June 13, 1979, an antidumping finding with respect to viscose rayon staple fiber from Italy was published in the **Federal Register** as Treasury Decision 79–168 (44 FR 33878–9). On October 8, 1981, the Department of Commerce ("the Department") published in the **Federal Register** the preliminary results of its administrative review of the finding (46 FR 49936–7). The Department has now completed that administrative review.

Scope of the Review

The imports covered by this review are shipments of viscose rayon staple fiber, except solution dyed, in noncontinuous form, not carded, not combed and not otherwise processed, wholly of filaments (except laminated filaments and plexiform filaments), currently classifiable under items 309.4320 and 309.4325 of the Tariff Schedules of the United States Annotated (TSUSA). The Department knows of one Italian exporter of viscose rayon staple fiber to the United States. That firm is Snia Fibre, S.p.A. (formerly Italviscosa). The review covered the period June 1, 1980 through May 31, 1981.

Final Results of the Review

The Department received no written comments or requests for disclosure or a hearing. Therefore, the final results of our review are the same as those presented in the preliminary results of review. There are no known shipments to the United States during this time period and no known unliquidated entries.

As provided for by § 353.48(b) of the Commerce Regulations, a cash deposit of estimated duties based upon the most recent margin calculated, that is 18.6 percent of the entered value, shall be required on all shipments of viscose rayon staple fiber from Italy entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. This deposit requirement shall remain in effect until publication of the final results of the next administrative review. The Department intends to conduct the next administrative review by the end of June 1983.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(1)) and section 353.53 of the Commerce Regulations (19 CFR 353.53).

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

December 7, 1981.

[FR Doc. 81-35633 Filed 12-11-81; 8:45 am]

BILLING CODE 3510-25-M

National Oceanic and Atmospheric Administration

National Marine Fisheries Service; Receipt of Application for Permit

Notice is hereby given that an Applicant has applied in due form for a Permit to take marine mammals as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216).

1. Applicant: a. Name: Manomet Bird Observatory (P288); b. Address: Manomet, Massachusetts 02345.

2. Type of Permit: Scientific Research.

3. Name and Number of Animals: Harbor seal (Phoca vitulina concolor) 5.

4. Type of Take: Up to five(5) rehabilitated, beached/stranded harbor seals will be fitted with a radio transmitter and released at Stage Point, Massachusetts. Animals will be monitored to determine wintering haul-out sites, daily movements, feeding times, frequency, and locations, basic population parameters, and the physiological and biological demands of a free-swimming harbor seal.

5. Location of Activity: Animals will be released at Stage Point, Massachusetts.

6. Period of Activity: 2 years.

Concurrent with the publication of this notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee on Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235, on or before January 13, 1982. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries.

All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street NW., Washington, D.C.; and

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

Dated: December 8, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-35734 Filed 12-11-81; 8:45 am]

BILLING CODE 3510-22-M

Patent and Trademark Office

Public Advisory Committee For Trademark Affairs; Open Meeting

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

The Public Advisory Committee for Trademark Affairs will meet from 9:00 a.m. until 5:00 p.m. on January 12, 1982, at the Stouffer's National Center Hotel, 2399 Jefferson Davis Highway, Arlington, Virginia.

The Committee was first established in 1970 and was reestablished in 1979 to advise the Patent and Trademark Office of steps that can be taken to increase the effectiveness of administration of the Trademark Act and to provide a continuing source of information from the private sector to the government.

The agenda for the meeting is as follows:

(1) Trademark Fees.

(2) Trademark Pendency.

(3) Trademark Automation.

(4) Operations of the Trademark Trial and Appeal Board.

(5) Proposed Revisions to Trademark Rules of Practice.

(6) Trademark Examining Operation Reorganization.

The meeting will be open to public observation; approximately twelve (12) seats will be available for the public on a first-come first-served basis. If time permits, oral comments by the public of three (3) minutes on each topic within the above agenda will be allowed. To insure proper consideration at the meeting, any comments or suggestions relating to the agenda items should be submitted in writing before January 5, 1982. Further comments and suggestions will be accepted after the meeting on any of the matters discussed.

Copies of the minutes will be available upon request.

Inquiries may be addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231. Please mark all correspondence to the attention of Alan B. Davidson, Office of the Assistant Commissioner for Trademarks, Room CP3-11C17. Telephone: 703-557-3916.

Dated: December 2, 1981.

Gerald J. Mossinghoff,

Commissioner of Patents and Trademarks.

Dated: December 3, 1981.

Approved:

Robert B. Ellert,

Acting Assistant Secretary for Productivity, Technology and Innovation.

[FR Doc. 81-35579 Filed 12-11-81; 8:45 am]

BILLING CODE 3510-16-M

Office of the Secretary

Senior Executive Service Performance Awards

Pursuant to 5 U.S.C. 5384, the Department of Commerce announces that the following career members of the Senior Executive Service are recipients of SES performance awards (bonuses) for individual and organizational accomplishments during FY 1981. Bonus amounts are listed next to each recipient's name.

Payment Date: December 23, 1981

Bureau of the Census	
Michael Farrell, Assistant Director for Economic and Agriculture Census	$3,006.75
International Trade Administration	
Paul O'Day, Deputy Assistant Secretary for Textiles and Apparel	10,022.50
National Bureau of Standards	
Raymond C. Kammer, Deputy Director, National Bureau of Standards	10,022.50
Robert Mehrabian, Chief, Metallurgy Division	8,018.00
Edward O. Pfrang, Chief, Structure and Materials Division	5,512.50
Edward L. Brady, Associate Director for International Affairs	5,512.50
John B. Wachtman, Director, Center for Materials Science	5,512.50
John A. Simpson, Director, Center for Mechanical Engineering and Process Technology	5,011.25
Robert P. Madden, Principal Scientist, Far Ultraviolet Physics Group	5,011.25
Robert P. Blanc, Chief, Systems and Network Architecture Division	5,011.25
Samuel Kramer, Deputy Director for Programs, NEL	5,011.25
Claude C. Gravatt, Deputy Director for Programs, NML	5,011.25
George A. Uriano, Chief, Office of Standard Reference Materials	4,510.12
National Oceanic and Atmospheric Administration	
Ralph Reeder, Director, Office of Personnel	9,521.38
John J. Carey, Director, Office of Budget and Resources Management	8,018.00
Richard E. Hallgren, Director, National Weather Service	7,516.87
Martin H. Belsky, Assistant Administrator, Office of Policy and Planning	5,512.50
Vernon E. Derr, Deputy Director, Environmental Research Laboratories	5,011.25
Richard J. Keating, Director, Congressional Affairs	2,505.62
Robert D. Wildman, Associate Director for Operations, Sea Grant	2,505.62
Office of the Secretary	
Frederick Knickerbocker, Acting Director, Economic Policy Staff	8,018.00
Beatrice Vaccara, Director, Bureau of Industrial Economics	7,516.87
David S. Nathan, Deputy Assistant Secretary, Office of Acquisition, Grants and Information	7,516.87
Clifford J. Parker, Deputy Assistant Secretary, Office of Resources Management	7,516.87
Hugh L. Brennan, Director, Office of Organization and Management Systems	5,512.50
Edward Smith, Director, Office of Producer Goods, BIE	3,006.75
Allan Young, Deputy Director, Bureau of Economic Analysis	3,006.75
David Edgell, Special Assistant for Special Projects, USTS	2,505.62
Patent and Trademark Office	
Robert F. Burnett, Special Assistant to the Assistant Commissioner for Patents	9,521.38
Samih Zaharna, Director, Patent Examining Group 160	8,018.00
Mark Newman, Director, Patent Examining Group 320	5,512.50
Al Lawrence Smith, Director, Patent Examining Group 240	5,011.25

Payment Date: January 6,1982

Bureau of the Census	
Daniel Levine, Deputy Director, Bureau of the Census	9,020.25
C. Thomas DiNenna, Chief, Computer Operations Division	3,006.75
Emanuel Lipscomb, Chief, Foreign Trade Division	3,006.75
Economic Development Administration	
Edward M. Levin, Chief Counsel	5,512.50
Joseph B. Swanner, Regional Director, Austin, Texas	4,510.12
International Trade Administration	
Michael Doyle, Director for Administration	7,516.87
Gerald Marks, Director, Chicago Office, U.S. Commercial Service	5,512.50
J. Mishell George, Deputy Assistant Secretary, International Trade Development	5,512.50
National Bureau of Standards	
Peter L. Heydemann, Director, Center for Chemical Physics	9,521.38
James R. Wright, Deputy Director of Operations, NEL	5,512.50
Richard D. Deslattes, Leader, Quantum Metrology Group	5,512.50
Morris Krauss, Group Leader, Quantum Chemistry Group	4,510.12
Jesse Hord, Director, Center for Chemical Engineering	4,510.12
Hans J. Oser, Senior Scientist, NEL	4,510.12
Oskars Petersons, Chief, Electrosystems Division	4,009.00
Cedric J. Powell, Chief, Surface Science Division	4,009.00
Bascom W. Birmingham, Director, Boulder Laboratories	4,009.00
Kenneth F. Gordon, Director, Planning Office	4,009.00
National Oceanic and Atmospheric Administration	
Thomas D. Potter, Director, Environmental Data & Information Services	10,022.50
David S. Johnson, Assistant Administrator, National Earth Satellite Service	5,512.50
John M. St. Clair, Chief, Engineering Division, Technical Service, NWS	5,512.50
Alan R. Thomas, Executive Director, Research and Development	5,512.50
Thomas E. Pyle, Deputy Director, National Ocean Survey	5,011.25
Frederick P. Ostby, Director, National Severe Storms Center, NWS	5,011.25
Allen E. Peterson, Director, NE Regional Office, NMFS	5,011.25
Walter H. Chappas, Associate Director, Aeronautical Charting	5,011.25
Steven N. Anastasion, Executive Director, NACOA	4,009.00
William G. Gordon, Assistant Administrator, National Marine Fisheries Service	4,009.00
Richard H. Hagemeyer, Executive Director, National Weather Service	3,006.75
Stuart G. Bigler, Regional Director, Alaska Region, NWS	3,006.75
Dail W. Brown, Director, National Marine Pollution Program Office	2,505.62
Office of the Secretary	
Frederic A. Heim, Jr., Deputy Inspector General	7,516.87
Charles Waite, Chief Economist, Bureau of Economic Analysis	4,009.00
Frank DeLooouw, Chief Statistician, Bureau of Economic Analysis	4,009.00
Ken Brown, Deputy Director, Bureau of Industrial Economics	4,009.00
Patents and Trademark Office	
Herbert C. Wamsley, Director, Trademark Examining Operations	4,510.12

Persons desiring any further information concerning these performance awards may contact John Innocenti, Chief, Executive Resources Division, Office of Personnel, Main Commerce Building, Room 5119, Washington, D.C. 20230, (202) 377-4534.

Dated: December 8, 1981.

John Innocenti,

Chief, Executive Resources Division, Office of Personnel, Department of Commerce.

[FR Doc. 81-35640 Filed 12-11-81; 8:45 am]

BILLING CODE 3510-BS-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjusting Import Restraint Levels for Certain Cotton Textile Products from the People's Republic of China

December 9, 1981.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Granting increases, variously, for swing, carryover and carryforward for cotton textile products in Categories 331, 339, 340, 341 and 347/348, produced or manufactured in the People's Republic of China and exported during the agreement year which began on January 1, 1981.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal**

Register on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR 8542), May 5, 1981 (46 FR 25121), October 5, 1981 (46 FR 48963) and October 27, 1981 (46 FR 52409).)

SUMMARY: The Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of September 17, 1980, as amended, between the Governments of the United States and the People's Republic of China provides for the carryover of shortfalls from the previous agreement year in certain categories (carryover), for percentage increases in certain specific category ceilings during an agreement year (swing), and for the borrowing of yardage from the following year's level (carryforward) with the amount used deducted from that level in the following year. Pursuant to the terms of the bilateral agreement, as amended, and at the request of the Government of the People's Republic of China, the import restraint levels established for Categories 331, 339, 340, 341 and 347/348 are being increased for the twelve-month period which began on January 1, 1981 and extends through December 31, 1981.

EFFECTIVE DATE: December 9, 1981.

FOR FURTHER INFORMATION CONTACT: Carl Ruths, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377–4212).

SUPPLEMENTARY INFORMATION: On December 4, 1980, a letter dated November 28, 1980 from the Chairman of the committee for the Implementation of Textile Agreements to the Commissioner of Customs was published in the **Federal Register** (45 FR 80324), which established import restraint levels for certain specified categories of cotton, wool and man-made fiber textile products, including Categories 331, 339, 340, 341, and 347/348, produced or manufactured in the People's Republic of China and exported to the United States during the twelve-month period which began on January 1, 1981. In accordance with terms of the bilateral agreement and at the request of the Government of the People's Republic of China, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs in the letter published below to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in the foregoing categories in excess of the adjusted levels of restraint.

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

December 9, 1981.

Commissioner of Customs,
Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: On November 28, 1980, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry for consumption, or withdrawal from warehouse for consumption, during the twelve-month period beginning on January 1, 1981 and extending through December 31, 1981 of cotton, wool and man-made fiber textile products in certain specified categories, produced or manufactured in the People's Republic of China, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.[1]

Under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of September 17, 1980, as amended, between the Governments of the United States and the People's Republic of China; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to amend, effective on December 9, 1981 and for the twelve-month period beginning on January 1, 1981 and extending through December 1981, the levels of restraint established for cotton textile products in Categories 331, 339, 340, 341, and 347/348 of the following:

Category	Amended 12-mo. level of restraint [1]
331	3,740,308 dozen.
339	906,015 dozen.
340	577,079 dozen.
341	332,429 dozen.
347/348	2,042,880 dozen.

[1] The levels of restraint have not been adjusted to reflect any imports after December 31, 1980.

The actions taken with respect to the Governments the People's Republic of China and with respect to imports of cotton textile products from China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the **Federal Register.**

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-35630 Filed 12-11-81; 8:45 am]

BILLING CODE 3510-25-M

[1] The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of September 17, 1980, as amended, between the Governments of the United States and the People's Republic of China, which provide, in part, that: (1) within the aggregate and applicable group limits, specific levels of restraint may be exceeded by designated percentages; (2) these same levels may be increased for carryover and carryforward up to 11 percent of the applicable category limit; (3) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

Announcing Import Restraint Levels for Certain Cotton, Wool and Man-Made Fiber Textile Products From Macau, Effective on January 1, 1982

December 9, 1981.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Establishing import restraint levels for certain cotton, wool and man-made fiber textile products imported from Macau, effective on January 1, 1982.

SUMMARY: The Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of November 29 and December 18, 1979, between the Governments of the United States and Portugal establishes specific ceilings for cotton, wool and man-made fiber textile products from Macau in Categories 333/334/335 (Suit-Type and Other Cotton Coats), 338 (Men's and Boys' Knit Shirts), 339 (Women's, Girls' and Infants' Knit Shirts and Blouses), 340 (Men's and Boys' Woven Cotton Shirts), 341 (Women's, Girls' and Infants' Woven Cotton Blouses), 347/348 (Cotton Trousers), 445/446 (Wool Sweaters), 633/634/635 (Suit-Type and Other Man-Made Fiber Coats), and 641 (Blouses), during the agreement year which begins on January 1, 1982 and extends through December 31, 1982. The agreement also provides consultation levels for certain categories, such as Categories 331 (Cotton Gloves), and 351 (Cotton Nightwear), which are not subject to specific ceilings and which may be increased upon agreement between the two governments. In the letter published below the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs, in accordance with the terms of the bilateral agreement, to prohibit entry into the United States for consumption, or withdrawal from warehouse for consumption, of textile products in the foregoing categories, produced or manufactured in Macau and exported during the twelve-month period which begins on January 1, 1982 and extends through December 31, 1982, in excess of the designated levels of restraint. The level of restraint for Categories 333/334/335 has been reduced by 13,750 dozen

for 1982 as a result of a negotiated settlement.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR 85142), May 5, 1981 (46 FR 25121), October 5, 1981 (46 FR 48963) and October 27, 1981 (46 FR 52409).)

This letter and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

EFFECTIVE DATE: January 1, 1982.

FOR FURTHER INFORMATION CONTACT: Ronald J. Sorini, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377–4212).

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

December 9, 1981

Commissioner of Customs,
Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of November 29 and December 18, 1979, between the Governments of the United States and Portugal; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on January 1, 1982 and for the twelve-month period extending through December 31, 1982, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, wool and man-made fiber textile products in the following categories, produced or manufactured in Macau, in excess of the indicated levels of restraint:

Category	12-mo. level of restraint
331	200,000 dozen pairs.
333/334/335	84,992 dozen of which not more than 50,801 dozen shall be in Cat. 333/335.
338	129,548 dozen.
339	551,193 dozen.
340	124,180 dozen.
341	80,094 dozen.
347/348	295,773 dozen.
351	13,462 dozen.
445/446	69,279 dozen.
633/634/635	207,107 dozen.
641	74,449 dozen.

In carrying out this directive entries of textile products in the foregoing categories, except Categories 331, 351 and 641, which have been exported to the United States on and after January 1, 1981, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the twelve-month period beginning on January 1, 1981 and extending through December 31, 1981. In the event that the levels of restraint established for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter. Textile products in Categories 331, 351 and 641 which have been exported before January 1, 1982 shall not be subject to this directive.

Textile products in Categories 331, 351 and 641 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

The levels of a restraint set forth above are subject to adjustment in the future pursuant to the provisions of the bilateral agreement of November 29, and December 18, 1979, which provide, in part, that: (1) within the aggregate and applicable group limits, specific levels of restraint may be exceeded by designated percentages; (2) these same levels may be increased for carryover and carryforward up to 11 percent of the applicable category limit; (3) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement. Any appropriate adjustments under the provisions of the bilateral agreement referred to above will be made to you by letter.

A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR 85142), May 5, 1981 (46 F.R. 25121), October 5, 1981 (46 FR 48963) and October 27, 1981 (46 F.R. 52409).

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Portugal and with respect to imports of cotton, wool and man-made fiber textile products from Macau have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the **Federal Register.**

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-35629 Filed 12-11-81; 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Science Board Task Force on Application of High Technology to Ground Forces; Notice of Advisory Committee Meeting

The Defense Science Board Task Force on Application of High Technology to Ground Forces will meet in closed session on January 5, 1982 and February 19, 1982 in the Pentagon, Washington, D.C.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on overall research and engineering policy and to provide long-range guidance to the Department of Defense in these areas.

At the meetings on January 5, and February 19, 1982 the Task Force will review current missions of light forces and make recommendations concerning the application of high technology to enhance battlefield capabilities.

In accordance with 5 U.S.C. App. 1, 10(d)(1976), it has been determined that this Defense Science Board Task Force meeting concerns matters listed in 5 U.S.C. 552b(c)(1)(1976), and that accordingly this meeting will be closed to the public.

Dated: December 9, 1981.

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.

[FR Doc. 81-35657 Filed 12-11-81; 8:45 am]

BILLING CODE 3810-01-M

Defense Science Board Task Force on University Responsiveness to National Security Requirements; Meeting

The Defense Science Board Task Force on University Responsiveness to National Security Requirements will meet in closed session on January 6, 1982 at the Pentagon, Room IE801, Washington, D.C. The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on overall research and engineering policy and to provide long-range guidance to the Department of Defense in these areas.

At the meeting on January 6, 1982, the Task Force will review, using the guidelines established in its Terms of Reference, industry and university relationships to DoD programs. Additionally, the Task Force's ongoing review of the impact of DoD export control guidelines on university research

and teaching activities will be addressed.

In accordance with 5 U.S.C. App. 1 10(d)(1976), it has been determined that this Defense Science Board Task Force meeting concerns matters listed in U.S.C. 552b(c)(1)(1976), and that accordingly this meeting will be closed to the public.

December 8, 1961.

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.

[FR Doc. 81-35628 Filed 12-11-81; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF ENERGY

Voluntary Agreement and Plan of Action To Implement the International Energy Program; Meeting

In accordance with section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272), notice is hereby provided of the following meeting:

A meeting of the Industry Working Party to the International Energy Agency will be held on January 19–20, 1982, at the offices of OEMV, 5, Otto Wagner—Platz A–1091, Vienna, Austria, beginning at 9:30 a.m. on January 19.

The agenda for the meeting is as follows:

- Status of Standing Committee on the Oil Market and Industry Working Party activities and arrangements for future meetings.
- Consideration of questions connected with the crude cost information system.

As provided in section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act, this meeting will not be open to the public.

Issued in Washington, D.C., December 7, 1981.

Craig S. Bamberger,

Assistant General Counsel, International Trade and Emergency Preparedness.

[FR Doc. 81-35515 Filed 12-11-81; 8:45 am]

BILLING CODE 6450-01-M

Proposed Remedial Orders' Marathon Oil Co.

AGENCY: Department of Energy.

ACTION: Three proposed remedial orders to Marathon Oil Company and Opportunity for Objection.

I. Introduction

Pursuant to 10 CFR 205.192, the Office of Special Counsel of the Economic Regulatory Administration (ERA), Department of Energy (DOE) hereby gives Notice of three Proposed Remedial Orders issued to Marathon Oil Company, Findlay, Ohio. In accordance with that section, a copy of one or more of the Proposed Remedial Orders with confidential information, if any, deleted, may be obtained from the DOE.

Marathon is a refiner engaged in the production of crude oil, refining, and the marketing of petroleum products. Marathon was therefore subject to the Mandatory Petroleum Price and Allocation Regulations which were in effect unil January 28, 1981.

II. The Proposed Remedial Orders

1. Proposed Remedial Order No. RMNM00101

The Office of Special Counsel (OSC) of DOE has audited Marathon's reported cost recoveries and class of purchaser determinations from August 19, 1973 through December 31, 1976, and conducted further examinations of certain issues previously raised in Notice of Probable Violation issued to Marathon. OSC's audit also included a review of Marathon's compliance with special regulatory provisions governing the treatment of benezene and toluene during the period 1973–1976. OCS's findings are set forth in this Proposed Remedial Order.

OSC determined that Marathon did not consistently compute its cost recoveries in accordance with the equal application rule, and failed to properly compute cost recoveries at company operated retail service stations during the period 1973–1979, as required by the regulations. OSC also found that from April 1, 1974 through December 31, 1974, Marathon did not report cost recoveries for benzene and toluene because it incorrectly considered these products to be decontrolled. OSC further found that Marathon failed to make special adjustments to its reported incurred costs from April through December 1974 as a result of its treatment of benzene and toluence as decontrolled products.

In addition, OSC found that from August 19, 1973 through December 31, 1979, Marathon improperly treated F.S. Services, Inc., as a member of Marathon's wholesale reseller classes of purchaser instead of placing F.S. Services in its own single member class of purchaser. As a result of this error, Marathon improperly determined the May 15, 1973 weighted average prices for the firm which, in turn, led to the computation of erroneous maximum allowable prices for F.S. Services.

As a remedy for these violations, OSC proposed that Marathon refund $7,799,157 plus interest to F.S. Services to compensate for the effects of Marathon's failure to place F.S. Services in an appropriate class of purchaser from August 19, 1973 through December 31, 1979. OSC also proposed that Marathon refund $49,120,261 plus interest to its gasoline customers, $13,660,548 plus interest to its No. 2 oil customers, and $14,530,702 plus interest to its general refinery products customers to compensate for the effects of Marathon's overstatement of available costs from August 19, 1973 through December 31, 1976, as described in this Proposed Remedial Order and Proposed Remedial Order No. RMNM01701 (which was issued concurrently with this document). Marathon must also refund to its covered product customers those additional overcharges which resulted from the cost overstatements identified in the Proposed Remedial Order for the period January 1, 1977 through December 31, 1979.

2. Proposed Remedial Order No. RMNM01701

The Mandatory Petroleum Price Regulations generally permitted refiners to increase the prices of covered products by the amounts necessary to recoup increased costs on a dollar-for-dollar basis. OSC found in its audit of the increased product costs which Marathon reported for the period August 19, 1973 through December 31, 1979 that Marathon overstated these costs by $36,271,975. OCS's findings are set forth in this Proposed Remedial Order.

OSC determined that the largest portion of the overstatement was caused by Marathon's failure to use consistent methods of accounting to measure its crude oil costs for May 1973 and each month of measurement. Marathon utilized a weighted average method to calculate its domestic crude oil costs for May 1973, but used the "last in, first out" (LIFO) method to calculate each month of measurement.

Marathon also overstated its costs by including unrecouped June and July 1973 costs in its banks for September 1973 through January 1974. (The first month of measurement under the Phase IV regulations was not until August 1973). As a result, those costs from June and July which were not passed on in its increased prices, due to the Freeze Price Rule then in effect, could not be banked for use in later months.

In addition, from January 1977 through December 1979, Marathon reported imputed interest costs as available for pass-through for two of its equity status vessels which were obtained through lease/purchase arrangements. As the inputed interest on the purchase of these

vessels represented a cost of capital, it was not a permissable cost under the regulations.

In compensation for the violations identified in this Proposed Remedial Order and Proposed Remedial Order No. RMNM00101, for the period August 1, 1973 through December 1, 1976, OSC proposed that Marathon refund $49,120,261 plus interest to its gasoline customers, and $13,660,548 plus interest to its No. 2 oil customers, and $14,530,702 plus interest to its general refinery products customers. Marathon must also refund to its covered product customers those additional overcharges which resulted from the violations identified for the period January 1, 1977 through December 31, 1979.

3. *Proposd Remedial Order No. RMNL00001*

OSC's audit included a review of Marathon's reported crude oil and non-product cost increases for the period January 1, 1977 through December 31, 1979. OSC's audit also included a review of Marathon's reported cost banks for the years 1977, 1978 and 1979, and of Marathon's compliance during this period with the regulations which limited bank use. OSC's findings are set forth in this Proposed Remedial Order.

OSC's review disclosed that during the 1977–1979 audit period, Marathon included, as part of its marine transportation cost for imported crude oil, expenses for vessels which carried no Marathon crude oil to the United States. OSC also found that Marathon improperly included imputed interest for two equity status vessels in its marine transportation cost calculations. Marathon also improperly claimed marine transportation costs in 1978 which exceeded those actually incurred by Marathon during that year.

In addition, OSC's review disclosed that during the 1977–1979 audit period, marathon failed to allocate base period and month of measurement marketing costs to individual covered product categories before calculating its marketing cost increases, failed to calculate its marketing cost increases on a firm-wide basis, and failed to apply the cents per gallon limitations on its marketing cost increases in computing maximum allowable prices. OSC's audit also found that Marathon double counted certain additive cost increases, and failed to report net decreases in individual non-product cost categories.

OSC's review also disclosed that throughout the audit period, and during the months of February through December 1976, Marathon neither segregated its unrecouped costs into crude oil, purchased product, and non-product cost banks, nor distinguished these banks according to the period in which the costs were originally incurred, as required by the regulations. More importantly, Marathon also disregarded the regulatory limitations on the amount of unrecouped costs which could be included on its maximum allowable price calculations, and created negative banks to justify excessive selling prices for covered products in certain months.

In addition, OSC's review revealed that Marathon refiled its Refiners' Monthly Cost Allocation Reports for the months of measurement of April 1979 through December 1979, claiming cost bank totals which included increased crude oil costs attributable to exempt products. As a result, Marathon overstated its gasoline and general refinery products cost banks for these months by a cumulative total of $23,728,296,000.

As a remedy for these violations, OSC proposed that Marathon refund $165,407,000 plus interest, to its gasoline customers to compensate for the effects of the regulatory violations committed during the period 1977 through 1979 which are described in this Proposed Remedial Order and in Proposed Remedial Order Case Nos. RMNM01701 and RMNM00101.

III. Notice of Objection

In accordance with 10 CFR 205.193, any aggrieved person may file a Notice of Objection to any of the above described Proposed Remedial Orders with the Office of Hearings and Appeals on or before December 29, 1981. A person who fails to file a Notice of Objection shall be deemed to have admitted the findings of fact and conclusions of law as stated in the Proposed Remedial Order. If a notice of objection is not filed as provided by § 205.193, the respective Proposed Remedial Order may be issued as a final order.

All Notices, Statements, Motions, Responses, and other documents required to be filed with the National Office of Hearings and Appeals should be sent to: Department of Energy, Office of Hearings and Appeals, 2000 M Street, N.W., Washington, D.C.20461.

No confidential information shall be included in a Notice of Objection.

Requests for copies of one or more of the Proposed Remedial Orders with confidential information deleted should be directed to: Freedom of Information Reading Room, Forrestal Building, 1000 Independence Avenue, S.W., Room 1E–190, Washington, D.C. 20585.

Issued in Washington, D.C., November 24th, 1981.

Bethel Larey,

Acting Special Counsel.

[FR Doc. 81-35516 Filed 12-11-81; 8:45 am]

BILLING CODE 6450-01-M

Ineligibility of Inactive Uranium Mill Tailings Site for Remedial Action

AGENCY: Department of Energy (DOE).

ACTION: To notify the public that the Baggs, Wyoming, inactive uranium mill tailings (processing) site is no longer eligible for remedial action by DOE under the provisions of Pub. L. 95–604, "Uranium Mill Tailings Radiation Control Act of 1978," enacted November 8, 1978.

SUMMARY: As mandated by Pub. L. 95–604, entitled "Uranium Mill Tailings Radiation Control Act of 1978," enacted November 8, 1978, the Secretary of Energy on November 8, 1979, designated 25 inactive uranium mill tailings (processing) sites for remedial action. That designation included the inactive uranium mill tailings site located in Baggs, Wyoming. (44 FR 74891, December 16, 1979). Recent information from the State of Wyoming and the Department of the Interior pertaining to the eligibility of the site under the provisions of section 101(6)(A) of the Act, has resulted in a determination by the Department of Energy that the Baggs site is on public lands under the jurisdiction of the Bureau of Land Management, U.S. Department of the Interior, and is, therefore, not eligible for remedial action by DOE. Accordingly, the Secretary's prior designation of the Baggs site for remedial action is hereby rescinded.

ADDRESS FOR COMMENTS AND FURTHER INFORMATION:

Dr. William E. Mott, Office of Operational Safety, Office of the Assistant Secretary for Environmental Protection, Safety, and Emergency Preparedness, U.S. Department of Energy, Washington, D.C. 20545, telephone: (301) 353–3016.

Issued in Washington, D.C. this 7th day of December 1981.

William A. Vaughan,

Assistant Secretary, Environmental Protection, Safety, and Emergency Preparedness.

[FR Doc. 81-35627 Filed 12-11-81; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

January Entitlements Notice

Correction

In FR Doc. 81-35380, published on page 60231, on Wednesday, December 9, 1981, make the following corrections:

(1) In the third column, in the heading, "Entitlement" should be corrected to read "Entitlements".

(2) In the first paragraph, in the fifth line "entitlement" should be corrected to read "entitlements".

(3) In the tenth line, "remain" should be corrected to read "remains".

(4) In the last line of the document "the time" should be corrected to read "this time."

BILLING CODE 1505-01-M

Federal Energy Regulatory Commission

[Docket No. CP82-77-000]

Cities Service Gas Co.; Application

December 9, 1981

Take notice that on November 13, 1981, Cities Service Gas Company (Applicant), P.O. Box 25128, Oklahoma City, Oklahoma 73125, filed in Docket No. CP82-77-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain pipeline taps, measuring, regulating and appurtenant facilities to enable Applicant to render natural gas service to 9 rural right-of-way grantors, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate the following facilities:

1. Tap on Applicant's Wichita-Ottawa 20-inch transmission pipeline in Butler County, Kansas, and construct measuring, regulating and appurtenant facilities for delivery of natural gas to Page W. Benson.

2. Tap on Applicant's Pleasant Hill 8-inch transmission pipeline in Cass County, Missouri, and construct measuring, regulating and appurtenant facilities for delivery of natural gas to Robert Brinkoetter.

3. Tap on Applicant's Ottawa-Sedalia 12-inch transmission pipeline in Miami County, Kansas, and construct measuring, regulating and appurtenant facilities for delivery of natural gas to Jerry Cosner.

4. Tap on Applicant's Circleville 2-inch transmission pipeline in Jackson County, Kansas, and construct measuring, regulating and appurtenant facilities for delivery of natural gas to Frank Gilliland.

(5) Tap on Applicant's Petrolia-Fort Scott 8-inch transmission pipeline in Allen County, Kansas, and construct measuring, regulating and appurtenant facilities for delivery of natural gas to Anne C. Jordan.

6. Tap on Applicant's Ottawa-Sedalia 12-inch transmission pipeline in Pettis County, Missouri, and construct measuring, regulating and appurtenant facilities for delivery of natural gas to Rob Longan.

7. Tap on Applicant's Plattsburg 6-inch transmission pipeline in Buchanan County, Missouri, and construct measuring, regulating and appurtenant facilities for delivery of natural gas to Lloyd Manville.

8. Tap on Applicant's Ponca City 6-inch transmission pipeline in Kay County, Oklahoma, and construct measuring, regulating and appurtenant facilities for delivery of natural gas to Leroy F. Nicholson.

9. Tap on Applicant's Edmond-Drumright 12-inch transmission pipeline in Oklahoma County, Oklahoma, and construct measuring, regulating and appurtenant facilities for delivery of natural gas to Roland Walters.

Applicant estimates that the total cost of the facilities proposed to serve the right-of-way grantors would be $7,872 which cost would be financed from treasury funds on hand. Applicant estimates that the gas required annually be each domestic customer would be approximately 250 Mcf. It is stated that the sales to these nine customers would be made to The Gas Service Company for resale to these customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35668 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-81-000]

Columbia Gas Transmission Corp.; Application

December 9, 1981.

Take notice that on November 17, 1981, Columbia Gas Transmission Corporation (Applicant), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP82-81-000 an application pursuant to section 7 of the Natural Gas Act for authorization to construct and operate certain natural gas facilities and for permission and approval to abandon certain other natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct 19 individual pipeline replacement projects located in the states of Ohio, Pennsylvania and West Virginia. Applicant also proposes to abandon approximately 7.1 miles of pipeline ranging in diameter from 2 to 10 inches and certain points of delivery and appurtenant measuring facilities.

Specifically, Applicant proposes the following:

(1) The construction and operation of approximately 2.2 miles of 6-inch transmission pipeline replacing a like amount of 12-inch pipeline in Barbour County, West Virginia;

(2) The construction and operation of approximately 0.5 mile of 4-inch transmission pipeline replacing a like amount of 6-inch pipeline in Jefferson County, Pennsylvania;

(3) The construction and operation of approximately 0.9 mile of 3-inch

transmission pipeline replacing a like amount of 12-inch pipeline located in Washington County, Pennsylvania;

(4) The construction and operation of approximately 0.6 mile of 4-inch transmission pipeline replacing a like amount of 6-inch pipeline in Washington County, Pennsylvania;

(5) The construction and operation of approximately 2.8 miles of 3-inch transmission pipeline replacing a like amount of 8-inch pipeline in Washington County, Pennsylvania;

(6) The construction and operation of approximately 0.4 mile of 4-inch transmission pipeline replacing a like amount of 10-inch pipeline located in Washington County, Pennsylvania;

(7) The construction and operation of approximately 0.9 mile of 3-inch transmission pipeline replacing a like amount of 6-inch pipeline in Columbiana County, Ohio.

(8) The construction and operation of approximately 0.4 mile of 8-inch transmission pipeline replacing a like amount of 12-inch pipeline in Medina County, Ohio;

(9) The construction and operation of approximately 0.5 mile of 4-inch transmission pipeline replacing a like amount of 8-inch pipeline in Lorain, County, Ohio;

(10) The construction and operation of approximately 0.6 mile of 4-inch transmission pipeline replacing a like amount of 6- and 8-inch pipeline in Ashland County, Ohio;

(11) The construction and operation of approximately 1.2 miles of 6-inch transmission pipeline replacing a like amount of 12-inch pipeline in Ashland County, Ohio;

(12) The construction and operation of approximately 2.5 miles of 6-inch transmission pipeline replacing a like amount of 4-inch pipeline in Tuscarawas County, Ohio;

(13) The construction and operation of approximately 3.6 miles of 8-inch transmission pipeline replacing a like amount of 10-inch pipeline in Harrison and Carroll Counties, Ohio;

(14) The construction and operation of approximately 2.3 miles of 16-inch transmission pipeline replacing a like amount of 12-inch pipeline in Muskingum County, Ohio;

(15) The construction and operation of approximately 0.3 mile of 3-inch transmission pipeline replacing a like amount of 8-inch pipeline in Belmont County, Ohio;

(16) The construction and operation of approximately 0.4 mile of 6-inch transmission pipeline replacing a like amount of 4-inch pipeline in Noble County, Ohio;

(17) The construction and operation of approximately 4.7 miles of 8-inch transmission pipeline and the abandonment of a like amount of 6- and 8-inch transmission pipeline in Noble County, Ohio;

(18) The construction and operation of approximately 1.7 miles of 4-inch transmission pipeline and appurtenant regulating facilities and the abandonment of approximately 4.7 miles of 6- and 8-inch transmission pipeline in Franklin County, Pennsylvania;

(19) The construction and operation of approximately 0.5 mile of 2-inch transmission pipeline and the abandonment of approximately 1.5 miles of 2-, 3- and 4-inch transmission pipeline in Ashland County, Ohio.

Applicant further requests permission to abandon the following natural gas facilities which are no longer used or useful in Applicant's operations. It is asserted that the proposed abandonments would not result in any loss of gas supply nor the termination of service to any customer.

(1) The abandonment of approximately 0.4 mile of 2- and 4-inch storage pipeline located in Greene County, Pennsylvania;

(2) The abandonment of approximately 3.2 miles of 10-inch transmission pipeline located in Washington County, Pennsylvania;

(3) The abandonment of approximately 1.4 miles of 10-inch transmission pipeline located in Jefferson County, Pennsylvania;

(4) The abandonment of approximately 0.7 mile of 6-inch transmission pipeline located in Cameron County, Pennsylvania;

(5) The abandonment of 0.5 mile of 6-inch transmission pipeline located in Coshocton County, Ohio;

(6) The abandonment of a point of delivery to Columbia Gas of Ohio, Inc. and appurtenant measuring facilities located in Lorain County, Ohio;

(7) The abandonment of a point of delivery to Columbia Gas of Ohio, Inc. and related measuring facilities by sale to Columbia Gas of Ohio, Inc. located in Belmont County, Ohio.

Applicant asserts that the proposed construction projects are primarily designed to maintain safe and reliable service to its existing wholesale customers at levels presently authorized by the Commission. It is further stated that the abandonment projects are necessary in order to retire or abandon facilities no longer used or useful in Applicant's transmission operations.

Applicant estimates the total cost of the proposed construction program at $2,794,700 to be financed from internally generated funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35669 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP80-527-002]

El Paso Natural Gas Co.; Amendment to Application

December 9, 1981.

Take notice that on November 3, 1981, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP80-527-002 an amendment to its application filed in the instant docket on October 6, 1980, pursuant to section 7(c) of the Natural Gas Act so as to reflect the addition of the Hendrick well, Live Oak County, Texas, and the increase in the

daily transportation and delivery quantity from 4,000 Mcf to 7,500 Mcf of gas on a best-efforts basis for the account of Phelps Dodge Corporation (Phelps Dodge) at certain existing points of delivery on Applicant's interstate pipeline transmission system in New Mexico and Arizona, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

It is submitted that under a temporary certificate issued in the instant docket, Applicant transports up to 4,000 Mcf of natural gas per day for the account of Phelps Dodge necessary to displace fuel oil. It is stated that such gas is purchased by Phelps Dodge from Ike Lovelady, Inc., *et al.*, at the No. 1A Garza well located in Live Oak County, Texas, and that Seagull Pipeline Corporation (Seagull) accepts the gas at the wellhead of the No. 1A Garza well and transports such gas to Valero Transmission Company (Valero) for transportation and delivery to Applicant which subsequently delivers the natural gas to Phelps Dodge at existing delivery points in its interstate pipeline system.

Applicant asserts that since the filing of the application in this docket it has been advised that Phelps Dodge has acquired additional quantities of natural gas from a second well in Live Oak County, Texas, the Hendrick #1 well, and that it desires to utilize such gas to displace fuel oil during the fuel shortage emergency period.

It is stated that on August 5, 1981, Applicant and Phelps Dodge amended their transportation agreement to provide that the volumes of natural gas to be transported by Applicant would be produced in Live Oak County, Texas, from the No. 1A Garza well and the Hendrick #1 well along with any offset wells related thereto. Applicant further states that on August 1, 1981, it amended its gas transmission agreement with Valero, pursuant to which Valero would receive from Seagull 7,500 Mcf of natural gas per day for the account of Applicant and transport and deliver such volumes to Applicant for ultimate delivery to Phelps Dodge. Due to the variable best-efforts nature of the arrangement, Applicant asserts that it is unable to estimate the total quantity of natural gas which would be tendered to it for transportation on a monthly and annual basis during the term of the arrangements.

In order to implement the transportation and delivery of the additional volumes for the account of Phelps Dodge, Applicant amends its application filed October 6, 1980, in the instant docket so as to reflect the addition of the Hendrick #1 well and to increase the daily transportation quantity from 4,000 Mcf of gas per day to 7,500 Mcf of gas per day.

It is further asserted that except for those revenues which Applicant is expressly entitled to retain the revenues received by Applicant for the transportation service rendered for the account of Phelps Dodge would be credited to Applicant's Unrecovered Purchased Gas Costs Account (Account 191).

Any person desiring to be heard or to make any protest with reference to said amendment should on or before January 7, 1982, 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 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. All persons who have heretofore filed need not file again.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35670 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP77-408-008]

El Paso Natural Gas Co.; Amendment

December 9, 1981.

Take notice that on November 6, 1981, El Paso Natural Gas Company (Petitioner), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP77-408-008 an amendment to its pending petition to amend further the order issued August 29, 1977, in the instant docket pursuant to section 7(c) of the Natural Gas Act so as to delete all references reflecting the proposed establishment of the Ignacio delivery point under Petitioner's existing special Rate Schedule T-8 transportation and delivery arrangement with Southwest Gas Corporation (Southwest), all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Petitioner states that by order issued August 29, 1977, it was authorized to transport natural gas for Southwest in accordance with their transportation agreement dated July 3, 1977. It is submitted that the transportation agreement is on file with the Commission as Petitioner's Rate Schedule T-8.

Petitioner further states that on April 28, 1981, it filed a petition to amend the order issued August 29, 1977, so as to authorize the removal of the end-use restrictions that prevent Southwest from having natural gas transported by Petitioner and delivered to Southwest's lower priority resale customers, the deletion of ARTICLE V, *Transportation Gas to be Used for Ultimate Service Classified in Priorities 1, 2 or 3* and the substitution therefore of a new ARTICLE V entitled *Incremental Facilities*, which provides for additional facilities for the benefit of Southwest and others necessary to provide adequate transportation capacity on Petitioner's system if Southwest so elects that such incremental facilities would be constructed, the delivery of natural gas when appropriate by Petitioner to a third party for the account of Southwest, the addition of the Ignacio delivery point to the transportation agreement, and certain miscellaneous changes to the transportation agreement.

It is asserted that Petitioner and Southwest have determined that the addition of the Ignacio delivery point would not be needed at this time. Therefore, Petitioner amends its petition to amend by deleting all references to the establishment of the Ignacio delivery point and the rate provisions applicable thereto.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before January 7, 1982, 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 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. All persons who have heretofore filed need not file again.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35671 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-78-000]

Honeoye Storage Corp.; Application

December 9, 1981.

Take notice that November 13, 1981, Honeoye Storage Corporation (Applicant), P.O. Box 376, Honeoye, New York, 14471, filed in Docket No. CP82-78-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the retention and operation of existing facilities as an emergency interconnection between Applicant's existing underground gas storage system and New York State Electric and Gas Corporation's (NYSE&G) existing distribution system in Canandaigua, New York, all as more fully set forth in the application which is on file with the commission and open to public inspection.

Applicant proposes to retain and operate metering, regulating, and apurtenant facilities as an emergency interconnection between Applicant's system and NYSE&G's system. It is stated that such facilities are located between Applicant's existing 8-inch main transmission line and an existing NYSE&G distribution pipeline in the town of Canandaigua, New York, approximately 8½ miles northeast of the Honeoye gas field. Applicant explains that both NYSE&G and Applicant's New York distribution company storage customers may use the tie-in for gas transportation service to one another during periods of emergency. It is asserted that Applicant would be responsible for the maintenance and operation of the meter and regulating station and the emergency interconnection. Applicant submits that it would render emergency transportation service for its New York distribution company customers and NYSE&G pursuant to a transportation agreement dated April 2, 1980.

Applicant maintains that the maximum quantity of gas to be transported through the emergency tie-in would be equivalent to 500 Mcf per hour. It is explained that all emergency deliveries by Applicant would be conditioned upon Applicant's ability to comply with all provisions of its existing gas storage agreements with its customers.

Applicant submits that the cost of the measuring and regulating station is $14,065.

It is contended that approval of the instant application would improve the natural gas reliability in the areas immediately surrounding the Honeoye field.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's rules and practice and procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be presented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35672 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-68-000]

Lone Star Gathering Co.; Application

December 9, 1981.

Take notice that on November 12, 1981, Lone Star Gathering Company (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP82-68-000 an application pursuant to section 7(c) or the Natural Gas Act as implemented by § 157.7(c) of the regulations thereunder (18 CFR 157.7(c)) for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1982, and operation of facilities to make miscellaneous rearrangements on its system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in making miscellaneous rearrangements which would not result in any material change in transportation and sales service presently rendered by Applicant.

Applicant states that the total cost of the proposed facilities would not exceed $100,000. Applicant proposes to finance the proposed facilities from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35673 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-84-000]

Panhandle Eastern Pipe Line Co.; Application

December 9, 1981.

Take notice that on November 18, 1981, Panhandle Eastern Pipe Line Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP82-84-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain compressor and related facilities in Morton County, Kansas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has entered into a gas purchase and sales agreement with Anadarko Production Company dated October 30, 1978, pursuant to which Applicant would attach 38 new nonassociated gas wells resulting in the attachment of some 19,600,000 Mcf of initial recoverable reserves to be produced from the Red Cave Reservior. In order to connect these new supplies of natural gas Applicant proposes the construction and operation of an additional 3,312 horsepower compressor at its Elkhart Compressor Station located in Morton County, Kansas. The Elkhart Compressor Station is currently equipped with 12,800 compressor horsepower.

Applicant estimates the cost of the proposed facilities to be $6,648,000 which would be financed from funds available to the company.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35674 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-83-000]

Panhandle Eastern Pipe Line Co.; Application

December 9, 1981.

Take notice that on November 18, 1981, Panhandle Eastern Pipe Line Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP82-83-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convience and necessity authorizing the construction and operation of certain pipeline, compressor, and related facilities in Baca County, Colorado, which would enable Applicant to connect new supplies of natural gas to its system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that pursuant to a gas purchase and sales agreement with The Nueces Company (Nueces) dated August 20, 1979, as amended, it would purchase from Nueces approximately 8,000 Mcf of natural gas per day produced in Baca County, Colorado. Applicant asserts that its facilities in the Baca County gathering system are not designed to transport the total volumes of gas under the agreement. Therefore, Applicant proposes to construct and operate six miles of 10-inch pipeline and to add 305 horsepower compressor unit to its existing Midway Booster Station. Applicant asserts that the proposed facilities would increase its daily design volume capability of 5,200 Mcf per day through the existing Midway Booster Station to 8,200 Mcf per day.

Applicant states that the total cost of the proposed facilities is estimated to be $1,000,000. Such costs, it is asserted, would be financed from internally generated funds and short term bank borrowing.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commissioin's rules of practice and procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35675 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP70-185-010]

Tennessee Gas Pipeline Company, a Division of Tenneco Inc.; Petition To Amend

December 9, 1981.

Take notice that on November 5, 1981, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Petitioner), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP70-185-010 a petition to amend further the order

issued June 22, 1970,[1] as amended, in the instant docket so as to authorize the construction and operation of an additional delivery point to Lowell Gas Company (Lowell) as well as the revision of natural gas service to Lowell, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

It is submitted that pursuant to the order issued June 22, 1970, in the instant docket Petitioner was authorized to provide natural gas service to Lowell under Petitioner's Rate Schedule CD-6 and a March 1, 1981, associated gas sales contract between Petitioner and Lowell which provides for the sale and delivery by Petitioner of a contracted demand volume of 34,680 Mcf of natural gas per day. Petitioner states that it presently delivers up to 34,680 Mcf of natural gas per day to Lowell at the Tewksbury delivery point and up to 12,000 Mcf of natural gas per day at the Wilmington delivery point.

Petitioner states that Lowell has requested that Petitioner construct and operate an additional delivery point on Petitioner's system in order to meet the requirements of Lowell's customers in the Dracut, Massachusetts, area and Petitioner specifically proposes to deliver up to 12,000 Mcf of gas per day to Lowell at the proposed Dracut delivery point. Petitioner asserts that Lowell recognizes that Lowell's total daily receipts from Petitioner at the three delivery points may not exceed its total daily CD-6 contracted demand volume of 34,680 Mcf of gas per day and that Lowell must stay within its annual volumetric limitation.

Petitioner further asserts that Lowell would assume responsibility for all capital costs in connection with the construction of the additional delivery point which would be owned by Lowell and operated by Petitioner for the measurement and delivery of gas to Lowell.

Petitioner, therefore, requests that the Commission further amend its order of June 22, 1970, in the instant docket as amended so as to authorize the construction and operation of the proposed additional delivery point on Petitioner's system in the Dracut, Massachusetts, area as well as the delivery of up to 12,000 Mcf of natural gas per day at such delivery point.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 7, 1982, 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 the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35676 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[1] This proceeding was commenced before the FPC. By joint regulation of October 1, 1977 (10 CFR 1000.1), it was transferred to the Commission.

[Docket No. CP82-89-000]

Western Gas Interstate Co.; Application

December 9, 1981

Take notice that on November 19, 1981, Western Gas Interstate Company (Applicant), 1800 First International Building, Dallas, Texas 75270, filed in Docket No. CP82-89-000 an application pursuant to section 7(c) of the Natural Gas Act and § 157.7(c) of the Regulations thereunder (18 CFR 157.7(c)) for a certificate of public convenience and necessity authorizing the construction during the 12-month period commencing January 1, 1982, and operation of facilities to make miscellaneous rearrangements on its system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in making miscellaneous rearrangements which would not result in any material change in transportation and sales service presently rendered by Applicant.

Applicant states that the total cost of the proposed construction under § 157.7(c) would not exceed $100,000. Such cost, it is asserted, would be financed from funds on hand and with short-term borrowings from Applicant's parent, Southern Union Company.

Applicant further states that its existing budget authorization pursuant to § 157.7(c) expires on March 3, calendar-year basis. Applicant requests that the subject authorization commence January 1, 1982, instead of March 3, 1982. Applicant requests in the alternative an effective date of March 3, 1982.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise adivsed, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35677 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-120-000]

Alabama Power Co.; Filing

December 9, 1981.

The filing Company submits the following:

Take notice that Alabama Power Company (Alabama) on November 30, 1981, tendered for filing two Transmission Service Delivery Point Agreements specifying additional delivery points to be covered by the Agreement between Alabama and Alabama Electric Cooperative, Inc., (AEC) for Transmission Service to

Distribution Cooperative Members of AEC which was dated August 28, 1980 (Agreement). This Agreement has been designated Rate Schedule FERC No. 147 by the FERC. The purpose of these agreements is to provide for the commencing of transmission service at these locations under the Agreement. These delivery points were not included under the Agreement when it was initially filed with the Federal Energy Regulatory Commission on August 28, 1980, because the initial term of the service agreement for these delivery points had not been fulfilled under the terms of the wholesale tariff at that time. Service will commence under the Agreement for Pioneer Electric Cooperative's Georgiana Delivery Point on November 30, 1981. Likewise, service will commence for Baldwin County Electric Membership Corporation's Baldwin Tie Delivery Point on December 30, 1981. No additional facilities are to be installed by Alabama to effectuate the provision of service under this Agreement to these two delivery points.

Copies of the filing were served upon AEC.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 28, 1981. 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. 81-35679 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4807-000]

American Hydroelectric Development Corp.; Application for Short-Form License (Minor)

December 10, 1981.

Take notice that American Hydroelectric Development Corporation (Applicant) filed on June 3, 1981, an application for license (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for construction and operation of a water power project to be known as the Sly Park Project No. 4807. The project would be located on Sly Park Creek at the Bureau of Reclamation's Sly Park Dam in El Dorado County, California. Correspondence with the Applicant should be directed to: Mr. William A. Jennings, Director, American Hydroelectric Development Corporation, 100 Park Center Plaza, Suite 520, San Jose, California 95113.

Project Description—The proposed project would consist of: (1) A 36-inch diameter, 20-foot long steel penstock connected to the existing outlet pipe through Sly Park Dam; (2) a powerhouse containing a single generating unit rated at 650 kW; (3) a 36-inch diameter, 35-foot long steel tailrace conduit; and (4) associated electrical and transmission equipment.

Purpose of Project—The project would have an average annual generation of approximately 1,850 MWh and estimated construction costs of $1,068,000. Project power would be sold to the Pacific Gas and Electric Company.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. No. 88-29, and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before February 9, 1982, either the competing application itself (see 18 CFR 4.33 (a) and (d)) or a notice of intent (see 18 CFR 4.33 (b) and (c)) to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in §§ 4.33(c) or 4.101 et seq. (1981).

Comments, Protests, or Petition To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 9, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35694 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5255-000]

Anvil Power, Inc.; Application for Preliminary Permit

December 7, 1981.

Take notice that Anvil Power, Inc. (Applicant) filed on August 19, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 5255 to be known as the Clearwater Creek Hydropower Project located on Clearwater Creek near Deming in Whatcom County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. G. A. Jones, Anvil Power, Inc., 1675 W. Bakerview Road, Bellingham, Washington 98226.

Project Description—The project would consist of: (1) A 6-foot high, 100-foot long diversion structure; (2) a 3-mile long, 60-inch diameter pipeline; (3) a surgetank; (4) a 2,000-foot long, 36-inch diameter penstock; (5) a powerhouse with total installed capacity of 5,000 kW

and (6) a 5-mile long, 12-kV transmission line from the powerhouse to an existing Puget Power Company transmission line. The Applicant estimates that the average annual energy production would be 25 million kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 24 months during which time it would conduct technical, environmental and economic analysis, and prepare an FERC license application. No new roads would be required for conducting these studies. The Applicant estimates that the cost of undertaking these studies would be $150,000.

Competing Applications—This application was filed as a competing application to Puget Sound Power & Light Company's application for Project No. 5150 filed on July 30, 1981. Public notice of the filing of the initial application, which has already been given, established the due date for filing competing applications or notices of intent. In accordance with the Commission's regulations, no competing application for preliminary permit, or notices of intent to file an application for preliminary permit or license will be accepted for filing in response to this notice. Any application for license or exemption from licensing, or notice of intent to file an exemption application, must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 7, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35644 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP72-9-004]

Arkansas Louisiana Gas Co.; Petition To Amend

December 9, 1981.

Take notice that on November 5, 1981, Arkansas Louisiana Gas Company (Applicant), P.O. Box 21734, Shreveport, Louisiana 71151, filed in Docket No. CP72-9-004 [1] a petition pursuant to section 7 of the Natural Gas Act to amend the order issued March 26, 1976, in the instant docket so as to authorize the deletion of an exchange point under an agreement with Cities Service Gas Company (Cities) and to permit and approve the abandonment of certain facilities installed and operated by Applicant in connection with its receipt of gas at this point, all as more fully set forth in the application which is on file with Commission and open to public inspection.

Applicant states that by order dated November 1, 1971, as amended March 26, 1976, in the instant docket it was authorized to exchange gas with Cities at a number of exchange points including the McClain exchange point in McClain County, Oklahoma. Applicant further states that it installed and operated facilities to enable it to receive gas from Cities at the McClain exchange point under its budget certificate authorization in Docket CP76-29.

Applicant states that the return of gas by Cities to Applicant has worked out more efficiently for both parties at Jane, Missouri, than at the McClain exchange point. It is asserted that no gas has been delivered by Cities to Applicant at the McClain exchange point since November 1979. Applicant therefore proposes deletion of the McClain exchange point from its exchange agreement with Cities and requests permission and approval to abandon the facilities installed and operated by Applicant in connection with its receipt of gas at this point.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 7, 1982, 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 the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35678 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[1] This proceeding was commenced before the FPC. By joint regulation of October 1, 1977 (10 CFR 1000.1), it was transferred to the Commission.

[Docket No. ER81-121-000]

Boston Edison Co.; Filing

December 9, 1981.

The filing Company submits the following:

Take notice that Boston Edison Company (Boston) on December 1, 1981, tendered for filing a proposed initial rate schedule consisting of contracts for the sale of unit capacity on a short term basis to the Reading (Massachusetts) Municipal Light Department. The proposed effective dates of the contracts are August 14, 1981 and September 2, 1981. Boston therefore requests waiver of the Commission's notice requirements.

Copies of the filing were served on the Reading Municipal Light Department and the Massachusetts Department of Public Utilities.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 28, 1981. 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. 81-35680 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-122-000]

Central Power & Light Co.; Filing

December 9, 1981.

The filing Company submits the following:

Take notice that on December 1, 1981, Central Power and Light Company (CP&L) tendered for filing an application for a rate change for service supplied under an Emergency Service Contract to the City of Robstown, Texas. In its filing, CP&L stated that the proposed rates are identical to those agreed to between CP&L and its other non-generating wholesale customers in a settlement reached in FERC Docket No. ER81-387-000.

CP&L requests an effective date of October 31, 1981, 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 a protest with the Federal Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 28, 1981. 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. 81-35681 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-80-000]

Colorado Interstate Gas Co.; Application

December 9, 1981.

Take notice that on November 16, 1981, Colorado Interstate Gas Company (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP82-80-000 an application pursuant to Section 7 of the Natural Gas Act for permission and approval to abandon certain sales to Peoples Natural Gas Company (Peoples) under Applicant's Rate Schedules G-1 and PS-1 for service to the towns of Florence, Penrose and Portland, Colorado, and for a certificate of public convenience and necessity authorizing the initiation of sales to Greeley Gas Company (Greeley) for the continuation of service to said towns under the aforementioned tariffs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes administrative changes as necessary to transfer certain sales from Peoples to Greeley pursuant to an exchange agreement between Peoples and Greeley dated April 21, 1981. Applicant explains that under the agreement the distribution properties for service to Cortez, Dolores, Florence, Gunnison, Mancos, Penrose and Portland, Colorado, are to be transferred from Peoples to Greeley and the distribution properties for service to Worthington, Windom, Lakefield, and Mountain Lake, Minnesota, are to be transferred from Greeley to Peoples. Applicant's proposal involves only the transfer of properties serving Florence, Penrose and Portland, Colorado.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 or its designee 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 abandonement are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35682 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-82-000]

Columbia Gas Transmission Corp.; Application

December 10, 1981.

Take notice that on November 18, 1981, Columbia Gas Transmission Corporation (Applicant), P.O. Box 1273, Charleston, West Virginia 25325, filed in Docket No. CP82-82-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction of 38 interconnecting tap facilities to provide additional points of delivery to existing wholesale customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes the following new points of delivery for the following wholesale customers:

1. Columbia Gas of Kentucky, Inc., 1 tap for commercial service.	Estimated annual usage of 550 Mcf.
2. Columbia Gas of Ohio, Inc., 24 taps for residential service.	Estimated annual usage of 3,600 Mcf.
3. Columbia Gas of Pennsylvania, Inc., 2 taps for residential service.	Estimated annual usage of 300 Mcf.
4. Columbia Gas of West Virginia, Inc., 10 taps for residential service.	Estimated annual usage of 1,500 Mcf.
5. Union Light, Heat & Power Co., 1 tap for residential service.	Estimated annual usage of 150 Mcf.

It is estimated that the total cost of the interconnections proposed herein is $11,475 to be financed through internally generated funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35696 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-127-000]

Duke Power Co.; Filing

December 10, 1981.

The filing Company submits the following:

Take notice that Duke Power Company (Duke Power) tendered for filing on December 3, 1981 a supplement to the Company's Electric Power Contract with Laurens Electric Cooperative, Inc. Duke Power states that this contract is on file with the Commission and has been designated Duke Power Company Rate Schedule FERC No. 144.

Duke Power further states that the Company's contract supplement, made at the request of the customer and with agreement obtained from the customer, provides for the following increase in designated demand: Delivery Point No. 4 from 3,800 KW to 4,200 KW.

Duke Power indicates that this supplement also includes an estimate of sales and revenue for twelve months immediately preceding and for the twelve months immediately succeeding the effective date. Duke Power proposes an effective date of February 17, 1982.

According to Duke Power copies of this filing were mailed to Laurens Electric Cooperative, Inc., and the South Carolina Public Service Commission.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 29, 1981. 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. 81-35698 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP68-179-001]

Florida Gas Transmission Co.; Petition To Amend

December 10, 1981.

Take notice that on November 12, 1981, Florida Gas Transmission Company (Petitioner), P.O. Box 44, Winter Park, Florida 32790, filed in Docket No. CP68-179-001 a petition to amend the order issued July 25, 1973,[1] in the instant docket pursuant to section 7(c) of the Natural Gas Act so as to authorize a limited restructuring and modification of Petitioner's currently-effective tariff to facilitate and encourage high-priority growth on Petitioner's system, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

[1] This proceeding was commenced before the FPC. By joint regulation of October 1, 1977 (10 CFR 1000.1), it was transferred to the Commission.

Petitioner proposes to lift those restrictions in its FERC Gas Tariff, Original Volume No. 1 which limit growth in Priorities 1 through 4 of its curtailment plan. Furthermore Petitioner explains that volumetric entitlements attributable to uses classified in Priorities 5 through 9 of the curtailment plan would be set and would be frozen at their current requirements as reflected in the end use data for the twelve-month period ending June 30, 1980, pursuant to FERC Opinion Nos. 98 and 98-A in Priorities 1 through 4 from that customer's total volumetric entitlement. Petitioner states that resale and direct sale customers would be treated identically.

It is stated that the existing volumetric entitlements structure on Petitioner's system was authorized by Commission order issued July 25, 1973. Petitioner submits that the restrictions set forth in the July 25, 1973, order are outdated. Petitioner asserts that unless the limitations imposed in the order are restructured or modified many of Petitioner's customers would no longer be able to serve their markets. Petitioner explains that the pressure on many of its customers to attach high-priority loads has been substantial.

Petitioner states that revision of its volumetric entitlements is also necessary because of price deregulation for most classifications of natural gas that would occur in 1985 under the Natural Gas Policy Act of 1978 and the termination of Petitioner's and Amoco Production Company's warranty contract shortly thereafter. Petitioner avers that because of Florida's climate and the large percentage of Petitioner's market which consists of sales to power companies in direct competition with other fuels it faces unique marketing problems. Petitioner asserts that this competition has caused Petitioner to structure its rates in a way that did not fully compensate Petitioner for its actual cost-of-service. Petitioner submits that beginning in 1985 even if it can theoretically acquire sufficient volumes to serve all of the requirements on its system those acquisitions would be at prices far above Petitoner's current cost of gas. It is explained that based on current pruchase gas cost estimates it is probable that after 1985 Petitioner would no longer be able to compete effectively for those markets that can use No. 6 fuel oil as alternate to natural gas.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 7, 1982, file with the Federal Energy Regulatory Commission,

Washington, D.C. 20426, a petition to intervene or protest in accordance with the requirments of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35690 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-85-000]

Great Lakes Gas Transmission Co.; Application

December 9, 1981.

Take notice that on November 18, 1981, Great Lakes Gas Transmission Company (Applicant), 2100 Buhl Building, Detroit, Michigan 48226, filed in Docket No. CP82-85-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of 30.8 miles of 36-inch pipeline loop, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate in Minnesota and Wisconsin 30.8 miles of 36-inch pipeline loop which would be added parallel to Applicant's existing pipeline system. Applicant asserts that the pipeline loop would be constructed in two segments. One segment would consist of 12.7 miles and would be constructed between Applicant's existing compressor station Nos. 4 and 5 at Deer River and Cloquet, Minnesota, respectively. Applicant submits that the other segment would be 18.1 miles long and would extend between Applicant's existing compressor station Nos. 6 and 7 at Iron River, Wisconsin, and Wakefield, Michigan, respectively.

Applicant avers that the total cost of the proposed loops is estimated to be $25,926,000 which would be financed with internally generated funds and borrowings from banks.

It is maintained that both of the proposed loops would complete valve sections which would provide added security and additional capability on Applicant's pipeline system. Furthermore, Applicant submits that approval of the instant application would result in substantial fuel savings which would accrue to the benefit of Applicant's customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35683 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. SA82-5-000]

Houston Pipe Line Co.; Application for Adjustment

December 10, 1981.

On November 24, 1981, Houston Pipe Line Company (Houston) filed with the Federal Energy Regulatory Commission an Application for Adjustment under section 502(c) of the Natural Gas Policy Act, wherein Houston sought relief from the Commission's Regulations governing transportation by intrastate pipelines as set forth in 18 CFR 284.123(b)(1)(ii). Houston seeks such adjustment to permit Houston to elect, pursuant to § 284.123(b)(1)(ii) of the Commission's regulations, to use an existing rate for intrastate storage service, other than a city-gate rate, for storage service rendered to El Paso Natural Gas Company under section 311(a)(2) of the NGPA. Houston's application is on file with the Commission and is available for public inspection.

The procedures applicable to the conduct of this adjustment proceeding are found in § 1.41 of the Commission's rules of practice and procedure, Order No. 24 issued March 22, 1979, as amended by Order 24-B issued March 24, 1980.

Any person desiring to participate in this adjustment proceeding shall file a petition to intervene in accordance with the provisions of § 1.41. All petitions to intervene must be filed on or before December 29, 1981.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35700 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 3401-002]

Hydro-Nelson Ltd.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

December 9, 1981.

Take notice that on June 11, 1981, Hydro-Nelson Ltd. (Applicant) filed an application, under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 3401) would be located on the Rockfish River, near Schuyler, in Nelson County, Virginia. Correspondence with the Applicant should be directed to: Mr. John K. Pollock, General Manager, Box 413, Afton, Virginia 22920.

Project Description—The proposed project would consist of: (1) An existing concrete gravity dam approximately 150 feet long and 35 feet high; (2) an existing reservoir having a surface area of 18 acres at an elevation of 390 feet m.s.l. and a storage capacity of approximately 64 acre-feet; (3) a proposed powerhouse containing two generators with a total capacity of 750 kW; (4) existing 2.5-kV transmission lines adjacent to the dam; and (5) appurtenant facilities. The project is not located on Federal lands.

The proposed project would be operated on a run-of-river basis.

Purpose of Project—All energy generated would be used by the Applicant for sale to the Appalachian Power Company. The average annual energy generation is estimated to be 3.3 GWh.

Agency Comments—The U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the State of Virginia, Commission of Game & Inland Fisheries, P.O. Box 11104, 4010 W. Broad Street, Richmond, Virginia 23230, are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before January 25, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 25, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Rgulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35648 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5388-000]

Jackson Valley Irrigation District; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

December 10, 1981.

Take notice that on September 18, 1981, Jackson Valley Irrigation District (Applicant) filed an application, under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705, and 2708 as amended), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project, Project No. 5388 would be located on Jackson Creek in Amador County near Ione, California. Correspondence with the Applicant should be directed to: Mr. Henry Willy, Secretary-Manager, Jackson Valley Irrigation District, 5751 Ione-Buena Vista Road, Ione, California 95640.

Project Description—The proposed project would consist of: (1) A 30-inch diameter pipe connecting an existing outlet of the existing 168-foot high and 1,000-foot long Jackson Creek Dam and Lake Amador owned by the Applicant; (2) a powerhouse with a total installed capacity of 500 kW; and (3) a 230-foot long, 12-kV transmission line interconnecting with an existing 12-kV transmission line of Pacific Gas and Electric Company. The Applicant estimates that the average annual energy production would be 1.75 million kWh.

Purpose of Project—The power generated by the proposed project would be sold to Pacific Gas and Electric Company.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the California Department of Fish and Game are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before January 22, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license appliaction no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comment, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests or petitions to intervene must be received on or before January 22, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35701 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-125-000]

Kansas Power & Light Co.; Filing

December 10, 1981.

The filing Company submits the following:

Take notice that the Kansas Power and Light Company (KP&L) on December 2, 1981, tendered for filing proposed changes in its Federal Energy Regulatory Commission Electric Service Tariff No. 123

Addendum [illegible] Participation Power Service Sche[illegible] provides for a change in the method of scheduling future power needs which no longer limit but continue to move forward as the requirements for additional energy move forward.

KP&L requests an effective date of October 14, 1981.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 29, 1981. 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. 81-35702 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-126-000]

Kansas Power & Light Co.; Filing

December 10, 1981.

The filing Company submits the following:

Take notice that the Kansas Power and Light Company (KP&L) tendered for filing on December 2, 1981, proposed changes in its Federal Energy Regulatory Commission Electric Service Tariff No. 83.

The filing of Supplement 1, Electric Interchange Agreement provides for the installation by the KP&L of 345 Kv substation facilities which will provide a connection to Kansas City Power and Light Company's 345 KV Transmission Line extending between its Iatan generating plant and its Craig Substation. The installation of the substation is to be completed on or before June 1, 1983.

KP&L requests an effective date of October 14, 1981.

Copies of the filing were served upon Kansas Corporation Commission.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 29, 1981. 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.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35703 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4608-001]

Richard Kaster; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

December 9, 1981.

Take notice that on October 13, 1981, Richard Kaster (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (FERC Project No. 4608) would be located on the Applicant's fish hatchery site on Box Canyon Springs, in Twin Falls County near Buhl, Idaho. Correspondence with the Applicant should be directed to: Vernon Ravenscroft/Helen Chenoweth, Consulting Associates, Inc., P.O. Box 893, Boise, Idaho 83701.

Project Description—The project would consist of: (1) An existing diversion structure on Box Canyon Springs; (2) an existing flume; (3) an existing pipeline (directing water to Box Canyon Fish Hatchery); (4) two 25 to 30-foot long penstocks to be located at each end of the fish hatchery; and (5) two powerhouses with a total installed capacity of 316 kW.

Purpose of Project—The power generated by the project would be sold to Idaho Power Company.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Idaho Department of Fish and Game are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and

conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before January 25, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or anotice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 25, 1982.

Filing and Service of Responsive Documents—Any filings, must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, 825 North Capitol Street, N.E., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35649 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4052-002]

John H. Koyle; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

December 10, 1981.

Take notice that on October 22, 1981, John H. Koyle (Applicant) filed an application, under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 as amended), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project, Project No. 4052 would be located on the Big Wood River, near the town of Gooding, in Gooding County, Idaho. Correspondence with the Applicant should be directed to: John H. Koyle, Route #2, Gooding, Idaho 83330.

Project Description—The proposed project would consist of: (1) An 8-foot high rock-rubble diversion structure; (2) a canal, (3) headworks; (4) six 265-foot long, 30 inch diameter penstocks; (5) a powerhouse containing six generating units, each rated at 150 kW; and (6) a 1-mile long transmission line. The average annual energy generation is estimated to be 6.7 million kWh.

Purpose of Project—The power output from the project would be sold to the Idaho Power Company.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Idaho Department of Fish and Game are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before January 25, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 25, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's

regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35704 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-69-000]

Lone Star Gas Co., Division of Enserch Corp.; Application

December 9, 1981.

Take notice that on November 12, 1981, Lone Star Gas Company, a Division of Enserch Corporation (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP82-69-000 an application pursuant to section 7(c) of the Natural Gas Act as implemented by section 157.7(c) of the regulations thereunder (18 CFR 157.7(c)) for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1982, and operation of facilities to make miscellaneous rearrangements on its system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in making miscellaneous rearrangements which would not result in any material change in transportation sales service presently rendered by Applicant.

Applicant states that the total cost of the proposed facilities would not exceed $300,000 which costs would be financed from cash on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35685 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-71-000]

Lone Star Gas Co., Division of Enserch Corp.; Application

December 9, 1981.

Take notice that on November 12, 1981, Lone Star Gas Company, a Division of Enserch Corporation (Applicant), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP82-71-000 an application pursuant to section 7 of the Natural Gas Act and § 157.7(g) of the Regulations thereunder (18 CFR 157.7(g)) for a certificate of public convenience and necessity authorizing the construction and for permission and approval to abandon during the calendar year 1982 and for operation of various field compression and related metering and appurtenant facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to enable Applicant to act with reasonable dispatch in constructing and abandoning facilities which would not result in changing Applicant's system salable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed construction and abandonment under § 157.7(g) would not exceed $1,300,000 and the cost for any single project would not exceed $325,000. Such costs, it is asserted, would be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35684 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-55-000]

Michigan Wisconsin Pipe Line Co.; Application

December 9, 1981.

Take notice that on November 4, 1981, Michigan Wisconsin Pipe Line Company (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP82-55-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of measuring stations and appurtenant facilities in order to establish new delivery points to Fountaintown Gas Company, Inc. (Fountaintown) at Sulphur Springs and Marietta, Indiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant asserts that its customer, Fountaintown, has acquired franchise rights to provide natural gas service to the towns of Sulphur Springs and Marietta, Indiana. Applicant states that Fountaintown has requested that Applicant establish new delivery points pursuant to a service agreement dated January 26, 1981, at Sulphur Springs and Marietta. Therefore, Applicant proposes to construct and operate measuring stations and appurtentant facilities in order to establish new delivery points at Sulphur Springs and Marietta. Applicant states that the proposed service would be within Fountaintown's currently effective peak day and annual entitlements pursuant to Applicant's Rate Schedule SGS-1.

Applicant states that the total cost of the proposed facilities would not exceed $94,290. Such costs, it is asserted, would be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 jurisdiction conferred upon the Federal Energy Regulatory Commission by section 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35680 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-60-000]

Michigan Wisconsin Pipe Line Co.; Application

December 9, 1981.

Take notice that on November 5, 1981, Michigan Wisconsin Pipe Line Company (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP82-60-000 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 for Natural Gas Pipeline Company of America (Natural) and the construction and operation of facilities necessary therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that approximately 50,000,000 Mcf of proven and potential gas reserves have been developed in Vermilion Area Block 380, offshore Louisiana, which have been committed to Natural pursuant to a gas purchase agreement between Natural and Texaco, Inc.

Applicant proposes pursuant to a transportation agreement dated July 30, 1981, to take receipt of up to 40,000 Mcf of natural gas per day at the southwestern terminus of Applicant's existing offshore transmission system in Vermilion Area Block 397 and to transport and redeliver equivalent volumes at an interconnection which Applicant proposes to construct in Beaver County, Oklahoma.

It is stated that the proposed transportation service is for a term of 15 years commencing with the date of initial deliveries. Applicant asserts it would assess Natural a monthly charge of $10.35 per Mcf of contract demand and would retain 1.5 percent of the volumes received for compressor fuel use.

The new interconnection proposed herein would cost an estimated $630,090 which would be financed with funds on hand. It is explained that in order to effectuate receipt of the Block 380 reserves Natural would construct and operate approximately 2.6 miles of 12¾-inch O.D. pipeline connecting the production platform in Block 380 to the southwesterly terminus of Applicant's existing offshore transmission system in Vermilion Area Block 397.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35687 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-90-000]

Michigan Wisconsin Pipe Line Co. and Panhandle Eastern Pipe Line Co.; Application

December 10, 1981.

Take notice that on November 28, 1981, Michigan Wisconsin Pipe Line Company (Mich Wis), One Woodward Avenue, Detroit, Michigan 48226, and Panhandle Eastern Pipe Line Company (Panhandle), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP82-90-000 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and exchange of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is asserted that Mich Wis and Panhandle each owns and operates pipeline and related facilities in central Wyoming which are utilized to transport gas supplies from various production sources to the transmission system of Colorado Interstate Gas Company (CIG). Applicants propose pursuant to a gas exchange agreement dated June 24, 1981, to exchange natural gas from various sources within an area of interest defined as the counties of Fremont, Natrona and Sweetwater, Wyoming.

It is submitted that initially Mich Wis would gather, deliver and exchange gas for Panhandle from the Monsanto No. 1-28 Well, the Lysite No. 1-11 Well, the Long Butte No. 3 Well, the Long Butte No. 4 Well and the Lysite No. 1-12 Well all in Fremont County, Wyoming, and deliver the subject gas for the account of Panhandle to an existing point of interconnection with CIG located in Fremont County, Wyoming.

Applicants further propose to add wells in the area of interest and to add balancing points from time to time to provide for other mutually agreeable points of exchange. It is asserted that the balancing points which may be added are existing points of interconnection between the pipeline systems of Panhandle and CIG located in Adams County, Colorado, and Sweetwater County, Wyoming. Applicants state they would file with the Commission on or before January 31 of each year appropriate revisions to the gas exchange agreement to show the addition of new wells or the deletion of wells and the addition or deletion of balancing points.

It is explained that the arrangement described above would avoid the duplication of facilities and would result in a reduced cost of bringing gas supplies to market.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35705 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5629-000]

Modesto Irrigation District; Application for Preliminary Permit

December 7, 1981.

Take notice that Modesto Irrigation District (Applicant) filed on November 9, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 5629 to be known as the Rock Creek Power Project located on Rock Creek within the Sierra National Forest in Madera County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. A. Lee DeLano, Modesto Irrigation District, 1231 11th Street, P.O. Box 4060, Modesto, California 95352.

Project Description—The proposed project would consist of: (1) A 4-foot high, 60-foot long diversion structure; (2) a 30-inch diameter, 1,486-foot long conduit; (3) a 30-inch diameter, 1,323-foot long penstock; (4) a powerhouse containing one or more generating units with a total rated capacity of 1,390 kW; and (5) a 1.1-mile long transmission line connecting the powerhouse to the existing Southern California Edison Company lines. Applicant estimates that the average annual energy production would be 3.5 million kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant has requested a 24-month permit to prepare a definitive project report, including preliminary designs, results of geological, environmental and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Forest Service and other Federal, State and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be $45,000.

Competing Applications—This application was filed as a competing application to Messrs. T. Owens, F. Castagna and R. Bean's application for Project No. 5534 filed on October 20, 1981. Public notice of the filing of the initial application, which has already been given, established the due date for filing competing applications or notices of intent. In accordance with the Commission's regulations, no competing application for preliminary permit, or notices of intent to file an application for preliminary permit or license will be accepted for filing in response to this notice. Any application for license or exemption from licensing, or notice of intent to file an exemption application, must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or § 4.101 et seq. (1981), as appropriate).

Agency Comments—Federal, State, and local agencies are invited to submit

comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rule of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 7, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35650 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5446-000]

Modesto Irrigation District; Application for Preliminary Permit

December 10, 1981.

Take notice that Modesto Irrigation District (Applicant) filed on October 2, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for Project No. 5446 to be known as the Kaiser Creek Project located on Kaiser and Westfall Creeks in Fresno County, California. The project would lie within Stanislaus National Forest. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. A. Lee DeLano, Modesto Irrigation District, 1231 11th Street, P.O. Box 4060, Modesto, California 95352.

Project Description—The proposed project would consist of: (1) A 115-foot high rock fill dam with concrete face and 2,700 acre-foot capacity reservoir; (2) a concrete diversion dam 10 feet high with negligible capacity; (3) pipeline 14,500 and 2,300 feet long; (4) a powerhouse containing two 4.3 MW capacity turbine generators with annual output of 31.6 GWh; (5) transmission line 11.4 miles long; and (6) appurtenant facilities. Generated power will be used by the Applicant to meet present and anticipated loads within its system and any surplus sold or exchanged.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a term of 36 months, during which time engineering, economic and environmental studies will be conducted to ascertain project feasibility and to support application for a license to construct and operate the project. The estimated cost of permit activities is $200,000.

Competing Applications—This application was filed as a competing application to Hydroelectric Power Engineers' application for Project No. 3539 filed on September 14, 1981. Public notice of the filing of the initial application, which has already been given, established the due date for filing competing applications or notices of intent. In accordance with the Commission's regulations, no competing application for preliminary permit, or notices of intent to file an application for preliminary permit or license will be accepted for filing in response to this notice. Any application for license or exemption from licensing, or notice of intent to file an exemption application, must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 8, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35706 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5426-000]

State of Montana Department of Natural Resources and Conservation; Application for Preliminary Permit

December 9, 1981.

Take notice that the State of Montana Department of Natural Resources and Conservation (Applicant) filed on September 29, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for Project No. 5426 to be known as the Tongue River Hydroelectric Project located on the Tongue River in Big Horn County, Montana. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Gary Fritz, Administrator Water Resources Division, Montana Department of Natural Resources, 32 South Ewing, Helena, Montana.

Project Description—The proposed Project No. 5426 would consist of: (1) The existing Tongue River Dam and Reservoir; (2) a proposed hydroelectric generating facility with an estimated installed capacity of up to 2.6 MW and an estimated average annual generation of up to 10.2 GWh; (3) a proposed transmission line to the nearest existing

major transmission line; and (4) appurtenant facilities. The sale of the power from the proposed project would be negotiated with public and private utilities and Federal power marketing agencies.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issurance of a preliminary permit for 36 months, during which time detailed studies, investigations, tests, surveys and power sales negotiations would be conducted to determine the feasibility of the project. The Applicant estimates the cost of project studies to be $100,000.

Competing Applications—This Application was filed as a competing application to the Tongue River Dam Water Project No. 4543 filed on April 17, 1981, by the City of Kalispell, under 18 CFR 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notices of intent to file competing applications will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 8, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35836 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5420-000]

State of Montana Department of Natural Resources and Conservation; Application for Preliminary Permit

December 10, 1981.

Take notice that the State of Montana Department of Natural Resources and Conservation (Applicant) filed on September 28, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 5420 to be known as the Ruby River Hydroelectric Project located on the Ruby River in Madison County, Montana. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Gary Fritz, Administrator, Water Resources Division, Montana Department of Natural Resources and Conservation, 32 South Ewing, Helena, Montana 59601.

Project Description—The proposed Project No. 5420 would consist of: (1) The existing Ruby Dam and Reservoir; (2) the existing Ruby Dam outlet conduit which would be modified to serve as a penstock; (3) a proposed hydroelectric power generating facility with an estimated installed capacity of 3.7 MW and an estimated average annual generation of 13.6 GWh; (4) a proposed transmission line to connect with the nearest existing major transmission line; and (5) appurtenant facilities. The sale of the power from the proposed project would be negotiated with public and private utilities and Federal power marketing agencies.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for 36 months, during which time detailed studies, investigations, tests, surveys and power sales negotiations would be conducted to determine the feasibility of the project. The Applicant estimates the cost of the project studies to be $100,000.

Competing Applications—This application was filed as a competing application to the City of Kalispell's application for Project No. 4487 filed on April 6, 1981. Public notice of the filing of the initial application, which has already been given, established the due date for filing competing applications or notices of intent. In accordance with the Commission's regulations, no competing application for preliminary permit, or notices of intent to file an application for preliminary permit or license will be accepted for filing in response to this notice. Any application for license or exemption from licensing, or notice of intent to file an exemption application, must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 8, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the

Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35687 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-79-000]

Mountain Fuel Supply Co.; Application

December 9, 1981.

Take notice that on November 13, 1981, Mountain Fuel Supply Company (Applicant), 180 East First South Street, Salt Lake City, Utah 84139, filed in Docket No CP82-79-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the operation of one existing four-inch tap and appurtenant facilities as a main line distribution sales tap, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to utilize one existing four-inch tap and appurtenances including regulation and metering facilities located on Applicant's Main Line No. 36 in Unita County, Wyoming, as a distribution sales tap initially for the purpose of selling natural gas to Amoco Production Company (USA) (Amoco) for use as space heating and as start-up fuel at its Whitney Canyon Gas Sweeting Plant. Applicant states that such natural gas distribution service would be provided to Amoco on a best-efforts temporary basis under Applicant's Rate Schedule T-1. It is stated that the volumes to be supplied to Amoco by Applicant do not constitute an expansion of service.

Applicant estimates that Amoco's total plant heating and start-up usage would be 200,000 Mcf for a period of approximately seventeen months (December 1981 through April 1983). Applicant further states that its maximum daily delivery requirements for heating during completion of the Whitney Canyon Plant for the winters of 1981-1982 and 1982-1983 would be 500 Mcf and that the maximum daily delivery requirements for plant start-up commencing in approximately August 1982 and extending through approximately April 1983 would be 7,000 Mcf.

It is asserted that Amoco originally planned to use Thaynes Formation gas from a well located near the plant site for heating fuel this winter but that well began producing sour gas thus preventing its use. No well in the vicinity of the plant site is capable of supplying sweet gas for Amoco's use. It is further asserted that a significant delay in securing a reliable source of heating fuel could result in a shutdown of construction at the plant until next spring.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 jurisdiction conferred upon the Federal Energy Regulatory Commission by section 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35688 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-62-000]

Northern States Power Co. (Minnesota) and Northern States Power Co. (Wisconsin); Application

December 10, 1981.

Take notice that on November 6, 1981, Northern States Power Company, a Minnesota corporation (NSP-Minn), 414 Nicollet Mall Minneapolis, Minnesota 55401, and Northern States Power Company, a Wisconsin corporation (NSP-Wis), 100 North Barstow Street, Eau Claire, Wisconsin 54701, filed in Docket No. CP82-62-000 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for reslae of natural gas to Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), and pursuant to section 502(c) of the Natural Gas Policy Act of 1978 (NGPA) and § 1.41 of the Commission's rules of practice and procedure (18 CFR 1.41) for a permanent exemption from the filing requirements of § 281.204 of the Commission's regulations and for an adjustment exempting the purchased gas costs associated with the volumes of gas which Applicants propose to sell to Tennessee from the applicability of the incremental pricing regulations, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants propose to sell up to 15,000 Mcf of natural gas per day to Tennessee pursuant to a gas sales agreement between the parties dated October 27, 1981. It is submitted that the proposed sale would commence on the date which is agreeable to Applicants, Tennessee, and Northern Natural Gas Company, Division of InterNorth, Inc. (Northern), the interstate pipeline company which would transport the gas to Tennessee. The initial term of the proposed sale would extend to October 31, 1989, or any date thereafter selected by Applicants or Tennessee in a written notice given at least 12 months in advance of such date by either Applicants or Tennessee to the other, it is explained. Applicants, it is stated, may sell in excess of 15,000 Mcf of natural gas per day to Tennessee if Applicants in their sole judgment determine that they could make additional volumes available. Applicants assert that Tennessee is obligated to purchase on each day the lesser of 11,250 Mcf or the volume which equals the volume of gas required to satisfy the requirements of Applicants' retail customers in the areas served by Applicants from Midwestern Gas Transmission Company's (Midwestern) northern system. It is submitted that on an annual basis Tennessee is obligated to purchase a minimum of 4,106,250 Mcf of natural gas from Applicants.

Tennessee, it is explained, would pay Applicants for the natural gas purchased the sum of

(a) The sum of the monthly charges excluding the demand charged which Applicants pay Midwestern pursuant to section 3.2 of Midwestern's Rate Schedule CRL-2 for the volumes

purchased by Applicants for resale to Tennessee; plus

(b) 1.0 cent for each Mcf sold to Tennessee; plus

(c) Any incremental pricing surcharge required to be imposed.

Applicants state that Midwestern would deliver the gas volumes to Northern at the interconnections of Midwestern's and Northern's facilities near North Branch and/or Cambridge, Minnesota. Northern would then deliver the volumes to Tennessee by an exchange of gas pursuant to an exchange agreement between the parties, it is asserted.

Applicants maintain that if either Midwestern or Northern is unable to satisfy its contract obligations to Applicants, Applicants may curtail sales to Tennessee by an equivalent volume prior to curtailing sales to their retail customers. It is explained that this procedure would give highest priority to Applicant's retail customers.

Applicants state that the proposed sale to Tennessee is part of an overall effort by Applicants to reduce the cost of purchased gas for their retail customers. It is asserted that this reduction would be accomplished by substituting lower-cost volumes purchased from Northern for the higher-cost volumes purchased from Midwestern. Applicants submit that to implement this program of substitution, it is necessary that Midwestern assist Applicants by transporting and delivering the volumes to be purchased from Northern. Applicants aver that Midwestern is willing to provide the transportation service only under certain conditions one of which is the Applicants sell off on a daily basis a volume of gas purchased from Midwestern equal to the daily volumes of gas purchased from Northern and transported by Midwestern for resale to Applicants' Midwestern-supplied customers. Applicants maintain that the proposed sald of natural gas to Tennessee would satify this condition.

Applicants also request a permanent exemption from the filing requirements of § 281.204 of the Commission's regulations. It is stated that § 281.204 requires each interstate pipeline listed in § 281.202 to file tariff sheets which provide that if the interstate pipeline is in curtailment natural gas would be delivered in accordance with the provisions of the permanent curtailment rule adopted by the Commission to implement section 401 of the NGPA. Applicants explain that although they are not interstate pipelines listed in § 281.202 they are concerned that if the Commission approves the proposed sale to Tennessee it may find Applicants to be interstate pipelines subject to the filing requirements of § 281.204. Applicants submit that they are primarily natural gas distribution companies engaged in the business of selling gas at retail. Applicants assert thay they have proposed the jurisdictional act of selling gas to Tennessee only for the purpose of satisfying one of the conditions imposed by Midwestern in order to obtain the transportation service which Midwestern must provide to enable Applicants to carry out their proposal to reduce the purchased gas cost for their customers. Therefore, Applicants submit that they are not interstate pipelines as a result of the sale to Tennessee.

If the Commission concludes that Applicants should be treated as interstate pipelines, they request that an exemption from the requirements of § 281.204 be granted. Applicants explain that under the gas sales agreement between Applicants and Tennessee should either Midwestern or Northern be unable to satisfy its volumetric contract obligation to Applicants Applicants would curtail or interrupt deliveries to Tennessee prior to curtailing deliveries to their retail customers. It is averred that each of the Applicants has filed a curtailment plan with the state commission which has jurisdiction over its retail gas business. Applicants state that if the volumes available from their suppliers are curtailed to the point that all of the curtailment cannot be implemented by reducing sales to Tennessee Applicants would simply curtail sales in accordance with their currently effective state curtailment plans. Applicants contend that since there would be only one jurisdictional customer whose purchases are subject to curtailment there would be no need to establish a plan to allocate a supply shortage among numerous jurisdictional customers.

Furthermore, Applicants request an adjustment permanently to exempt the purchased gas costs associated with the volumes of gas which Applicants propose to sell to Tennessee from the applicability of the Commission's incremental pricing regulations in 18 CFR Part 282. It is explained that by order issued March 24, 1980, in Docket No. SA80–11 Midwestern's northern system was exempt from incremental pricing under Title II of the NGPA for purposes of service to general system customers. Applicants submit that this determination also applies to them with respect to their proposed sale to Tennessee as the volumes which Applicants propose to sell to Tennessee are imported volumes purchased from Midwestern which are not subject to incremental pricing. Applicants assert that the incremental pricing regulations require the establishment of an incremental gas cost adjustments account and two other accounts for unrecovered gas costs and surcharges. Under the circumstances of Applicants' sale to Tennessee, it is stated that Applicants would incur no gas acquisition costs subject to incremental pricing. Applicants maintain that the monthly entries to these various accounts would be zero. Applicants contend therefore that maintenance of the accounts by Applicants in connection with their sales to Tennessee would be a meaningless exercise.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, file with the Federal Enrergy 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35707 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-73-000]

Northwest Pipeline Corp.; Application

December 7, 1981.

Take notice that on November 12, 1981, Northwest Pipeline Corporation (Applicant), 315 East 200 South, Salt Lake City, Utah 84111, filed in Docket No. CP82-73-000 an application pursuant to section 3 of the Natural Gas Act for authorization to continue the importation of natural gas from Canada at the Kingsgate, British Columbia, import point through October 31, 1987, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that the importation of natural gas is accomplished through the delivery of natural gas at Kingsgate, British Columbia, by Alberta Natural Gas Company for the account of Westcoast Transmission Company Limited (Westcoast) directly into the facilities of Pacific Gas Transmission Company (PGT) for the account of Applicant pursuant to the September 23, 1960, agreement between Applicant and Westcoast. Applicant explains that the gas so delivered to PGT is thereafter transported and delivered to Applicant at a delivery point in the vicinity of Spokane, Washington, with subsidiary delivery points located along PGT's transmission system in the states of Idaho, Washington, and Oregon. Applicant asserts that the September 23, 1960, agreement terminates December 31, 1981, and that the export license, GL-4, issued by the National Energy Board of Canada (NEB) also terminates on December 31, 1981.

It is stated that Applicant and Westcoast by an agreement dated July 6, 1979, amended the September 23, 1960, agreement to extend the term thereof through October 31, 1989, and thereafter subject to Westcoast's having an available supply of natural gas and the necessary authorization to sell and export such gas at the Kingsgate import point.

Applicant states that upon application by Westcoast to the NEB for authority to extend Export License GL-4 the NEB extended the license but limited such authorization as follows:

(a) For the period December 10, 1981, through October 31, 1982, 152,000 Mcf per day and 46,000,000 Mcf annually;

(b) For the period November 1, 1982, through October 31, 1984, 152,000 Mcf per day and 51,000,000 Mcf annually;

(c) For the period November 1, 1984, through October 31, 1985, 116,000 Mcf per day and 38,000,000 Mcf annually;

(d) For the period November 1, 1985, through October 31, 1986, 76,000 Mcf per day and 26,000,000 Mcf annually;

(e) For the period November 1, 1986, through October 31, 1987, 38,000 Mcf per day and 13,000,000 Mcf annually;

(f) A total export volume of 1.24 billion Mcf over the term of the export license.

Applicant requests authority to extend its importation of natural gas at the Kingsgate import point in a manner consistent with the GL-4 export license extension already authorized by Canada.

Applicant submits that unless it is authorized to continue the importation requested herein it would be unable to continue to serve the requirements of its northern system customers at the same level as those requirements are being served today.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 18, 1981, 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 person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35651 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5530-000]

Commonwealth of Pennsylvania; Application for Preliminary Permit

December 7, 1981.

Take notice that The Commonwealth of Pennsylvania (Applicant) filed on October 16, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 5530 to be known as the George B. Stevenson Dam Project located on The First Fork Sinnemahoning Creek in Potter and Cameron Counties, Pennsylvania. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Peter S. Duncan, Deputy Secretary for Resources Management, P.O. Box 1467, 3rd and Reilly Sts., Harrisburg, Pennsylvania 17120.

Project Description—The project would consist of: (1) The existing George B. Stevenson Dam owned by the Applicant, a rolled earthfill embankment with a maximum height of 166 feet above streambed elevation and an embankment length of 1,665 feet. (2) The existing reservoir having a storage capacity of 2,000 acre-feet at a normal water surface elevation of 920 feet m.s.l. (3) A proposed powerhouse to be constructed at the downstream terminus of a modified existing outlet tunnel with appurtenant facilities and having an installed generating capacity of approximately 0.5 MW. The Applicant estimates annual energy production to be 4,600 MW-hours. Project energy would be used by facilities within Sinnemahoning State Park, or sold to a public institution, industrial users or a public utility.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of three years, during which the Applicant would perform a study to determine the feasibility of the project. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of the studies under the permit would be $50,000.

Competing Applications—This application was filed as a competing application to the George B. Stevenson Dam Project No. 4618 filed on May 4, 1981, by United American Hydropower Group, under 18 CFR 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notices of intent to file competing applications will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to

take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petition to intervene must be received on or before January 7, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35646 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5553-000]

Commonwealth of Pennsylvania; Application for Preliminary Permit

December 7, 1981.

Take notice that the Commonwealth of Pennsylvania (Applicant) filed on October 21, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 5553 to be known as the Pymatuning Dam Hydropower Project located on the Shenango River in West Shanango Township, Crawford County, Pennsylvania. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Timothy Weston, Associate Deputy Secretary for Resources Management, P.O. Box 1467, 3rd & Riley Sts., Harrisburg, Pennsylvania 17120.

Project Description—The proposed project would consist of: (1) The existing Pymatuning Dam, an earth-filled embankment with a height of 50 feet and a length of 1,500 feet; (2) a reservoir having a surface area of approximately 14,528 acres and a storage capacity of 188,000 acre-feet at normal pool elevation of 1,008 feet m.s.l.; (3) the outlet structure would be modified in such a manner that the existing outlet conduit could be used as a power conduit; (4) a proposed powerhouse having as installed generating capacity of approximately 350 kW to be constructed at the downstream terminus of the modified outlet tunnel; and (5) appurtenant facilities. The Applicant estimates the annual energy production to be 3,000,000 kW-hrs. The Dam is owned and operated by the Commonwealth of Pennsylvania. The project energy would be used by facilities within Pymatuning State Park, or for sale to public institutions, electric cooperatives, or a public utility.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of three years, during which time the Applicant would perform studies to determine the feasibility of the project. Depending upon the outcome of the studies the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates cost of the studies under the permit would be $50,000.

Competing Applications—This application was filed as a competing application to the Pymatuning Dam Project No. 4672 filed on May 15, 1981, by United American Hydropower Group, under 18 CFR 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notices of intent to file competing applicatons will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rule of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 7, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35647 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5315-000]

Phoenix Hydro Corp.; Application for Preliminary Permit

December 7, 1981.

Take notice that Phoenix Hydro Corporation (Applicant) filed on September 2, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 5315 to be known as the Phoenix Project located on the Oswego River in Oswego and Onondaga Counties, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Gary R. Schoonmaker, President, The Phoenix Hydro Corporation, 2701 Howlett Hill Road, Marcellus, New York 13108.

Project Description—The proposed project would consist of: (1) The existing 771-foot long Oswego River Lock and Dam No. 1; (2) the existing reservoir with an approximate surface area of 75 acres at a normal pool elevation of 363.0 feet (USGS datum); (3) the existing control gates; (4) the existing power canal; (5) a proposed powerhouse with new generating facilities having an installed capacity of 6,400 kW; and (6) appurtenant works. The Oswego River Lock and Dam No. 1 are owned by the New York State Department of Transportation. The Applicant estimates that the average annual energy output would be 25,283,000. Project energy generated would be sold to a local public utility.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 18 months, during which time Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of studies under the permit would be $65,000.

Competing Applications—This application was filed as a competing application to the Long Lake Energy Corporation's application for Project No. 4113 filed on February 5, 1981, under 18 CFR 4.33 (1980), and therefore, no further competing applications or notices of intent to file a competing application will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protest or petition to intervene must be received on or before January 7, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS," "PROTEST," or "PETITION TO INTERVENE," as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35652 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4440-000]

Rockfish Corp.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

December 9, 1981.

Take notice that on March 30, 1981, Rockfish Corporation (Applicant) filed an application under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (FERC Project No. 4440) would be located on the Rockfish River, near Schuyler, in Nelson County, Virginia. Correspondence with the Applicant should be directed to: Carol C. Pollock, President, Box 413, Afton, Virginia 22920.

Project Description—The proposed project would consist of: (1) An existing downstream step dam, of rock masonry construction, approximately 250 feet long and 18 feet high; (2) a canal at an elevation 93.32 feet m.s.l. with a tailrace and headgates; (3) an existing powerhouse containing two generators with a total capacity of 400 kW; (4) existing transmission lines; and (5) appurtenant facilities. The project is not located on Federal lands. The proposed project would be operated on a run-of-river basis.

Purpose of Project—All energy generated would be used by the Applicant for sale to the Appalachian Power Company. The average annual energy generation is estimated to be 1.75 GWh.

Agency Comments—The U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the State of Virginia Commission of Game & Inland Fisheries, P.O. Box 11104, 4010 W. Broad Street, Richmond, Virginia 23230 are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before January 25, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of it rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 25, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's

regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, 825 North Capitol Street, NE., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35653 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 3193-001]

City of Santa Clara, California; Application for Major License

December 10, 1981.

Take notice than on October 30, 1981, the City of Santa Clara, California (Applicant) filed an application for license with the Federal Emergy Regulatory Commission (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for construction, operation and maintenance of the Stony Gorge Hydroelectric Project, FERC No. 3193, to be located at the existing outlet of the United States Bureau of Reclamation's Stony Gorge Dam on Stony Creek in Glenn County, California. Correspondence concerning the application should be sent to: Mr. Barry R. Flynn, Director of Electric Utility, City of Santa Clara, 1500 Warburton Avenue, Santa Clara, California 95050.

Project Description—The proposed project would involve modification of the existing Stony Gorge Dam Outlet works by removing and reinstalling the existing needle valves at the end of two new 50-inch diameter Y-branched penstock extensions. The new penstock extensions would each be 48 feet long and the penstock branches leading to a proposed powerhouse would each be approximately 100 feet long. In summary the proposed project would consist of: (1) Two 50-inch diameter Y-branched penstocks; (2) a powerhouse containing two generating units with a combined rated capacity of 3,900 kW; and (3) appurtenant facilities.

Applicant estimates the total cost of the project at $11.1 million. Project power would be used in the Applicant's municipal utility system to reduce energy purchases.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before February 16, 1982, either the competing application itself (See 18 CFR 4.33 (a) and (d)) or a notice of intent (See 18 CFR 4.33 (b) and (c)) to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c) or 4.101 et seq. (1981).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 16, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35695 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2144-001]

City of Seattle, Washington, City Light Department; Application for Amendment of License

December 9, 1981.

Take notice that on October 19, 1981, the City of Seattle, Washington, City Light Department (Licensee/Applicant) filed an application for amendment of its license for the existing Boundary Project No. 2144, located on the Pend Oreille River, near the town of Metaline Falls in Pend Oreille County, Washington. Correspondence with the Applicant should be directed to: Mr. Joseph P. Recchi, Superintendent, City Light Department, City of Seattle, 1015 Third Avenue, Seattle, Washington 98104.

Licensee seeks authorization to construct, operate and maintain: (1) Two generating units, with a rated capacity of 196 MW each, at the existing penstock stubouts within the project's existing underground powerhouse; (2) two 3,000-foot long, 230-kV transmission lines connecting the new generating units with the existing Bonneville Power Administration's switching station southwest of the powerhouse; and (3) appurtenant facilities.

The estimated annual generated energy of 510 million kWh by the proposed units would be used by the Licensee to serve its customers. The Licensee estimates the cost of the proposed action at $384 million (1981 Dollars).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, in accordance with the requirements of the Commission's rules of practice and procedure, 18 CFR 1.8 or 1.10 (1979). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's rules. Any comments, protest, or petition to intervene must be filed on or before January 25, 1982. The Commission's address is: 825 North Capitol Street, N.E., Washington, D.C. 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35645 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5612-000]

The Town of Skykomish, Wash; Application for Preliminary Permit

December 10, 1981.

Take notice that the Town of Skykomish (Applicant) filed on November 5, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for Project No. 5612 to be known as West Cady Creek Hydropower Project located on West Cady Creek tributary of North Fork of Skykomish River in Snohomish County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: The Mayor, Town of Skykomish, P.O. Box 308, Skykomish, Washington 98288.

Project Description—The proposed project would consist of: (1) A 60-foot long, 5-foot high diversion structure on West Cady Creek; (2) a 3.3-mile long diversion conduit; (3) a 4,000-foot long, 54-inch diameter penstock; (4) a powerhouse with a total installed capacity of 9,800 kW and (5) a 1-mile long, 69-kV transmission line from the powerhouse to an existing transmission line. The Applicant estimates that the average annual energy production would be 60 million kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 24 months, during which it would conduct the technical, environmental, and economic studies, and also prepare and FERC license application. The Applicant estimates that the cost of undertaking these studies would be $100,000.

Competing Applications—This application was filed as a competing application to Western Power Incorporated's application for Project No. 5338 filed on September 8, 1981. Public notice of the filing of the initial application, which has already been given, established the due date for filing competing applications or notices of intent. In accordance with the Commission's regulations, no competing application for preliminary permit, or notices of intent to file an application for preliminary permit or license will be accepted for filing in response to this notice. Any application for license or exemption from licensing, or notice of intent to file an exemption application, must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests or petitions to intervene must be received on or before January 8, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS," "PROTEST," or "PETITION TO INTERVENE," as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35710 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2780-003]

Solano Irrigation District; Application for Amendment of License

December 7, 1981.

Take notice that on October 15, 1981, Solano Irrigation District (SID) filed an application to amend its license for the Monticello Power Plant Project No. 2780, located on Putah Creek in Solano County, California. Correspondence with SID should be directed to: Mr. W. Morris Dally, President, Solano Irrigation District, 508 Elmira Road, Vacaville, California 95688. SID requests authorization to increase the installed capacity of the project to 11.5 MW by installing a 1.5-MW generating unit in the project powerhouse. The addition of the third unit is requested so that the project would be able to generate energy by using the peak discharge from Monticello Dam which is now beyond the capabilities of the two 5-MW licensed units. The third unit would also generate energy during winter months when the discharge from Monticello Dam is below the capability of the two licensed units. SID also requests that its license be amended to delete the 1.4-mile long, 115-kV transmission line from the project works, which was originally proposed to be part of the project. SID states that Pacific Gas and Electric Company is in the process of preparing an FERC license application for construction, operation, and maintenance of the transmission line.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to their responsibilities and applicable statutes. No other formal request for comments will be made. Comments should be confined to substantive issues relevant to the issuance of an order amending project license. A copy of the application may be obtained directly from the applicant. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1981). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 22, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTESTS", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E Springer, Chief, Applications Branch,

Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35654 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5585-000]

Southern Pacific Land Co.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

December 9, 1981.

Take notice that on October 29, 1981, Southern Pacific Land Company (Applicant) filed an application under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 5585) would be located on Swift Creek near the town of Trinity Center in Trinity County, California. The project would occupy lands of the United States within the Shasta National Forest. Correspondence with the Applicant should be directed to: Mr. Erik A. Stenstedt, Southern Pacific Land Company, One Market Plaza, San Francisco, California 94105.

Project Description—The proposed project would consist of: (1) An 8-foot high diversion structure across Swift Creek; (2) a 48-inch diameter, 1,800-foot long conduit; (3) a 42-inch diameter, 6,000-foot long penstock; (4) a powerhouse containing a single generating unit with a rated capacity of 4,600 KW; and (5) appurtenant facilities.

Purpose of Project—Project energy would be sold to a local utility.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the California Department of Fish and Game are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal request for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before January 25, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 25, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35655 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5647-000]

Swift River Co.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

December 10, 1981

Take notice that on November 13, 1981, Swift River Company (Applicant) filed an application under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 as amended), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 5647) would be located on the Sebec River in the town of Milo, Piscataquis County, Maine. Correspondence with the Applicant should be directed to: Christian A. Herter, III, Vice-President, Swift River Company, 44 Exchange Street, Portland, Maine 04101.

Project Description—The proposed project would consist of: (1) An existing 9-foot high, 250-foot long timber crib dam; (2) a 50 acre reservoir with a net storage capacity of 50 acre-feet at elevation 280.54 feet M.S.L.; (3) a new powerhouse containing two turbine-generators with a total rated capacity of 600 kW which would discharge into the easterly river channel; (4) a new 750-foot long, 70-foot wide tailrace channel excavated out of the easterly river channel; (5) a 50-foot long, 7.6-kV transmission line and (6) appurtenant facilities. The project would generate up to 2,500,000 kWh annually.

Purpose of Project—Energy produced at the project would be sold to Bangor Hydro-Electric Company.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Maine Department of Inland Fisheries and Wildlife are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General

comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before January 25, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33(a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 25, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35708 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-76-000]

Texas Eastern Transmission Corp.; Application

December 10, 1981.

Take notice that on November 13, 1981, Texas Eastern Transmission Corporation (Applicant), P.O. Box 2521, Houston, Texas 77001, filed in Docket No. CP82-76-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain tap facilities necessary for Applicant to take into its system synthetic gas to be purchased from Conoco, Inc. (Conoco), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that pursuant to a gas purchase contract dated October 1, 1981, it has agreed to purchase from Conoco up to 60,000 Mcf of synthetic gas per day.

Applicant proposes the construction and operation of a pipeline tap to enable it to receive into its system the quantities of synthetic gas which it intends to purchase from Conoco's Chocolate Bayou Petrochemical Complex located in Brazoria County, Texas. Applicant states that the proposed facilities are estimated to cost $27,200 which cost would be financed initially with funds on hand or through short-term financing.

Applicant further proposes to include in its rates in the operation of its purchased gas adjustment (PGA) on a rolled in basis the cost of synthetic gas purchased from Conoco. Applicant states that it would construct nonjurisdictional pipeline facilities in order to transport the synthetic gas from Conoco's complex to Applicant's transmission system. It is estimated that the cost of said facilities would be $2,450,000. Applicant proposes to include the cost of such facilities in its rate base and submits that recovery of the cost of the synthetic gas through the operation of its PGA would enable it to acquire an important, secure and long-term supply of gas at a price that is reasonable and consistent with prices of other supplies of gas.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35709 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-66-000]

Transcontinental Gas Pipe Line Corp.; Application

December 9, 1981.

Take notice that on November 10, 1981, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77251, filed in Docket No. CP82-66-000 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 for Elizabethtown Gas Company (Elizabethtown), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that pursuant to the terms of a gas transportation agreement dated October 28, 1981, it would transport on an interruptible basis up to 40,000 dekatherms (dt) equivalent of natural gas per day which Elizabethtown has arranged to purchase from Consolidated Gas Supply Corporation (Consolidated). Applicant further states that Consolidated would make available to Texas Eastern Transmission Corporation (Texas Eastern) quantities of gas which Texas Eastern would transport and deliver by displacement to Applicant at the existing Texas Eastern-Applicant Skippack interconnection in Montgomery County, Pennsylvania. Applicant would redeliver equivalent quantities to Elizabethtown at Applicant's existing delivery points to Elizabethtown in New Jersey.

Applicant proposes to charge Elizabethtown a volume charge of 7.0 cents per dt equivalent delivered by Applicant less quantities retained by Applicant for compressor fuel and line loss make-up. Applicant asserts it would retain 0.7 percent of the quantities received for compressor fuel and line loss make-up.

Applicant states that the proposed transportation service is to be for a term beginning on the date of initial deliveries and ending on September 30, 1982.

The proposal would allow Elizabethtown to take delivery of the subject gas without having to construct additional facilities, it is stated.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35689 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-87-000]

United Gas Pipe Line Co.; Application

December 9, 1981.

Take notice that on November 18, 1981, United Gas Pipe Line Company (Applicant), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP82-87-000 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 for Amoco Production Company (Amoco) and the construction and operation of facilities necessary therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that on September 21, 1981, Applicant and Amoco entered into a gas transportation agreement whereby Applicant would transport natural gas for the account of Amoco from Baldwin County, Alabama, to St. Landry Parish, Louisiana. Applicant explains that it would receive the gas at a proposed point of interconnection on its 12-inch line and/or its 16-inch line in Baldwin County, Alabama, and it would then transport and redeliver an equivalent quantity of gas for Amoco's account at an existing point of interconnection where Florida Gas Transmission Company's 22-inch line crosses Applicant's 30-inch North-South line in St. Landry Parish, near Arnaudville, Louisiana.

Applicant maintains that to compensate it for fuel and company-used gas, Amoco would provide a volume of gas equal to 2.3 percent of the volume Applicant would transport under the proposed transportation service. It is explained that such fuel and company-used gas would be made available to Applicant contemporaneously with gas Applicant would purchase from Amoco in the Westdale Field, Red River Parish, Louisiana.

Applicant states that in order to deliver the subject gas it would construct and operate measuring facilities and taps on its 12-inch and 16-inch pipelines. It is estimated that the cost for these facilities would be $132,139 which would be reimbursed by Amoco.

Amoco would pay Applicant for the proposed transportation an amount equal to one-half of Applicant's transportation rate in effect from time to time in Applicant's Northern Rate Zone less any amount included in such transportation rate which is attributable to gas consumed in the operation of Applicant's pipeline system. It is stated that the current rate for the proposed transportation is 16.19 cents per Mcf.

Applicant submits that it would transport up to 24,000 Mcf of natural gas per day for a term beginning on the date deliveries commence and ending upon termination of Amoco's contract with Florida Power and Light Company on June 9, 1988.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35690 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RA82-7-000]

Warrior Asphalt Co. of Alabama, Inc.; Filing of Petition for Review

December 9, 1981.

Take notice that Warrior Asphalt Company of Alabama, Inc. on December 3, 1981, filed a Petition for Review under 42 U.S.C. 7194(b) (1977) (Supp.) from an order of the Secretary of Energy (Secretary).

Copies of the petition for review have been served on the Secretary and all participants in prior proceedings before the Secretary.

Any person who participated in the prior proceedings before the Secretary may be a participant in the proceeding before the Commission without filing a petition to intervene. However, any such person wishing to be a participant is requested to file a notice of participation on or before December 24, 1981, with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Any other person who was denied the opportunity to participate in the prior proceedings before the Secretary or who is aggrieved or adversely affected by the contested order, and who wishes to be a participant in the Commission proceeding, must file a petition to intervene on or before December 24, 1981, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.40(e)(3)).

A notice of participation or petition to intervene filed with the Commission must also be served on the parties of record in this proceeding and on the Secretary of Energy through John McKenna, Office of General Counsel, Department of Energy, Room 6H-025, 1000 Independence Avenue, S.W. Washington, D.C. 20585.

Copies of the petition for review are on file with the Commission and are available for public inspection at Room 1000, 825 North Capitol St., N.E., Washington, D.C. 20426.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35691 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-88-000]

Western Gas Interstate Co.; Application

December 9, 1981.

Take notice that on November 19, 1981, Western Gas Interstate Company (Applicant), 1800 First International Building, Dallas, Texas 75270, filed in Docket No. CP82-88-000 an application pursuant to section 7 of the Natural Gas Act and § 157.7(g) of the regulations thereunder (18 CFR 157.7(g)) for a certificate of public convenience and necessity authorizing the construction and for permission and approval to abandon for the 12-month period commencing January 1, 1982, and operation of various field compression and related metering and appurtenant facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to enable Applicant to act with reasonable dispatch in constructing and abandoning facilities which would not result in changing Applicant's system salable capacity or service from that authorized prior to the filing of the instant application.

Applicant states that the total cost of the proposed construction and abandonment under § 157.7(g) would not exceed $500,000 with the cost of any single project limited to 25 percent of the total budget amount. Such cost, it is asserted, would be financed from funds on hand and with short-term borrowings from Applicant's parent, Southern Union Company.

Applicant further states that its existing budget authorization pursuant to § 157.7(g) expires on March 3, 1982. In order that Applicant may maintain its records on a calendar-year basis, Applicant requests that the subject authorization commence January 1, 1982, instead of March 3, 1982. Applicant requests in the alternative an effective date of March 3, 1982.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 7, 1982, 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35692 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-114-000]

Cliffs Electric Service Co.; Notice of Filing

December 10, 1981.

The filing Company submits the following:

Take notice that on November 27, 1981, Cliffs Electric Service Company

(CESCO) filed a letter agreement providing for the sale of short term power to Upper Peninsula Power Company for the period November 16, through December 31, 1981. The rate is 0.77/kw and 110% of out-of-pocket costs.

CESCO requests waiver of the Commission's notice requirements to allow for an effective date of November 16, 1981.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 29, 1981. 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. 81-35711 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-129-000]

Idaho Power Co.; Notice of Filing

December 10, 1981.

The filing Company submits the following:

Take notice that on December 4, 1981, the Idaho Power Company (Idaho) tendered for filing in compliance with the Federal Energy Regulatory Commission's Order of October 7, 1978, a summary of sales made under the Company's 1st Revised FERC Electric Tariff, Volume No. 1 (Supersedes Original Volume No. 1) during October, 1981, along with cost justification for the rate changed.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 31, 1981. 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. 81-35712 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-123-000]

Kansas City Power & Light Co.; Notice of Filing

December 10, 1981.

The filing Company submits the following:

Take notice that on December 2, 1981, Kansas City Power & Light Company (KCPL) filed with the Commission revised Schedules of Rates and Charges for Firm Power Service to supersede and replace Schedules of Rates and Charges for Firm Power Service in contracts and agreements with the following wholesale customers:

1. Missouri Power & Light Company (MPL), FPC No. 73
2. City of Marshall, Missouri (Marshall), FPC No. 83
3. Missouri Public Service company (MPS), FPC No. 74
4. City of Baldwin City, Kansas (Baldwin), FERC No. 85
5. City of Carrollton, Missouri (Carrollton), FERC No. 86
6. City of Gardner, Kansas (Gardner), FPC No. 79
7. City of Garnett, Kansas (Garnett), FPC No. 78
8. City of Higginsville, Missouri (Higginsville), FERC No. 91
9. City of Osawatomie, Kansas (Osawatomie), FPC No. 77
10. City of Ottawa, Kansas (Ottawa), FERC No. 70
11. City of Pomona, Kansas (Pomona), FPC No. 82
12. City of Prescott, Kansas (Prescott), FPC No. 76
13. City of Salisbury, Missouri (Salisbury), FERC No. 87
14. City of Slater, Missouri (Slater), FPC No. 81
15. Coffey County rural Electric Cooperative Association, Inc. (Coffey County), FPC No. 69
16. United Electric Cooperative, Inc. (United), FPC No. 84

KCPL states that the proposed effective date for each revised Schedule of Rates and Charges is one day after the revised Schedules are filed with the Commission. KCPL further states that the estimated annual fuel adjustment revenue attributable to reclamation costs under the revised Schedules of Rates and Charges would be approximately $22,000 during the 12-month test period ended May 31, 1981. Additionally, KCPL states that the changes embodied in the revised Schedules of Rates and Charges include only provision for the inclusion of estimated reclamation costs in the fuel adjustment calculation.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 29, 1981. 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. 81-35713 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RA82-8-000]

Little America Refining Co.; Filing of Petition for Review

December 10, 1981.

Take notice that Little America Refining Company on December 4, 1981, filed a Petition for Review under 42 U.S.C. 7194(b) (1977 Supp.) from an order of the Secretary of Energy (Secretary).

Copies of the petition for review have been served on the Secretary and all participants in prior proceedings before the Secretary.

Any person who participated in the prior proceedings before the Secretary may be a participant in the proceeding before the Commission without filing a petition to intervene. However, any such person wishing to be a participant is requested to file a notice of participation on or before Dec. 28, 1981, with the Federal Energy Regulatory Commission, 825 North Capital Street, N.E., Washington, D.C. 20426. Any other person who was denied the opportunity to participate in the prior proceedings before the Secretary or who is aggrieved or adversely affected by the contested order, and who wishes to be a participant in the Commission proceeding, must file a petition to intervene on or before December 28, 1981, in accordance with the

Commission's rules of practice and procedure (18 CFR 1.8 and 1.40(e)(3)).

A notice of participation or petition to intervene filed with the Commission must also be served on the parties of record in this proceeding and on the Secretary of Energy through John McKenna, Office of General Counsel, Department of Energy, Room 6H–025, 1000 Independence Avenue, S.W. Washington, D.C. 20585.

Copies of the petition for review are on file with the Commission and are available for public inspection at Room 1000, 825 North Capitol St., N.E. Washington, D.C. 20426.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–35714 Filed 12–11–81; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RA82–9–000]

Little America Refining Co.; Notice of Filing of Petition for Review

December 10, 1981.

Take notice that Little America Refining Company on December 4, 1981, filed a Petition for Review under 42 U.S.C. 7194(b) (1977) Supp. from an order of the Secretary of Energy (Secretary).

Copies of the petition for review have been served on the Secretary and all participants in prior proceedings before the Secretary.

Any person who participated in the prior proceedings before the Secretary may be a participant in the proceeding before the Commission without filing a petition to intervene. However, any such person wishing to be a participant is requested to file a notice of participation on or before Dec. 28, 1981, with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Any other person who was denied the opportunity to participate in the prior proceedings before the Secretary or who is aggrieved or adversely affected by the contested order, and who wishes to be a participant in the Commission proceeding, must file a petition to intervene on or before December 28, 1981, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.40(e)(3)).

A notice of participation or petition to intervene filed with the Commission must also be served on the parties of record in this proceeding and on the Secretary of Energy through John McKenna, Office of General Counsel, Department of Energy, Room 6H–025, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Copies of the petition for review are on file with the Commission and are available for public inspection at Room 1000, 825 North Capitol St., N.E., Washington, D.C. 20426.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–35715 Filed 12–11–81; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RA82–10–000]

Little America Refining Co.; Notice of Filing of Petition for Review

December 10, 1981.

Take notice that Little America Refining Company on December 4, 1981, filed a Petition for Review under 42 U.S.C. 7194(b) (1977) Supp. from an order of the Secretary of Energy (Secretary.).

Copies of the petition for review have been served on the Secretary and all participants in prior proceedings before the Secretary.

Any person who participated in the prior proceedings before the Secretary may be a participant in the proceeding before the Commission without filing a petition to intervene. However, any such person wishing to be a participant is requested to file a notice of participation on or before December 28, 1981, with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Any other person who was denied the opportunity to participate in the prior proceedings before the Secretary or who is aggrieved or adversely affected by the contested order, and who wishes to be a participant in the Commission proceeding, must file a petition to intervene on or before December 28, 1981, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.40(e)(3)).

A notice of participation or petition to intervene filed with the Commission must also be served on the parties of record in this proceeding and on the Secretary of Energy through John McKenna, Office of General Counsel, Department of Energy, Room 6H–025, 1000 Independence Avenue, S.W. Washington, D.C. 20585.

Copies of the petition for review are on file with the Commission and are available for public inspection at Room 1000, 825 North Capitol St., N.E., Washington, D.C. 20426.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–35716 Filed 12–11–81; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER82–128–000]

Mississippi Power & Light Co.; Proposed Tariff Change

December 10, 1981.

The filing Company submits the following:

Take notice that Mississippi Power & Light Company (MP&L) on December 4, 1981, tendered for filing proposed changes in its Federal Energy Regulatory Commission (FERC) Electric Service Tariff to municipal electric utilities, FERC Rate Schedules No. 87, 88, 93, 236 and 238, and to transmission delivery service schedules included in Interconnection Agreements, FERC Rate Schedule Nos. 239, 243, 251, and 254. The proposed changes would increase revenues from jurisdictional sales and service by $4,762,782 based on the 12 month period ending December 31, 1982.

The Company earned a rate of return of only 7.3% on its rates for resale to the municipal electric utilities and 5.49% on its sales for transmission delivery service in the calendar year 1980. The projected rate of return under the present electric service tariff for the 12 months ending December 31, 1982 for the sales for resale to the municipal electric utilities is 0.18% and for transmission delivery service is only 6.06%. The tariff changes made the filing are necessary to reflect the cost of service for the projected period.

MP&L states that the notice of the proposed effective date and copies of the rate schedule changes were served upon the customers receiving services under the above listed FERC Rate Schedules.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 31, 1981. 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. 81–35717 Filed 12–11–81; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP82-13-000]

National Fuel Gas Supply Corp.; Proposed Changes in FERC Gas Tariff

December 9, 1981.

Take notice that National Fuel Gas Supply Corporation ("National Fuel"), on November 30, 1981, tendered for filing proposed changes in its FERC Gas Tariff, Original Volume No. 1. The proposed changes would increase revenues from jurisdictional sales and service by approximately $25,700,000 based on the 12 month period ended August 31, 1981, as adjusted.

National Fuel states that the increased rates are required to recoup increased costs incurred in operating and maintaining its system, including, but not limited to, increased cost of capital, increased depreciation, increased wages and increased taxes.

The rates proposed reflect an overall rate of return of 13.65 percent which is required, National Fuel states, by its increased cost of capital, increased business risk and the need to attract capital. National Fuel alos proposes to design its rates with demand, commodity and winter requirement components.

National Fuel states that copies of this filing were served upon the company's jurisdictional customers and the regulatory commissions of the States of New York, Ohio, Pennsylvania, Delaware and New Jersey.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1981. Protests will be considered by the Commission in determing 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. 81-35718 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5533-000 and 5625-000]

T. Owen, F. Castagna, R. Bean and Modesto Irrigation District; Notice of Application for Preliminary Permit

December 10, 1981.

Take notice that T. Owen, F. Castagna, R. Bean and Modesto Irrigation District (Applicants) filed on October 20, 1981, and November 9, 1981, applications for preliminary permits [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Projects Nos. 5533 (initial application) and 5629 (competing application) to be known as the Sand and Brown's Power Project located on Sand Creek and Brown's Creek in Madera County, California. The projects lie within the Sierra National Forest. The applications are on file with the Commission and are available for public inspection. Correspondence with either Applicant should be directed to: Teddy Owen, Fred Castagna, Richard Bean, 1646 East Street, Redding, California 96001, and/or Mr. A. Lee DeLano, Modesto Irrigation District, 1231—11th Street, P.O. Box 4060, Modesto, California 95352.

Project Description—The proposed Project No. 5533 would consist of: (1) two 5-foot high diversion structures with negligible storage; (2) diversion conduits or channels 5,610 and 1,080 feet long; (3) penstocks 5,740 and 3,290 feet long; (4) a powerhouse containing one or a combination of turbine generators with 3,651 kW capacity and 9.14 GWh annual energy production; (5) transmission line; and (6) appurtenant facilities. The proposed Project No. 5625 would consist of: (1) two 5-foot high, 185-foot long diversion structures; (2) diversion conduits, 48-inch diameter, 5,610-foot long, 24-inch diameter, 1,080-foot long; (3) penstocks 48 and 24 inch diameter, 3,290 feet long; (4) a powerhouse containing one or more generating units with a capacity of 3,660 kW and 9.14 million kWh annual energy production; and (5) a transmission line. Generated energy will be distributed through an intertie with Pacific Gas and Electric System.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicants seek issuance of a preliminary permit for a period of 36 and 24 months, respectively, during which time the firms plan engineering, economic and environmental studies, to ascertain project feasibility and to support their application for a license to construct and operate the project. The estimated cost of these actions is $102,000 for Project No. 5533 and $75,000 for Project No. 5625.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before February 12, 1982, the competing application itself, or a notice of intent to file such an application [see: 18 CFR 4.30 et seq. (1981)].

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before February 12, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than April 13, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 12, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO

INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary

[FR Doc. 81-35719 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER81-679-001]

Pacific Gas and Electric Co.; Notice of Compliance Filing

December 10, 1981.

The filing Company submits the following:

Take notice that on November 24, 1981, Pacific Gas and Electric Company (PG&E) filed revised Volume Nos. 2,3,6 and 7 of its original August 12, 1981 filing. Such filing was made pursuant to the Commission's October 23, 1981 order. PG&E's revised filing reflects the elimination of its incremental depreciation adjustment.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before December 31, 1981. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35720 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-124-000]

Pennsylvania-New Jersey-Maryland Interconnection; Notice of Filing

December 10, 1981.

The filing Company submits the following:

Take notice that on November 25, 1981, the Pennsylvania-New Jersey-Maryland Interconnection (PJM) tendered for filing Interim Modifications to Schedules 6.03, 7.01 and Interim Schedule 10.01 of the PJM Interconnection Agreement (the Interim Schedules) which became effective for service on and after October 1, 1980, as set forth hereinafter:

Company	Rate schedule (FERC No.)
Public Service Electric and Gas Company	23
Philadelphia Electric Company	21
Pennsylvania Power & Light Company	21
Baltimore Gas and Electric Company	9
Jersey Central Power & Light Company	7
Metropolitan Edison Company	7
Pennsylvania Electric Company	24
Potomac Electric Power Company	19
Atlantic City Electric Company	20
Delmarva Power & Light Company	50

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 31, 1981. 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. 81-35721 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER78-338]

Public Service Co. of New Mexico; Notice of Compliance Filing

December 10, 1981.

The filing Company submits the following:

Take notice that on December 2, 1981, Public Service Company of New Mexico filed a compliance report in accordance with the Commission's Opinion No. 133, issued November 9, 1981. The compliance report consists of a revised cost of service study and a revised rate schedule for service to the City of Gallup, New Mexico.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before December 31, 1981. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35722 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA 82-1-8-000]

South Georgia Natural Gas Co.; Notice of Revision to Tariff

December 9, 1981.

Take notice that on Nov. 30, 1981, South Georgia Natural Gas Company (South Georgia) tendered for filing Sixteenth Revised Sheet No. 4 to its FPC Gas Tariff, First Revised Volume No. 1. This tariff sheet and supporting information is being filed 30 days before the effective date of January 1, 1982, pursuant to the Purchased Gas Adjustment Provisions set out in Section 14 of South Georgia's tariff.

South Georgia states that its Sixteenth Revised Sheet No. 4 reflects increases in the rates of its pipeline supplier, Southern Natural Gas Company as filed to be effective January 1, 1982. This rate change will increase the cost of purchased gas to South Georgia's jurisdictional customers $4,224,345. Also reflected in Sixteenth Revised Sheet No. 4 is a Surcharge Adjustment as provided for by Section 14.3 of the General Terms and Conditions of South Georgia's FPC Gas Tariff. The debit balance in tthe Unrecovered Purchased Gas Cost Account of $4,522 will be amortized over the estimated sales for the six-month period commencing January 1, 1982 by a surcharge adjustment rate of 0.05¢ per MMBtu.

Additionally, South Georgia is filing its First Revised Sheet No. 32B. This is a modification to the language covering the Incremental Pricing Surcharges section of the Tariff. This modification was suggested by the FERC Staff as a result of its audit of South Georgia's PGA accounts.

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 §§ 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 Dec. 17, 1981. 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 part 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. 81-35723 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-N

[Project No. 5504-000]

Stewart Ranches, Inc.; Notice of Application for Preliminary Permit

December 10, 1981.

Take notice that Stewart Ranches, Inc. (Applicant) filed on October 13, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for Project No. 5504 to be known as the Kekawaka Creek I Water Power Project located on Kekawaka Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Oscar Larson and Associates, P.O. Box 3806, Eureka, California 95501.

Project Description—the proposed project would consist of: (1) a 6-foot high and 35-foot long diversion structure with a 48-inch diameter conduit; (2) a 48-inch diameter, 7,400-foot long penstock; (3) a powerhouse containing two generating units with a total rated capacity of 3,200 kW; and (4) a 5,600-foot long transmission line. Applicant estimates that the average annual energy output would be 11,900,000 kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant has requested a 36-month permit to prepare a definitive project report, including preliminary designs, and including geological, environmental and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with Federal, State and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be $60,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before February 16, 1982, the competing application itself, or a notice of intent to file such an application [see: 18 CFR 4.30 et seq. (1981)].

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before February 16, 1981, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate].

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than April 15, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 16, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35722 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5503-000]

Stewart Ranches, Inc.; Notice of Application for Preliminary Permit

December 10, 1981.

Take notice that Stewart Ranches, Inc. (Applicant) filed on October 13, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)–825(r)] for Project No. 5503 to be known as the Kekawaka Creek II Water Power Project located on Kekawaka Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Oscar Larson and Associates, P.O. Box 3806, Eureka, California 95501.

Project Description—The proposed project would consist of: (1) a 6-foot high and 25-foot long diversion dam diverting water into a 42-inch diameter conduit; (2) a 42-inch diameter, 6,800-foot long penstock; (3) a powerhouse containing two generating units with a total rated capacity of 1,700 kW; and (4) a 9,000-foot long transmission line. Applicant estimates that the average annual energy output would be 6,300,000 kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant has requested a 36-month permit to prepare a definitive project report, including results of geological, environmental and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with Federal, State and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be $60,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before February 16, 1982, the competing application itself, or a notice of intent to file such an application [see: 18 CFR 4.30 et seq. (1981)].

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption

must be submitted to the Commission on or before February 16, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate].

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than April 15, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition To intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 16, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35724 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. G-10629-000, et al.]

Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates[1]

December 7, 1981.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before December 21, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 ro 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.

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 all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where 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 to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft³	Pressure base
G-10629-000 and G-12049-000, D, Nov. 16, 1981.	Gulf Oil Corp., P.O. Box 2100, Houston, Texas 77252.	Northern Natural Gas Co., North Hansford Field, Hansford County, Texas.	(1)	
G-14604-000, C, Nov. 18, 1981 [2]	Exxon Corp., P.O. Box 2180, Houston, Texas 77001	Transcontinental Gas Pipe Line Corp., Rousseau Field, LaFourche Parish, Louisiana.	(7)	15.025
G-19509-000, Nov. 18, 1981 [4]	Arco Oil and Gas Co., division of Atlantic Richfield Co., P.O. Box 2819, Dallas, Texas 75221.	El Paso Natural Gas Co., Headlee Field, Ector County, Texas.	(8)	14.65
G-2831-002, Nov. 18, 1981 [4]	do	do	(5)	14.65
C179-91-001 C, Nov. 24, 1981	Texas Gas Exploration Co., 3300 First International Plaza, 1100 Louisiana, Houston, Texas 77002.	Texas Gas Transmission Corp., Block 271 "B" Platform, Ship Shoal Area, Offshore Louisiana.	(7)	15.025
C179-507-001, C, Nov. 24, 1981	Monsanto Co., 1300 Post Oak Tower, 5051 Westheimer, Houston, Texas 77056.	Columbia Gas Transmission Corp., Galveston Island Area, Block A-156, OCS-404072, Offshore Texas.	(7)	14.65
C179-658-001, C, Nov. 24, 1981	do	do	(7)	14.65
C182-56-000 (G-13304), B, Nov. 12, 1981.	Cities Service Co., P.O. Box 300, Tulsa, Oklahoma 74102.	Cities Service Gas Co., Northwest Quarter (NW/4) of Section 17-27N-6W, Grant County, Oklahoma.	(5)	
C182-57-000 (G-10086), B, Nov. 12 1981.	Arco Oil and Gas Co., Division of Atlantic Richfield Co., P.O. Box 2819, Dallas, Texas 75221.	Florida Gas Transmission Co., East Corpus Christi Bay, Nueces County, Texas.	(9)	
C182-58-000, A Nov. 16, 1981	Marathon Oil (Operator), 539 South Main Street, Findlay, Ohio 45840.	Texas Eastern Transmission Corp., South Pass Area, South Pass Block 89 Field, Offshore Louisiana.	(10)	15.025
C178-690-001, C, Nov. 27, 1981	Tenneco Oil Co., P.O. Box 2511, Houston, Texas, 77001.	Tennessee Gas Pipeline Co., South Marsh Island Block 60, Offshore Louisiana.	(11)	15.025
C182-60-000 (G-7674), B, Nov. 12, 1981.	Arco Oil and Gas Co., Division of Atlantic Richfield Co., P.O. Box 2819, Dallas, Texas 75221.	Lone Star Gas Co., Big Mineral Creek Field, Grayson County, Texas.	(12)	

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft³	Pressure base
CI82-61-000, A, Nov. 24, 1981	Koch Industries, Inc., P.O. Box 2256, Wichita, Kansas 67201.	Northern Natural Gas Co., West Delta Block 137 through West Delta Block 138 "A" Platform (OCS-G 1598 "A" Platform), Offshore Louisiana.	(13)	15.025
CI82-62-000, A, Nov. 24, 1981	Texas Eastern Exploration Co., P.O. Box 2521, Houston, Texas 77001.	Texas Eastern Transmission Corp., Block A-568, High Island Area, Offshore Texas.	(14)	14.65
CI82-63-000, B, Nov. 24, 1981	Edwin L. Cox, *et al.*, 3600 First National Bank Building, Dallas, Texas 75202.	Lone Star Gas Co., Waharockah No. 3 Well, Stephens County, Oklahoma.	(15)	
CI82-64-000 (CI65-630), B, Nov. 16, 1981.	Conoco Inc. (formerly Continental Oil Co.), P.O. Box 2197, Houston, Texas 77001.	Lone Star Gas Co., JGS Field, Pancla County, Texas.	(16)	
CI64-686-000, D, Nov. 20, 1981	Tenneco Oil Co., Operator and Agent for Tema Oil Co., P.O. Box 2511, Houston, Texas 77001.	Arkansas Louisiana Gas Co., Erick Field, Bechham County, Oklahoma.	(17)	
CI82-52-000, A, Nov. 19, 1981	Tenneco Oil Co., P.O. Box 2511, Houston, Texas, 77001.	Tennessee Gas Pipeline Co., West Cameron Blocks 493 and 499, Offshore Louisiana.	(18)	15.025
CI82-53-000 (CI74-113), B, Nov. 23, 1981.	Energy Reserves Group, Inc., P.O. Box 1201, 217 North Water Street, Wichita, Kansas 67201.	Valero Interstate Transmission Co., Gregg Wood Field, Starr County, Texas.	(19)	
CI67-1828-001, July 29, 1981 [20]	Kerr-McGee Corp., P.O. Box 25661, Oklahoma City, Oklahoma 73125.	Texas Gas Transmission Corp., Terryville Field, Lincoln Parish, Louisiana.	(21)	15.025

Filing Code: A—Initial Service; B—Abandonment; C—Amendment to add acreage; D—Amendment to delete acreage; E—Total Succession; F—Partial Succession.

[1] Leases have expired by their own terms or were assigned to another party.
[2] Edwin L. Cox, et al., do hereby grant, bargain, sell, convey and re-assign to Exxon Corporation (successor to the Humble Oil and Refining Company) all of the interests assigned under Reassignment dated December 15, 1978.
[3] Applicant agrees to accept a Permanent Certificate of Public Convenience and Necessity covering the subject sale conditioned in accordance with the Natural Gas Policy Act of 1978 and the Commission's Regulations under said Act.
[4] Applicant is filing to reflect the substitution of the Healee Gas Processing Plant to the Headlee Devonian Unit Plant.
[5] Applicant is filing under Residue Gas Purchase Agreement dated June 1, 1954, amended by Amendatory agreement dated August 24, 1981.
[6] Applicant is filing under Gas Purchase Contract dated September 22, 1978, amended by Amendment dated October 1, 1981.
[7] Applicant is filing under Gas Purchase and Sales Agreement dated May 30, 1979, amended by Amendment dated October 23, 1981.
[8] The primary term under Gas Purchase Contract dated September 1, 1957, was for twenty years from September 1, 1957 and year to year thereafter. Since Cities Service Company does not hold an oil and gas lease on the remaining acreage committed to that contract, under which no deliveries have been made since sometime in 1977, Buyer and Seller have mutually agreed to cancel the Gas Purchase contract, dated September 1, 1957, effective August 28, 1981.
[9] Contract expired June 26, 1979. There are no remaining reserves as production ceased in 1971. ARCO plans no further development.
[10] Applicant is filing under Gas Purchase Contract dated July 2, 1981.
[11] Applicant is filing under Gas Purchase and Sales Agreement dated April 25, 1978, amended by Amendment dated June 15, 1981.
[12] J. E. Barnes Lease, Well No. 5, was plugged and abandoned. ARCO has no plans for workover or recompletion of the well. Contract expires 1-1-82.
[13] Applicant is filing under Gas Purchase Contract dated November 6, 1979, amended by amendment dated August 3, 1981.
[14] Applicant is filing under Gas Purchase Contract dated June 1, 1981.
[15] to sell remaining gas to Natural Gas Operations Company for resale to Lone Star.
[16] Conoco Inc. has sold and assigned and/or released to the original landowner all of its leasehold interests in the leases covered by RS 292.
[17] Partial sale of acreage dedicated under subject contract.
[18] Applicant is filing under Gas Purchase and Sales Agreement dated November 21, 1979.
[19] Some wells plugged and acreage sold.
[20] Applicant is filing to amend the certificate to provide for an additional delivery point.
[21] Applicant is filing under Gas Purchase Contract dated March 3, 1977, amended by Amendatory Agreement dated July 21, 1980.

[FR Doc. 81-35534 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5618-000]

James O. Boyd; Application for Preliminary Permit

December 8, 1981.

Take notice that James O. Boyd (Applicant) filed on November 6, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for Project No. 5618 to be known as the Lassen Power Project located on Parsnip Creek in Lassen County, California. The project would lie within the Modoc National Forest. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Ronald F. Ott, Ott.Water Engineers, Inc., 2334 Washington Avenue, Redding, California 96001.

Project Description—The proposed project would consist of: (1) Large natural boulders placed in the creek that will divert flow into a concrete intake structure while creating negligible storage; (2) a 10,000-foot diversion conduit; (3) a 16,400-foot long penstock; (4) a powerhouse containing one or a combination of turbine generators with a combined capacity of 2.1 MW and annual production of 8.3 GWh; (5) transmission line; and (6) appurtenant facilities. Power will be supplied to the Surprise Valley Electrification Corporation.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a term of 36 months, during which time engineering, economic and environmental studies will be conducted to ascertain project feasibility and to support application for a license to construct and operate the project. The estimated cost of these activities is $80,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before February 12, 1982, the competing application itself, or a notice of intent to file such an application (see: 18 CFR 4.30 et seq. (1981); and Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981).

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before February 12, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or section 4.101 et seq. (1981), as appropriate).

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than February 12, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the

Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 12, 1982.

Filing and Service of Responsive Documents—Any filing must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "PETITION TO INTERVENE," as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35564 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER81-649-000]

Central Vermont Public Service Corp.; Order Accepting for Filing and Suspending Revised Rates, Acknowledging Intervention, and Establishing Procedures

December 7, 1981.

On July 31, 1981, as completed on October 9, 1981,[1] Central Vermont Public Service Corporation (Central Vermont) tendered for filing a proposed formula rate[2] for calculating charges for firm power service to its wholly-owned subsidiary, Connecticut Valley Electric Company. The proposed formula rate would result in increased revenues of approximately $104,700 (1.34%) for the twelve-month period ending September 30, 1982. Central Vermont requests waiver of the sixty day notice requirement to permit an effective date of October 1, 1981.

The proposed formula incorporates a methodology for developing a demand charge, a delivery point charge, and an transformation charge for power delivered at voltage levels below 34kV. The formula rate also provides for an energy charge to collect the actual monthly per kWh fuel cost incurred by Central Vermont. In addition, the formula incorporates a minimum billing demand ratchet provision.

Under the formula, costs and charges would be developed on a service year basis. The service year is defined as the twelve-month period beginning on April 1 of each year except that the initial (partial) service year is to begin on the effective date established by the Commission for the instant submittal. Most of the cost components reflected in the formula are based on per-book expenses during the calendar year preceding the service year. However, the rate of return and income tax components would reflect capital data as of the first of the month preceding the service year. Costs for Purchased Power (Account No. 555) and Transmission by Others (Account No. 565) would be estimated for the service year, subject to adjustment at the close of the service year to reflect actual costs incurred.

Central Vermont's proposed rate schedule provides for an informational filing with the Commission on or before May 31 of each year, reporting the charges developed and billed under the formula rate and the adjustments required to reflect actual costs for Purchased Power and Transmission by Others. The rate schedule further provides for a refund mechanism under which the charges for the service year would be subject to refund pending analysis of the cost data by the Commission. If a hearing is ordered, the charges would be adjusted to reflect the rates found to be just and reasonable by the Commission.

Notice of Central Vermont's submittal was issued on August 7, 1981, with responses due on or before August 28, 1981. On August 28, 1981, the Vermont Department of Public Service filed a petition to intervene. The Department of Public Service has not raised any specific issues with respect to the proposed formula rate, but notes that the instant submittal provides for an increase to Central Vermont's affiliated customer of less than 2%, while Central Vermont, in Docket No. ER81-660-000, Proposed a 37.6% increase in rates for service to its non-affiliated customers.[3]

On November 24, 1981, Central Vermont filed a unilateral offer of settlement in this docket. The settlement proposal reflects modifications to the formula methodology as well as the use of a more recent test period. Central Vermont suggests that in advance of the period for comments on the settlement proposal, the Commission consider conditionally accepting the settlement rate offer to become effective in lieu of the originally filed rates.

Discussion

The timely-filed pleading is sufficient to initiate participation in this proceeding by the Vermont Department of Public Service.

Our analysis indicates that Central Vermont's originally proposed formula rate has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. The Commission has had insufficient time (one day) to adequately analyze the company's offer of settlement and we are not prepared at this time to determine an appropriate suspension period, if any, for the settlement rates. This is particularly true in view of the unilateral nature of the settlement proposal and the absence of comments by interested parties. Accordingly, we shall accept the originally proposed formula rate for filing and suspend its operation as ordered below. Such action, however, shall be without prejudice to possible substitution of the settlement rate upon due consideration of Central Vermont's offer of settlement.

In a number of suspension orders,[4] we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons given there, we have concluded that rate filings should generally be suspended for the maximum period permitted by statute where preliminary study leads the Commission to believe that the filing may be unjust and unreasonable or that it might run afoul of other statutory standards. We have acknowledged, however, that shorter suspensions may be warranted in circumstances where suspension for the maximum period may lead to harsh and inequitable results. No such circumstances have been presented here. In addition, good cause has not been shown to waive the sixty day notice requirement. Accordingly, we

[1] By letter dated September 30, 1981, the company was advised that its original submittal was deficient.

[2] Designated as: Central Vermont Public Service Corporation, Rate Schedule FERC No. 105 (Supersedes Service Agreement under FPC Electric Tariff First Revised Volume No. 1).

[3] Central Vermont provides firm power service to six nonaffiliated customers under a separate tariff rate. The rates for service to those customers, as filed in Docket No. ER81-660-000, are not based on a formulary approach. By letter dated September 28, 1981, the Commission accepted a settlement filed in Docket No. ER81-660-000.

[4] *E.g., Boston Edison Co.*, Docket No. ER80-508 (August 22, 1980) (five month suspension); *Alabama Power Co.*, Docket Nos. ER80-506, *et al.* (August 29, 1980) (one day suspension); *Cleveland Electric Illuminating Co.*, Docket No. ER80-488 (August 22, 1980) (one day suspension).

shall suspend Central Vermont's originally filed rates for a period of five months from sixty days after completion of the filing to become effective, subject to refund, on May 9, 1982.

The Commission orders:

(A) Central Vermont's request for waiver of the notice requirements is hereby denied.

(B) Central Vermont's October 9, 1981 submittal is hereby accepted for filing and suspended for five months from sixty days after filing, to become effective, subject to refund, on May 9, 1982.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act (18 CFR, Chapter I), a public hearing shall be held concerning and justness and reasonableness of Central Vermont's formula rate.

(D) The timely filed notice of intervention in this proceeding by the Vermont Department of Public Service is hereby acknowledged in accordance with the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act; *Provided, however,* that participation by such intervenor shall be limited to the matters set forth in its petition to intervene; and *provided, further,* that the admission of such intervenor shall not be construed as recognition that it might be aggrieved by any order of the Commission in this proceeding.

(E) A presiding administrative law judge, to be designated by the Chief Administrative Law Judge, shall convene a conference in this proceeding to be held within approximately fifteen (15) days of the issuance of this order, in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Such conference shall be held for purposes of establishing procedural dates, including the submittal of testimony and exhibits by Central Vermont, and pursuing other appropriate matters. The presiding judge is authorized to establish procedural dates and to rule on all motions (except motions to consolidate or sever and motions to dismiss) as provided in the Commission's rules of practice and procedure.

(F) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35533 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP81-83-004]

Columbia Gas Transmission Corp.; Proposed Changes in FERC Gas Tariff

December 8, 1981.

Take notice that Columbia Gas Transmission Corporation (Columbia) on December 1, 1981, tendered for filing the following revised tariff sheets to its FERC Gas Tariff:

Original Volume No. 1

Seventy-Eighth Revised Sheet No. 16
Twenty-Sixth Revised Sheet No. 16A
Seventh Revised Sheet No. 16B
Eighth Revise Sheet No. 19
Sixth Revised Sheet No. 28

Original Volume No. 2

Fourth Revised Sheet No. 693

Columbia states that tariff sheet Nos. 16, 16A and 16B to Original Volume No. 1 are necessary in order to place into effect on January 1, 1982, which is the end of the suspension period, rates which comply with the conditions set forth in ordering paragraph (E) of the Commission's suspension order herein of July 31, 1981.

Columbia states that Eighth Revised Sheet No. 19 and Sixth Revised Sheet No. 28 are being submitted for the purpose of inserting into Columbia's tariff, effective January 1, 1982, a provision, included in Seventh Revised Sheet No. 19 and Fifth Revised Sheet No. 28, the effectiveness of which was suspended until January 1, 1982 by the Commission's suspension order herein.

Columbia further states that substitute Fourth Revised Sheet No. 693 to its Original Volume No. 2 has been revised to reflect the impact on the Capacity Charge included in Rate Schedule X-70 of the elimination from Columbia's cost of service of those of its facilities included in its July 1, 1981 filing which are not expected to be in service on or before December 31, 1981.

Further, Columbia states that the revised rates are based upon the *United* method of cost classification and rate design. The rates reflected in Columbia's July 1, 1981 filing herein were based upon the *Seaboard* formula. Columbia also states that the issue of cost classifcation and rate design on its system is a matter which should be set for hearing, with the results thereof to be made effective prospectively.

Copies of this filing were served upon the Company's jurisdicational customers, interested state commissions and to each of the parties set forth on the official service list in this proceeding.

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, Union Center Plaza Building, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before December 17, 1981. Protests will be considered by the Commission in detemining 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 Columbia's filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35546 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP81-82-001]

Columbia Gulf Transmission Co.; Proposed Changes in FERC Gas Tariff

December 8, 1981.

Take notice that Columbia Gulf Transmission Company (Columbia Gulf) on December 1, 1981 tendered for filing the following revised tariff sheets to its FERC Gas Tariff to become effective January 1, 1982:

Original Volume No. 1

Substitute Twenty-seventh Revised Sheet No. 7

Original Volume No. 2

Substitute Eighth Revised Sheet No. 72
Substitute Eighth Revised Sheet No. 73
Substitute Fifth Revised Sheet No. 92
Substitute Fifth Revised Sheet No. 93
Substitute Fifth Revised Sheet No. 126
Substitute Sixth Revised Sheet No. 145
Substitute Sixth Revised Sheet No. 146
Substitute Fifth Revised Sheet No. 263
Substitute Fourth Revised Sheet No. 320
Substitute Fourth Revised Sheet No. 337
Substitute Fourth Revised Sheet No. 386
Substitute Fourth Revised Sheet No. 387
Substitute Third Revised Sheet No. 416
Substitute Third Revised Sheet No. 417
Substitute Fourth Revised Sheet No. 440
Substitute Fourth Revised Sheet No. 484
Substitute Fourth Revised Sheet No. 493
Substitute Fourth Revised Sheet No. 567
Substitute Fourth Revised Sheet No. 596
Substitute Third Revised Sheet No. 628
Substitute Second Revised Sheet No. 663

Substitute Second Revised Sheet No. 677
Substitute Second Revised Sheet No. 702
Substitute Third Revised Sheet No. 750
Substitute Third Revised Sheet No. 820
Substitute Third Revised Sheet No. 821
Substitute Third Revised Sheet No. 848
Substitute Third Revised Sheet No. 849
Substitute Second Revised Sheet No. 937
Substitute Second Revised Sheet No. 1052
Substitute Second Revised Sheet No. 1097
Substitute Second Revised Sheet No. 1149
Substitute Second Revised Sheet No. 1150
Substitute First Revised Sheet No. 1194
Substitute First Revised Sheet No. 1195
Substitute First Revised Sheet No. 1223

Columbia Gulf states that such tariff sheets are necessary to place its rates suspended by Commission Order issued July 31, 1981 in this proceeding into effect at the end of the prescribed suspension period and to consolidate proceedings herein with proceedings in Docket No. RP81-83. The rates contained in the subject tariff sheets to give effect to (1) the elimination of all costs associated with facilities which will not be in service by December 31, 1981; and (2) to give effect to change in its Account 282—Accumulated Deferred Income Taxes resulting from Internal Revenue Service Refund pursuant to Article VI B of the Approved Stipulation and Agreement at Docket No. RP76-94 et al.

Copies of this filing were served upon all of Columbia Gulf's jurisdictional customers.

Any persons desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, Union Center Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before December 17, 1981. 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. 81-35549 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4435-001]

Damnation Peak Power Co.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

December 4, 1981.

Take notice that on October 28, 1981, Damnation Peak Power Company (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (FERC Project No. 4435) would be located on Damnation Creek, near the town of Newhalem, in Skagit and Whatcom Counties, Washington. Correspondence with the Applicant should be directed to: Ms. Sherri M. Lee, 2100 Electric Avenue, #326, Bellingham, Washington 98226.

Project Description—The proposed project would consist of: (1) a 4-foot high and 50-foot long diversion weir; (2) an 8,500-foot long, 30-inch diameter steel penstock; (3) a concrete powerhouse containing one generating unit rated at 4 MW; (4) a switchyard; and (5) a 0.75-mile long access road. The average annual energy is estimated to be 26 million kWh.

Purpose of Project—The power output of the project would be sold to a local utility company.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Washington Departments of Fisheries and Game are requested, for the purposes set forth in Section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representative.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the commission, on or before January 20, 1982, either the competing license application that proposes to develop at least 7.5 megawatts in the project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than January 20, 1982. Application for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (b) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR § 1.8 or § 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 20, 1982.

Filing and Service of Responsive Documents—Any filing must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, 825 North Capitol Street, N.E., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative

of the Applicant specified in the first paragraph of of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35550 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5627-000]

Energenics Systems, Inc.; Application for Preliminary Permit

December 4, 1981.

Take notice that Energenics Systems, Inc. (Applicant) filed on November 10, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5627 to be known as the Orwell Dam Project to be located at the U.S. Army Corps of Engineers' Orwell Dam and Reservoir, a flood control project, on the Otter Tail River near Fergus Falls, in Otter Tail County, Minnesota. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Energenics Systems, Inc., 1727 Q Street NW., Washington, D.C. 20009.

Project Description—The proposed project would utilize an existing U.S. Army Corps of Engineers' dam and reservoir. Project No. 5627 would consist of: (1) A proposed penstock extending from the outlet works; (2) a proposed powerhouse located on the northwestern bank of the river; (3) transmission lines; and (4) appurtenant facilities. Applicant estimates the capacity of the proposed project to be approximately 2 MW, and the annual energy output to be 7 GWh.

Purpose of Project—Energy produced at the proposed project would be sold to Otter Tail Power Company.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with consultation with Federal, State, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates that the cost of the studies would be $35,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before February 10, 1982, the competing application itself [see 18 CFR 4.30 et. seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before February 10, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations [see 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 10, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35551 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5464-000]

Energenics Systems, Inc.; Application for Preliminary Permit

December 8, 1981.

Take notice that Energenics Systems, Inc. (Applicant) filed on October 9, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5464 to be known as the Southside Canal Project located on the Southside Canal in Mesa County, Colorado. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Energenics Systems, Inc., 1727 Q Street, N.W., Washington, D.C. 20009.

Project Description—The proposed project would utilize the Bureau of Reclamation's Southside Canal [station 195+95], and would be developed in one of two alternative modes:

(a) A power development to consist of: (1) An intake structure with trash racks; (2) a check structure; (3) a 4-foot diameter penstock, 3,400 feet long; (4) a powerhouse with an installed capacity of 3,000 kW; (5) a tailrace; (6) a transmission line about 3 miles long; and (7) other appurtenances. The estimated annual generation would average about 8,000,000 kWh. If this alternative is developed Applicant will not develop the proposed Project No. 3816 which would consist of a similar power plant at station 171+90 with a 1,000-foot long penstock, a powerhouse with an installed capacity of 2,400 kW, and an annual generation of about 6,800,000 kWh. A preliminary permit for those facilities was issued to the Applicant on August 7, 1981.

(b) A power development to consist of: (1) An intake structure with trash racks; (2) a check structure; (3) a 4-foot diameter penstock 1,000 feet long; (4) a powerhouse with an installed capacity of 700 kW; (5) a tailrace; (6) a transmission line about 3 miles long; and (7) other appurtenances. The estimated annual generation would average about 1,600,000 kWh. Project energy would be sold to Colorado-Ute Electric Association.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction.

Applicant seeks issuance of a preliminary permit for a period of 3 years during which time Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates the cost of the studies under the permit would be $25,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before February 12, 1982, the competing application itself, or a notice of intent to file such an application [see: 18 CFR 4.30 et. seq. (1981)].

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before February 12, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et. seq. or § 4.101 et. seq. (1981), as appropriate.

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than February 12, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 12, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," "COMPETING APPLICATION," "PROTEST," or "PETITION TO INTERVENE," as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35565 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5628-000]

Energenics Systems, Inc.; Application for Preliminary Permit

December 8, 1981.

Take notice that Energenics Systems, Inc. (Applicant) filed on November 10, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5628 to be known as the Belle Fourche Dam located on the Belle Fourche River in Butte County, South Dakota. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Thomas H. Clarke, Jr., President, Energenics Systems, Inc., 1727 Q Street, NW., Washington, D.C. 20009.

Project Description—The proposed project would utilize a U.S. Bureau of Reclamation dam and reservoir. Project No. 5628 would consist of: (1) A proposed powerhouse located at each outlet conduit with an estimated installed capacity of 700 kW; (2) existing 69 kV transmission lines located within 5 miles of the site; and (3) appurtenant facilities. The Applicant estimates that the average annual energy output would be 3 GWh.

Purpose of Project—Energy at the proposed project would be sold to the Black Hills Power & Light Co., WAPA, or nearby public institutions and industrial users. The project would provide a contribution to the energy needs of the Fruitdale area.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition historic and recreation aspects of the project would be determined, along with consultation with Federal, State, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates that the cost of the studies would be $30,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before February 12, 1982, the competing application itself [see: 18 CFR 4.30 et seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before February 12, 1982, and should specify the type of application forthcoming. Applications for license or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or section 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petition To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to

intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 12, 1982.

Filing and Service of Responsive Documents—Any filing must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35586 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER81-278-000]

Florida Public Utilities Co.; Refund

December 9, 1981.

The filing Company submits the following:

Take notice that on November 30, 1981, Florida Public Utilities Company submitted for filing a refund report in accordance with the letter orders issued on May 4, 1981 and November 18, 1981.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before December 28, 1981. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35552 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 3760-001]

Franklin Industrial Complex, Inc.; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

December 4, 1981.

Take notice that on April 20, 1981, the Franklin Industrial Complex, Inc., (Applicant) filed an application under section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 3760) would be located on the Winnipesaukee River in Merrimack County, New Hampshire. Corrspondence with the Applicant should be directed to: Mr. Arthur H. Steckler, President, Franklin Industrial Complex, Inc., Smith and Canal Streets, Franklin, New Hampshire 03235.

Project Description—The proposed project would consist of: (1) An existing 22-foot-high concrete gravity dam known as the Stevens Dam and designated as No. 87.07 by the New Hampshire Water Resources Board; (2) a proposed 1,100-foot-long penstock beginning at the Stevens Dam and running along the south bank between the Franklin Mills buildings. At the northeast corner of the south building the penstock would turn left and continue undergound through the Franklin Mills parking lot, then lead south under Memorial Street, then west through the municipal parking lot, and finally to (3) a proposed powerhouse with an installed capacity of 2,450 kW to be located just downstream of Dam No. 87.08; and (4) appurtenant works. The Applicant estimates that the average annual energy output would be 11,200,000 kWh.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the New Hampshire Fish and Game Department are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications—This application was filed as a competing application to the Franklin Falls Project No. 3093 filed on March 20, 1980, and the Stevens Mill Dam Project No. 3454, filed on September 10, 1980, by the Franklin Electric and Power Company under 18 CFR § 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notices of intent to file competing applications will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protest, or petition to intervene must be received on or before January 20, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's

regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35553 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 3268-001]

Griswold Textile Print, Inc.; Application for Short-Form License (Minor)

December 4, 1981.

Take notice that Griswold Textile Print, Inc. (Applicant) filed on October 27, 1981, an application for license pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r) for construction and operation of a water power project to be known as the Griswold Textile Hydroelectric Project No. 3268. The project would be located on the Pawcatuck River in Washington County, Rhode Island and New London County, Connecticut. Correspondence with the Applicant should be directed to: Mr. James Blair, Griswold Textile Print, Inc., P.O. Box 354, Westerly, Rhode Island 02891 and Mr. Todd Cormier, Halliwell Associates, Inc., 865 Waterman Avenue, East Providence, Rhode Island 02914.

Project Description—The proposed run-of-the-river project would consist of: (1) An existing 114-foot long and 8-foot high concrete dam with new overflow gate structure at the left (east) abutment and provisions for 3-foot flashboards; (2) an existing 2,000-foot long headrace; (3) new fish ladder; (4) new intake structure with trashracks and headgates; (5) a new powerhouse containing three turbines with a total installed capacity of 495 kW; (6) electrical facilities; (7) new tailrace; and (8) other appurtenances. Applicant estimates annual generation would average 2,323,065 kWh.

Purpose of Project— Project energy would be sold to Narragansett Electric Company.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. No. 88–29, and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before February 11, 1982, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than June 7, 1982. A notice of intent must conform with the requirements of 18 CFR 4.33(b) and (c), (*as amended* 44 FR 61328, October 25, 1979). A competing application must conform with the requirements of 18 CFR 4.33(a) and (d), (*as amended*, 44 FR 61328, October 25, 1979).

Comments, Protests, or Petitions To Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, in accordance with the requirements of the Commission's rules of practice and procedure, 18 CFR 1.8 or 1.10 (1979). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protest, or petition to intervene must be filed on or before February 11, 1982. The Commission's address is: 825 North Capitol Street, N.E., Washington, D.C. 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35554 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP75-104-024, et al.]

High Island Offshore System; Petition To Amend

December 8, 1981.

Take notice that on October 29, 1981, High Island Offshore System (Petitioner), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP75-104-024, *et al.* a petition to amend the order issued December 22, 1978, in the instant docket pursuant to Section 7(c) of the Natural Gas Act so as to authorize the deletion of certain certificate conditions, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

It is stated that by order issued December 22, 1978, Petitioner and U-T Offshore System were authorized to render interruptible overrun service conditioned on the requirement that Petitioner record supplemental charges for depreciation and concurrent credits to the accumulated provisions for depreciation for revenues related to interruptible overrun service. Petitioner states that in Docket No. RP81-18 it proposed, *inter alia*, to change its method of computing depreciation from a straight-line method to a unit-of-production method which the Commission opposed. It is asserted that the Stipulation filed concurrently herewith resolves the differences and provides for increased straight-line depreciation rates, a transportation refund obligation for revenues related to interruptible overrun service, and the deletion from the order issued December 22, 1978, of the conditions requiring crediting of revenues related to overrun service.

Petitioner requests that such deletion be effective as of the effective date of the Stipulation in Docket No. RP81-18. If the Stipulation is not approved, Petitioner requests that this petition be deemed withdrawn. Petitioner asserts that the continuation of the certificate requirement requiring crediting of revenues to the depreciation reserve is no longer appropriate once the Stipulation requiring refunding of the revenues is approved.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before January 6, 1982, 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 the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35567 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5633-000]

Hydro Development Group Inc.; Application for Preliminary Permit

December 8, 1981.

Take notice that Hydro Development Group Inc. (Applicant) filed on November 10, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5633 to be known at the #3 Mill Project located on the Oswegatchie River in St. Lawrence County, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Mark E. Quallen, Hydro Development Group Inc., P.O. Box 58, Dexter, New York 13634.

Project Description—The proposed project would utilize existing facilities consisting of: (1) A 15-foot high and 40-foot long concrete overflow-type dam; (2) a reservoir with a surface area of about 2.5 acres and a negligible storage capacity at normal surface elevation 410 feet msl; (3) a flume; and (4) appurtenant facilities.

Applicant proposes to: (1) Repair the flume; (2) construct a powerhouse containing two generating units each rated at 500 kW and operated under an 18-foot head and at a flow of 360 cfs; and (3) construct a 0.25-mile long 2.3-kV transmission line. Applicant estimates that the average annual energy output would be 5 million kWh. Project energy would be sold to Niagara Mohawk Power Corporation.

Proposed Scope of Studies Under Permit.—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 18 months, during which time it would perform a detailed engineering assessment and an economic analysis, examine the project's environmental impact, and would prepare an application for an FERC license. Applicant estimates the cost of the work under the permit would be $44,500.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before February 12, 1982, the competing application itself [see: 18 CFR 4.30 et seq. (1981)]. A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before February 12, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et seq. or section 4.101 et seq. (1981), as appropriate].

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 12, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35568 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-119-000]

Idaho Power Co.; Filing

December 8, 1981.

The filing Company submits the following:

Take notice that on November 30, 1981, Idaho Power Company (Idaho), tendered for filing a Residential Purchase and Sale Agreement (Agreement) between Idaho and The Bonneville Power Administration (BPA).

The Agreement was entered into pursuant to the Pacific Northwest Electric Power Planning and Conservation Act, Pub. L. 96-501. The Agreement provides for the exchange of electric power between Idaho and BPA for the benefit of Idaho's residential and farm customers.

Idaho requests an effective date of December 2, 1981, and therefore requests waiver of the Commission's notice requirements.

A copy of the filing was served upon BPA.

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, 1.10). All such petitions or protests should be filed on or before December 28, 1981. 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. 81-35535 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF82-20-000]

Imotek, Inc.; Application for Commission Certification of Qualifying Status of Cogeneration Facility

December 7, 1981.

On November 18, 1981, Imotek, Inc. of San Francisco, California filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying facility pursuant to § 292.207 of the Commission's rules.

The facility will be a topping-cycle cogeneration facility located at the intersection of 20th and C Streets in Sacramento, California, adjacent to the almond processing plant of the California Almond Growers Exchange. The primary fuel will be almond shells and natural gas will be used as a standby fuel. Electric capacity of the facility will be 8.5 megawatts and between 7,500 and 22,000 lbs per hour of 110–125 psig process steam will be sold. Installation of the facility began in December, 1980.

Any person desiring to be heard or objecting to the granting of qualifying status 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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure. All such petitions or protests must be filed on or before January 13, 1982, and must be served on the applicant. 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. 81-35536 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-117-000]

Iowa-Illinois Gas & Electric Co.; Filing

December 8, 1981.

The filing Company submits the following:

Take notice that Iowa-Illinois Gas and Electric Company (Applicant), 206 East Second Street, P.O. Box 4350, Davenport, Iowa, 52808, on November 27, 1981 tendered for filing pursuant to § 35.13 of the Regulations under the Federal Power Act, a proposed change in its Rate Schedule WES (applicable only to Sherrard Power System, Orion, Illinois), FERC Wholesale Electric Tariff, Original Volume No. 1. The change, proposed to be effective February 1, 1982, would increase revenues from jurisdictional sales and service by $1,747,006 based on the Period I 1980 test period.

Applicant alleges that the reason for the proposed increased revenues is because its operating income has declined to a level which provides an inadequate return. It further alleges that it is essential in the interest of preserving its financial integrity that its revenues and operating income be restored to a level to adequately meet the operating expenses necessary to provide good electric service and to attract the additional capital required.

Copies of the filing were served upon Sherrard Power System and the Illinois Commerce 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, N.E., Washington, D.C., 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before December 28, 1981. 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. 81-35537 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-118-000]

Kansas Gas & Electric Co.; Filing

December 8, 1981.

The filing Company submits the following:

Take notice that Kansas Gas and Electric Company on November 30, 1981 tendered for filing proposed changes in its FERC Electric Service Tariff No. 32.

Kansas Gas and Electric Company states that the filing is Full Requirements Service which provides electric power and accompanying energy to be supplied to The Kansas Power and Light Company in the form of firm power service.

This filing is necessary because the present contract between the Company and The Kansas Power and Light Company terminates on January 31, 1982 and both parties desire to continue essentially the same relationship in the future. This filing constitutes a vehicle whereby continuity of service can be maintained.

Copies of the filing were served upon The Kansas Power and Light Company and the Utilities Division of the Kansas Corporation 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 Capital Street, N.E., Washington, D.C. 20426, in accordance with Paragraph 1.8 and 1.10 of the Commission's rules and practice of procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 28, 1981. 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. 81-35538 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ER82-15-000 and ER81-578-000]

Maine Yankee Atomic Power Co.; Order Accepting for Filing and Suspending Proposed Decommissioning Charges, Granting Intervention and Waiver of Notice Requirements, Terminating Docket No. ER81-578-000, Requiring Amendment of Rate Schedule, and Establishing Procedures

December 7, 1981.

On October 9, 1981, Maine Yankee Atomic Power Company (Maine Yankee) submitted for filing a letter dated October 9, 1981, together with an appropriate cost study relative to the decommissioning of its 830 Megawatt nuclear station. In its filing, Maine Yankee states that, under the formulary rate contained in the current Power Contract, the company is proposing to change the new salvage value of the Maine Yankee station to reflect the estimated $57.6 million cost (in 1980 dollars) of immediate dismantlement of the station. Accordingly, the proposed charges for decommissioning costs would result in a revenue increase of approximately $1.8 million (2.0%) annually to recover the

decommissioning costs over the period remaining before expiration of the power contract in December 2002.[1] In its October 9 letter, Maine Yankee states that it intends to segregate the decomissioning funds received in a separate account to ensure availability at the time of dismantlement. Maine Yankee also requests waiver of the prior notice requirement and an effective date of November 1, 1981.

On November 2, 1981, the Maine Public Utilities Commission (MPUC) filed a notice of intervention which states that the MPUC generally supports Maine Yankee's proposed filing in the instant docket, does not seek to delay proceedings or request a hearing, but requests that Maine Yankee be directed to resubmit its October 9, 1981 letter in the form of a rate schedule supplement which details the company's proposed billing for decommissioning costs and specifically provides for segregation of decommissioning funds in a separate account. On November 2, 1981, petitions to intervene were filed by the Public Advocate of the State of Maine and by the Massachusetts Municipal Group (the Municipals).[2] The Maine Public Advocate does not dispute Maine Yankee's decommissioning cost estimates or the method used to determine such costs, but reiterates the concerns and requests of the MPUC. On November 6, 1981, a petition to intervene out of time was filed by the City of Holyoke, Massachusetts.

The Municipals contend that Maine Yankee has failed to demonstrate that its proposed increase is reasonable and adequately supported and, therefore, urge that the Commission deny the company's request for waiver and an effective date of November 1, 1981. The Municipals state that the circumstances of the filing together with the inadequacy of supporting material require a five month suspension. The Municipals argue that Maine Yankee's filing does not demonstrate that the immediate dismantlement method of decommissioning is appropriate or that the associated cost estimates are reasonable. Additionally, the Municipals note that the company has not amended its rate schedule to specifically provide for segregation of decommissioning funds, periodic review and adjustment of decommissioning costs, and a requirement that Maine Yankee make a filing under Part 35 of the regulations prior to billing any revised decommissioning estimates.

Maine Yankee filed a response to these petitions to intervene. It states that it is willing to stipulate to setting up a trust fund or other appropriate segregated account. Maine Yankee argues that Part 35 of our regulations does not require amendment of the Power Contract; it also argues that these parties' underlying concerns that subsequent, unilateral revisions by Maine Yankee to its Power Contract might escape secrutiny can be satisfied because the Commission under section 206 of the Federal Power Act may investigate rates on its own motion or at the request of another party. Maine Yankee also states that it will use its best efforts to secure the most favorable tax treatment with respect to the decommissioning funds. Finally, Maine Yankee disagrees with the Municipals' suggested rate schedule revisions and asks that the Commission deny their request for a five month suspension and accept the proposed charges effective as of November 1, 1981, without suspension.

Discussion

The Commission finds that participation in this proceeding by the Municipals and the Maine Public Advocate is in the public interest. The Commission also finds that participation in this proceeding by the City of Holyoke, Massachusetts is in the public interest and that good cause exists to permit that customer to intervene out of time. Therefore, the petitions to intervene will be granted. The timely filed notice of intervention is sufficient to initiate the MPUC's participation in this proceeding.

In view of the matters raised by the intervenors, our analysis indicates that the company's proposed decommissioning charges may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Accordingly, we shall accept the proposed decommissioning charges for filing and suspend them as ordered below.

In a number of suspension orders,[3] we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons stated there we have concluded that rate filings should generally be suspended for the maximum period permitted by statute where preliminary study leads the Commission to believe that the filing may by unjust and unreasonable or that it might run afoul of other statutory standards. We have acknowledged, however, that shorter suspensions may be warranted in circumstances where suspension for the maximum period may lead to harsh and inequitable results.

Such circumstances have been presented here. While the matters raised by intervenors warrant further inquiry at hearing, our preliminary review suggests that the proposed decommissioning charges may not produce excessive revenues. Under these circumstances, we believe that a nominal suspension and a refund obligation will adequately protect the affected customers pending a hearing. With respect to the Municipals' request for denial of waiver to permit Maine Yankee's requested November 1, 1981 effective date, we note that, by letter dated June 5, 1981, Maine Yankee notified the Commission as well as the Maine Yankee participants of its intent to begin billing for decommissioning costs at an annual level of $1.8 million. Additionally, prior to Maine Yankee's tender of the instant filing, a meeting was held on September 22, 1981, between members of the Commission's staff and representatives of Maine Yankee concerning billing for decommissioning charges. Public notice of that meeting was issued on August 31, 1981 (60 days prior to Maine Yankee's proposed November 1, 1981 effective date) and all interested persons were invited to attend. In view of the foregoing, we believe that the intervenors have been given adequate notice of Maine Yankee's proposed rate change. Therefore, we find good cause for waiver of notice. Accordingly, we shall suspend the decommissioning charges to become effective subject to refund on November 1, 1981.

We shall, however, require Maine Yankee to submit a rate schedule amendment which specifically provides for the segregation of decommissioning funds and incorporates Maine Yankee's proposed $1.8 million annual charges. We also note that revisions in decommissioning charges will require timely filing pursuant to Part 35 of the Commission's regulations.

As noted, in Docket No. ER81-578-000, Maine Yankee notified the Commission of its intent to begin billing its sponsors for decommissioning costs. By letter dated July 18, 1981, the Commission advised Maine Yankee that the initiation of billing for decommissioning costs under the Power Contract would constitute a rate

[1] The $1.8 million invested each year for the station's remaining life of 22 years at a 3% annual compounded growth rate, estimated to be the interest realized after inflation, will yield approximately the $57.6 million anticipated to be needed for decomissioning.

[2] The Massachusetts Municipal systems take approximately 4.5% of the Maine Yankee output.

[3] *E.g., Boston Edison Co.*, Docket No. ER80-506 (August 29, 1980) (five month suspension); *Alabama Power Co.*, Docket Nos. ER80-506, *et al.* (August 29, 1980) (one day suspension); *Cleveland Electric Illuminating Company*, Docket No. ER80-488 (August 22, 1980) (one day suspension).

schedule change requiring an appropriate filing under Part 35 of the Commission's regulations. Maine Yankee filed an application for rehearing contending that it was not required to make such a filing. The fact that Maine Yankee has now made a filing under Part 35 of our regulations obviates the need to address the application for rehearing. Therefore, we shall terminate Docket No. ER81–578–000.

The Commission Orders

(A) Maine Yankee's request for waiver of the notice requirements is hereby granted for good cause shown.

(B) Maine Yankee's proposed decommissioning charges are hereby accepted for filing and are suspended to become effective on November 1, 1981, subject to refund.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act [18 CFR, Chapter I], a public hearing shall be held concerning the justness and reasonableness of Maine Yankee's proposed decommissioning charges.

(D) The petitions to intervene in this proceeding are hereby granted subject to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act: *provided, however,* that participation by such intervenors shall be limited to the matters set forth in their petitions to intervene and; *provided, further,* that the admission of such intervenors shall not be construed as recognition that they might be aggrieved by any order of the Commission in this proceeding.

(E) Maine Yankee shall submit within thirty (30) days of the issuance of this order a rate schedule amendment which specifically provides for the segregation of decommissioning funds and incorporates Maine Yankee's proposed $1.8 million annual charge.

(F) A presiding administrative law judge, to be designated by the Chief Administrative Law Judge, shall convene a conference in this proceeding to be held within approximately fifteen (15) days of the issuance of this order in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The presiding judge is authorized to establish procedural dates and to rule on all motions (except motions to consolidate or sever and motions to dismiss) as provided in the Commission's rules of practice and procedure.

(G) Docket No. ER81–578–000 is hereby terminated.

(H) The Secretary shall promptly publish this order in the **Federal Register**.

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–35539 Filed 12–11–81; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP82–51–000]

Michigan Wisconsin Pipe Line Co.; Application

December 8, 1981.

Take notice that on November 2, 1981, Michigan Wisconsin Pipe Line Company (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP82–51–000 an application pursuant to section 3 of the Natural Gas Act for authorization to import natural gas from Canada to the United States, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to import up to 100,000 Mcf of natural gas per day as well as excess gas, when desired, on a best-efforts basis for a period of ten years beginning November 1, 1982, or as soon thereafter as feasible. It is stated that Applicant has contracted to purchase such gas from TransCanada PipeLines Limited of Toronto, Ontario, Canada, (TransCanada) and that TransCanada has requested authorization from the National Energy Board of Canada to export such gas from Canada. Applicant asserts that the gas is to be delivered to TransCanada for the account of Applicant at the existing interconnection of facilities of TransCanada and Great Lakes Gas Transmission Company (Great Lakes) near Emerson, Manitoba. It is further stated that Great Lakes presently delivers gas to Applicant at existing points of interconnection between the facilities of the two companies. Applicant states that the gas would be purchased at the U.S.A.-Canada border export price.

It is asserted that the proposed importation of gas would permit prompt receipt of gas from prolific reserves at the border price which now applies to large volumes of other gas imported from Canada. Applicant states that the gas involved would be sold by Applicant under its existing service agreements and tariff.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1982, 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 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 rule.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–35569 Filed 12–11–81; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP82–74–000]

Midwestern Gas Transmission Co.; Application

December 8, 1981.

Take notice that on November 12, 1981, Midwestern Gas Transmission Company (Applicant), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP82–74–000 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 on its Northern System and the establishment of two additional sales points related thereto for Northern States Power Company of Minnesota and Northern States Power Company of Wisconsin (Northern States), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transport up to 15,000 Mcf of natural gas per day made available at North Branch and Cambridge meter stations in Chisago County and Isanti County, Minnesota, respectively, by Northern Natural Gas Company, Division of InterNorth, Inc. (Northern) for the account of Northern States to the nine separate service areas now being served off Applicant's Northern system by Northern States. Applicant proposes to add North Branch and Cambridge as additional sales delivery points to the gas service agreement with Northern States dated November 1, 1970, and to waive the provisions of paragraph (b) of Article I in its Rate Schedule CRL–2 under which

Applicant provides natural gas service to Northern States so as to permit the continuation of service to Northern States' existing nine service area after Northern States begins receiving gas purchased from Northern in its service areas supplied by Applicant.

It is stated that in order to reduce the cost of purchased gas for Northern States' customers served off of Applicant's Northern System Northern States has made the following arrangements:

(1) Northern would transfer up to 15,000 Mcf per day of Northern States' firm entitlements under its Rate Schedule CD–1 assigned to St. Paul, Minnesota, to North Branch, and Cambridge, Minnesota, for sale to Northern States under Northern's Rate Schedule PL–1; (2) Applicant would transport and deliver the volumes transferred by Northern Natural to North Branch and Cambridge from such points to Applicant's nine existing sales delivery points to Northern States; and (3) Northern States would resell to Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee) volumes of gas it would purchase from Applicant which would be at least as great as the reduction in the volumes of gas Northern States would purchase from Applicant for resale to customers served by Northern States off of Applicant's system which reduction would result from the availability of gas transferred by Northern from St. Paul.

It is asserted that Northern States would pay a monthly charge for the proposed transportation service which is the product of a transportation rate of 6.04 cents per Mcf times the total of the daily transportation volumes during the month.

It is further stated that Tennessee and Northern have entered into a gas exchange agreement which provides that Northern States would purchase gas from Applicant and make said gas available to Northern at North Branch and Cambridge for Tennessee's account. Applicant adds that equivalent daily volumes would be made available to Tennessee's pipeline system by Northern in the Gulf Coast area of Southern Louisiana.

Applicant asserts that the proposed service utilizing existing facilities would enable Northern States to reduce its cost of purchased gas. Further, it is stated that the proposed service would have no adverse impact on Applicant or any of its Northern System customers and would not result in any increase in the daily volumes of gas which Northern States is entitled to purchase from Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1982, 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 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 jurisdiction conferred upon the Federal Energy Regulatory Commission by section 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35570 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-116-000]

Missouri Power & Light Co.; Filing

December 8, 1981.

Take notice that Missouri Power & Light Company (MPL) on November 23, 1981, tendered for filing a proposed Electric Service Agreement between MPL and the City of Marceline, Missouri (Marceline).

MPL states that the Agreement, approved by Bill No. 35.595, Ordinance No. 35.595 of the City of Marceline, Missouri, supersedes the Electric Service Agreement between MPL and Marceline entered into on July 24, 1973. MPL proposes that the new Agreement become effective on March 1, 1982. The new Agreement increases capacity from 7500 kilovolt amperes under the hold Agreement to 8400 kilovolt amperes. The new Agreement requires Marceline to give MPL six (6) months' advance written notice of any proposed new municipal use or resale which will result in a 1000 KW addition or more and to consult with MPL prior to such use or resale to determine that such user or resale is consistent with safe and reliable system operation. The new Agreement terminates on July 24, 1983, but is automatically renewed for successive one (1) year periods unless terminated by ninety (90) days written notice by either party to the chief executive officer of the other party. The Agreement is not terminable by either party during the first year of the term. Rates to be charged under the new Agreement will remain the same as rates presently charged under the old Agreement and do not differ from rates charged to other customers in the same class.

Copies of the filing were served upon MPL's jurisdictional customers and the Secretary of the Missouri Public Service Commission.

Any person desiring to be heard to protest said application 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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 24, 1981. 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 open for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35555 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ES82-25-000]

Missouri Power and Light Co.; Application

December 7, 1981.

Take notice that on November 27, 1981, Missouri Power and Light Company (Applicant), filed an application seeking an order pursuant to Section 204 of the Federal Power Act authorizing the issuance short-term, unsecured promissory notes in a

aggregate amount of $12,000,000, with a final maturity date of not later than December 31, 1983.

Any person desiring to be heard or to make any protest with reference to said Application should, on or before December 21, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The Application is on file and available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35540 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP82-14-000]

Mountain Fuel Resources, Inc.; Proposed Changes in FERC Gas Tariff

December 7, 1981.

Take notice that Mountain Fuel Resources, Inc. (Resources), on December 1, 1981 tendered for filing and acceptance First Revised Sheet Nos. 2 and 3, Fourth Revised Sheet No. 4 and Sixteenth Revised Sheet No. 7 of its FERC Gas Tariff, Original Volume No. 1. The changes are proposed to become effective January 1, 1982, and would increase annual jurisdictional revenues by $3,943,485, inclusive of transportation services, based on the twelve-month period ended August 31, 1981, as adjusted. Of the total amount of the increase requested, transportation revenues are proposed to be increased by $244,465 annually with the balance applicable to sales for resale.

Resources states that the principal reasons for the increased rates are as follows:

(1) Increases in operating and maintenance expenses; (2) increases in rate base and related expenses; and (3) increase in rate of return to 14.76 percent in order to compensate for higher cost of capital.

Resources states that copies of this filing were served on the Company's jurisdictional customers and affected state regulatory agencies.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1981. 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. 81-35556 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5515-000]

New England Energy Development Systems, Inc.; Application for Preliminary Permit

December 4, 1981.

Take notice that New England Energy Development Systems, Inc. (Applicant) filed on October 15, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5515 to be known as the Mill River Project located on the Mill River in the town of Northampton, Hampshire County, Massachusetts. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Michael Pill, Staff Planner and Attorney, New England Energy Development Systems, Inc., 109 Main Street, Amherst, Massachusetts 01002.

Project Description— The proposed project would consist of five developments described as follows:

(A) The Mill One development would consist of: (1) An existing 15-foot high, 120-foot long concrete and masonry dam; (2) a 15 acre pond at elevation 135 feet m.s.l. with unknown storage capacity; (3) a new 30-foot long penstock of undetermined diameter; (4) a new powerhouse with a single 59 kW turbine-generator; and (5) appurtenant facilities. Mill One would generate up to 240,900 kWh annually.

(B) The Mill Two development would consist of: (1) An existing 15-foot high, 120-foot long concrete and masonry dam; (2) a 500-foot long reservior at elevation 235 feet m.s.l. with unknown storage capacity; (3) a new 50-foot long penstock of undetermined diameter; (4) a new powerhouse with a single 55 kW turbine-generator; and (5) appurtenant facilities. Mill Two would generate up to 240,900 kWh annually.

(C) The Mill Three development would consist of: (1) An existing dam, in two sections, joined by a rock outcrop and constructed of masonry, 80 feet long and 20 feet high on the north section and 30 feet long and 6 to 8 feet high on the south section; (2) a reservoir with unknown storage capacity at elevation 300 feet m.s.l.; (3) a new 75-foot long penstock of undetermined diameter; (4) a new powerhouse containing a single 72 kW turbine-generator; and (5) appurtenant facilities. Mill Three would generate up to 315,360 Kwh annually.

(D) The Mill Four development would consist of: (1) An existing dam, in two sections, constructed of masonry, both 80 feet long and 10 feet high, separated by an island; (2) a reservoir with unknown storage capacity at elevation 312 feet m.s.l.; (3) a new 100-foot long penstock of undetermined diameter; (4) a new powerhouse containing a single 35 kW turbine-generator; and (5) appurtenant facilities. Mill Four would generate up to 153,300 kWh annually.

(E) The Mill Five development would consist of: (1) An existing 150-foot long, 28-foot high masonry dam; (2) a reservior of unknown storage capacity at elevation 355 feet m.s.l.; (3) a new powerhouse containing a single 110 kW turbine-generator; and (4) appurtenant facilities. Mill Five would generate up to 481,800, kWh annually.

The project property is owned by Smith College, Chartpak Company, Massachusetts Electric Company, The Pro Corporation, Meadow Trust Company, Stephen B. Monsein, Gerold B. Jackson and George and Margaret Tobin.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorized construction. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant estimates that the cost of the work to be performed under the preliminary permit would be up to $25,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before February 11, 1982, the competing application itself, or a notice of intent to file such an application [see: 18 CFR 4.30 et seq. (1981)].

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before February 11, 1982, and should specify the type of application

forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations [see: 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate].

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than February 11, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before February 11, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35541 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5466-000]

City of New York; Application for Preliminary Permit

December 8, 1981.

Take notice that the City of New York (Applicant) filed on October 13, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5466 to be known as the Croton Water Supply System Water Power Project located on East Branch Croton River, Middle Branch Croton River, Cross River, Croton River, Muscoot River, and Titicus River in Cortland, North Salem, Somers and Bedford Townships, Westchester County, and Southeast and Carmel Townships, Putnam County, New York. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Francis X. McArdle, Department of Environmental Protection, City of New York, 2358 Municipal Building, New York, New York 10007.

Project Description—The proposed project would redevelop the existing Applicant-owned facilities and would consist of eight separate but hydraulically related developments:

A. The Project A Development comprising: (1) The 2,163-foot long and 297-foot high masonry gravity-type New Croton Dam having an ungated side-discharge spillway; (2) the New Croton Reservoir having a surface area of 2,259 acres at spillway crest elevation 195.5 feet msl; (3) the intake structure, Gatehouse #2, and related conduits through the dam; (4) a new powerhouse containing a new generating unit having a rated capacity of 3,100-kW; (5) the release conduit to the Croton River; (6) a new 0.5-mile long transmission line; and (7) appurtenant facilities. Applicant estimates that the average annual energy output would be 13,000 MWh.

B. The Project B Development comprising: (1) The 1,519-foot long earth-fill and masonry Titicus Dam having a 200-foot long spillway; (2) the Titicus Reservoir having a surface area of 669.4 acres at spillway crest elevation 324.5 feet msl; (3) the intake structure, two 48-inch conduits through the dam, and the gate house; (4) a new powerhouse containing a new generating unit having a rated capacity of 250-kW; (5) the release channel to the Titicus River; (6) a new 1-mile long transmission line; and (7) appurtenant facilities. Applicant estimates that the average annual energy output would be 850 MWh.

C. The Project C Development comprising: (1) The 1,270-foot long and 82-foot high earth-fill Amawalk Dam having a 50-foot long spillway; (2) the Amawalk Reservoir having a surface area of 606 acres at spillway crest elevation 399.5 feet msl; (3) the intake structure, related conduits through the dam, and the gate house; (4) a new 300-foot long penstock; (5) a new powerhouse containing a new generating unit having a rated capacity of 220-kW; (6) a new tailrace to the spillway channel to the Muscoot River; (7) a new 100-foot long transmission line; and (8) appurtenant facilities. Applicant estimates that the average annual energy output would be 730 MWh.

D. The Project D Development comprising: (1) The 1,130-foot long and 58-foot high masonry Muscoot Dam having a 950-foot long spillway; (2) the Muscoot Reservoir having a surface area of 1,166 acres at spillway crest elevation 199.5 feet msl; (3) a modified gate chamber containing a new generating unit having a rated capacity of 600-Kw; (4) a new two-mile long transmission line; and (5) appurtenant facilities. Applicant estimates that the average annual energy output would be 1,800 MWh.

E. The Project E Development comprising: (1) The 2,190-foot long and 51-foot high earth-fill Diverting Dam having a 1,000-foot long side-discharge spillway; (2) the Diverting Reservoir having a surface area of 154-acres at spillway crest elevation 309.5 feet msl; (3) a modified release chamber containing a new generating unit having a rated capacity of 100-kW; (4) the release conduit and waste channel to the East Branch Croton River; (5) a new 1-mile long transmission line; and (6) appurtenant facilities. Applicant estimates that the average annual energy output would be 670 MWh.

F. The Project F Development comprising: (1) The 1,090-foot long and 170-foot high masonry Cross River Dam having a 240-foot long side-discharge spillway; (2) the Cross River Reservoir having a surface area of 769-acres at spillway crest elevation 329.5 feet msl; (3) the gate house, related conduits through the dam, valve chamber, and the penstock; (4) a modified pumping station containing a modified turbine connected to a new generator having a rated capacity of 325-kW; (5) the tailrace to the outlet channel to the Cross River; (6) a new 1-mile long transmission line; and (7) appurtenant facilities. Applicant estimates that the average annual energy output would be 665 MWh.

G. The Project G Development comprising: (1) The 1500-foot long and 113-foot high masonry Croton Falls Dam having a 700-foot long side-discharge

spillway; (2) the Croton Falls Reservoir having a surface area of 1,062 acres at spillway crest elevation 309.4 feet msl; (3) the intake chamber, related conduits through the dam, and the penstock; (4) a modified pumping station containing a modified turbine connected to a new generator having a rated capacity of 1,650-kW; (5) the tailrace to the waste channel to the Middle Branch Croton River; (6) a new 200-foot long transmission line; and (7) appurtenant facilities. Applicant estimates that the average annual energy output would be 4,200 MWh.

H. The Project H Development comprising: (1) The 1,340-foot long and 60-foot high earth-fill Bog Brook No. 1 Dam; (2) the 1,956-foot long and 35-foot high earth-fill Bog Brook No. 2 Dam; (3) the Bog Brook Reservoir having a surface area of 399 acres at spillway crest elevation 416.5 feet msl; (4) the conduit between the Bog Brook Reservoir and the East Branch Reservoir; (5) the 1,100-foot long and 98-foot high masonry and earth-fill Sodam Dam and separate 500-foot long spillway; (6) the East Branch Reservoir having a surface area of 577-acres at spillway crest elevation 416.5 feet msl; (7) the gate house and release conduit through Sodam Dam; (8) a new powerhouse containing a new generating unit having a total rated capacity of 680-kW; (9) a new tailrace to the East Branch Croton River; (10) a new 1.5-mile long transmission line; and (11) appurtenant facilities. Applicant estimates that the average annual energy output would be 3,350 MWh.

The total installed capacity of the proposed project would be 6,925-kW. The system would continue to be operated essentially to provide water supply to the City of New York. Project energy would be used by Applicant for municipal purposes or would be sold.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would complete feasibility, engineering, and hydrologic studies, conduct field surveys, prepare environmental reports and detailed plans, consult with Federal, State, and local agencies, and would prepare an application for an FERC license. Applicant estimates the cost of the work under the permit would be $250,000.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before January 12, 1982, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protest, or petition to intervene must be received on or before January 12, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION ", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35563 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-75-000]

Northern Utilities, Inc.; Application

December 8, 1981.

Take notice that on November 9, 1981, Northern Utilities, Inc. (Applicant), P.O. Box 2800, Casper, Wyoming 82602, filed in Docket No. CP82-75-000 an application pursuant to section 311 of the Natural Gas Policy Act of 1978 and § 284.127 of the Commission's regulations authorizing Applicant to transport natural gas for Montana-Dakota Utilities Co., Inc. (MDU), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that pursuant to the terms of a gas transportation agreement dated June 12, 1978, as amended on April 11, 1980, it would transport up to 25 trillion Btu of natural gas or 6 billion Btu of natural gas per day purchased by MDU which gas is produced in the area of the Powell II Unit in Converse County, Wyoming, and transported by MDU from the area of production to a point near Midwest, Natrona County, Wyoming, where it is delivered to Applicant. It is further stated that Applicant would transport the gas from a point near Midwest, Wyoming, to a point near Billy Creek, Johnson County, Wyoming, and certain intermediate points. Applicant states that the proposed transportation service would be for a primary term ending January 7, 1996, and from year to year thereafter.

Applicant proposes to charge MDU 22.0 cents per Mcf for transporting the gas. Applicant asserts that this rate is fair and equitable within the meaning of § 284.123(b)(1)(ii) of the Commission's regulations.

The proposal would allow Applicant to take delivery of the subject gas without having to construct additional facilities, it is stated.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1982, 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 person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35571 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. SA82-4-000]

Owens-Corning Fiberglas Corp.; Application for Adjustment and Request for Interim Relief

December 7, 1981.

Take notice that on November 18, 1981, Owens-Corning Fiberglas Corporation (Owens-Corning), Fiberglas Tower-Arcade, Toledo, Ohio 43659 filed an application with the Federal Energy Regulatory Commission (Commission) for adjustment under section 502(c) of the Natural Gas Policy Act of 1978 and for interim relief pursuant to § 1.41(m) of the Commission's rules of practice and procedure, in which Owens-Corning seeks relief from § 282.203(b) of the Commission's regulations for its Jacksonville, Florida fiberglas mat facility.

Owens-Corning states that prior to August, 1981 it used natural gas as boiler fuel in connection with its felt mill operation at the Jacksonville facility. In August, 1981, Owens-Corning substituted fiberglas in place of felt which resulted in a permanent reduction of natural gas as boiler fuel to levels below an average of 300 Mcf per day. Owens-Corning states that its seeks an adjustment because its past pattern of gas usage is unrepresentative of its current and future requirements and that with the change in operating conditions its boiler fuel usage of natural gas will not exceed an average of 300 Mcf per day in the future.

The procedures aplicable to the conduct of this adjustment proceeding are found in section 1.41 of the Commission's rules of practice and procedure, Order No. 24 issued March 22, 1979.

Any person desiring to participate in the adjustment proceeding shall file a petition to intervene in accordance with the provisions of § 1.41. All petitions to intervene must be filed by December 29, 1981.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35542 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5536-000]

Pacific Gas and Electric Co.; Application for Transmission Line License

December 8, 1981.

Take notice that on September 24, 1981, Pacific Gas and Electric Company (PG&E) filed an application for license [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] to construct, operate, and maintain two transmission lines to be known as Pardee Tap No. 2 and Camanche Tap, FERC No. 5536 which would connect East Bay Municipal Utility District's (EBMUD) Lower Mokelumne River Project (FERC No. 2916) to PG&E's transmission system. The project would be located in Calaveras, Amador, and San Joaquin Counties, California. Correspondence with the Applicant on this matter should be addressed to: Mr. W. M. Gallavan, Vice President, Rates and Valuation, Pacific Gas and Electric Company, 77 Beale Street, Room 1087 A, San Francisco, California 94106, with a copy to Mr. Louis E. Vincent, Attorney, Pacific Gas and Electric Company, Law Department, P.O. Box 7442, San Francisco, California 94106.

Project Description—The proposed project would consist of: (1) An existing 600-foot long, single circuit, 60-kV tap line known as Pardee Tap No. 2, extending from EBMUD's Pardee Powerhouse to PG&E's Pardee switches; and (2) a new 6.74-mile long, single circuit, 115-kV transmission line, to be known as Camanche Tap, extending from EBMUD's Camanche Powerhouse to PG&E's Halsey Junction-Newark 115-kV Tower Line.

Purpose of Project—The transmission lines would transmit power from the proposed Lower Mokelumne River Project No. 2916 to PG&E's system.

Estimated Cost—The cost of the project is estimated, by the Applicant, to be about $587,000.

Agency Comments—Federal, State and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. No. 88-29, and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before February 12, 1982, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protest, or petition to intervene must be received on or before February 12, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35572 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-115-000]

Pacific Power & Light Co.; Filing

December 7, 1981.

The filing Company submits the following:

Take Notice that Pacific Power & Light Company (Pacific) on November 24, 1981, tendered for filing, in accordance with Section 35.12 of the Commission's Regulations, individual Letter Agreements between Pacific and the following Purchasers: Pacific Gas and Electric Company, San Diego Gas & Electric Company.

These Letter Agreements provide for the sale of firm electric capacity and energy by Pacific to the Purchasers.

Pacific requests waiver of the Commission's notice requirements to permit this rate schedule to become effective on September 1, 1981.

Copies of the filing were supplied to the Purchasers.

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 Steet, N.E., Washington D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 24, 1981. 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. 81-35543 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-65-000]

Panhandle Eastern Pipe Line Co.; Application

December 8, 1981.

Take notice that on November 10, 1981, Panhandle Eastern Pipe Line Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP82-65-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the implementation of certain transportation and exchange agreements between Applicant and MIGC, Inc., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it entered into gas transportation and exchange agreements with MIGC on February 27, 1981, which include a gas transportation and exchange agreement for the Powder River Basin, Wyoming (Powder River Basin Agreement), and a gas transportation and exchange agreement for areas other than the Powder River Basin (System-Wide Agreement).

It is stated that the Powder River Basin Agreement provides that if either Applicant or MIGC acquires gas supplies in the Powder River Basin, Wyoming, the other pipeline would upon request connect its facilities to such gas pipeline for the purpose of transport and delivery. It is further stated that the agreement provides for a maximum daily delivery volume of 5,000 Mcf with reimbursement of connection costs and payment of a transportation charge of 5.56 per Mcf. The System-Wide Agreement, it is asserted, provides that Applicant and MIGC would accept and redeliver gas supplies acquired by the other pipeline in other areas as well. It is further stated that the agreement provides for a maximum daily delivery volume of 20,000 Mcf with reimbursement of any gathering costs and payment of a transportation charge based on then-effective jurisdictional transportation rates reflecting system-wide costs excluding costs associated with gathering and storage systems and gas used in transmission.

Applicant requests authorization to add and delete points of receipt and delivery as may be required from time to time.

Applicant asserts that the subject proposal would allow it and MIGC to add new sources of natural gas supply to existing pipeline systems without costly additions or duplication of facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35573 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. GP82-9-000]

Rescission of Final Well Category Determination by Jurisdictional Agency; State of West Virginia

December 8, 1981.

In the matter of State of West Virginia NGPA section 103 Determination Patrick Petroleum Corporation Jacob Daugherty No. 1 Well JD No. 81-27387 State No. 800417-103-001-0724.

On April 28, 1981, the State of West Virginia Department of Mines, Oil and Gas Division (West Virginia) filed with the Commission a notice of determination pursuant to section 502 of the Natural Gas Policy Act of 1978 (NGPA) that the Patrick Petroleum Corporation's Jacob Daugherty No. 1 Well qualifies as a new onshore production well under section 103(c) of the NGPA. The Commission issued notice of the determination on May 13, 1981 (46 FR 27528, May 20, 1981). The determination became final on June 12, 1981, pursuant to § 275.202(a) of the Commission's regulations.

West Virginia's determination was based on Patrick Petroleum Corporation's application which contained a well completion report indicating that the surface drilling of the subject well was commenced on September 18, 1978. The well completion report also stated that the subject well was completed for production on September 22, 1978 in the Riley Formation from 4,066 to 4,071 feet in depth. In order for a well to qualify as a new onshore production well under section 103 of the NGPA, the surface drilling of the well must have commenced on or after February 19, 1977. See NGPA section 103(c)(1).

On September 18, 1981, the Commission received notification from West Virginia that a review of records indicated that surface drilling of the subject well began on July 20, 1975, and that the well was completed for production on July 30, 1975, in the Gantz Formation, at depths of 1,504 to 1,590 feet. Accordingly, West Virginia held a hearing at which it determined that the subject well does not qualify as a new onshore production well under section

103. West Virginia issued an order rescinding its previous order and rejecting the application.

Notice is hereby given of West Virginia's rescission of its prior affirmative determination for the subject well, and of its rejection of the application covering the subject well.

With respect to the question of refunds arising out of West Virginia's rescission of the subject final well category determination, notice is hereby given that the question of whether refunds, plus interest computed under 18 CFR 154.102(d), will be required is a matter subject to the review and final decision of the Commission.

Any person desiring to be heard or to make any protest to this action should on or before December 28, 1981, 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 determing the appropriate action to be taken but will not serve to make the protestants parties to the 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. 81-35575 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP77-302]

Sea Robin Pipeline Co.; Vermilion Block 22 System; Filing of Revised Tariff Sheets

December 8, 1981.

Take notice that on November 30, 1981, Sea Robin Pipeline Company (Sea Robin) tendered for filing as a part of its FERC Gas Tariff, Original Volume No. 2, Twelfth Revised Sheet Nos. 127-D and 135-C to become effective January 1, 1982. These revised tariff sheets reflect Sea Robin's cost of gas delivered at Pecan Island, Louisiana, for the six (6) month period beginning January 1, 1982, and are being filed 30 days prior to the effective date pursuant to Section 4 of Sea Robin's Tariff.

Copies of the revised tariff sheets and supporting data are mailed to Sea Robin's jurisdictional customers and interested State Commission.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1981. 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.

[Docket No. TA82-1-6-000]

Sea Robin Pipeline Co.; Filing of Revised Tariff Sheets

December 8, 1981.

Take Notice that on November 30, 1981, Sea Robin Pipeline Company (Sea Robin) tendered for filing Twenty Eighth Revised Sheet No. 4 to its FERC Gas Tariff, Original Volume No. 1. This tariff sheet and supporting information is being filed 30 days prior to the proposed effective date of January 1, 1982 pursuant to the Purchased Gas Cost Adjustment provisions set out in sections 1 and 3 of Sea Robin's tariff. In addition, Sea Robin submits Ninth Revised Sheet No. 4-A to become effective January 1, 1982, in compliance with Federal Energy Regulatory Commission (Commission) orders issued May 11, 1978, and July 12, 1978, at Docket No. RP77-6.

Sea Robin states that these revised tariff sheets and supporting data are being mailed to Sea Robin's jurisdictional customers and interested state commission.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1981. 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. 81-35558 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5609-000]

Town of Skykomish, Wash.; Application for Preliminary Permit

December 4, 1981.

Take notice that the Town of Skykomish, Washington (Applicant) filed on November 5, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5609 to be known as the Silver Creek Hydropower Project located on Silver Creek, near Skykomish, within the lands of Mt. Baker—Snoqualmie National Forest in Snohomish County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Roy Gale, Mayor, Town of Skykomish, P.O. Box 308, Skykomish, Washington 98288.

Project Description—The project would consist of: (1) A 5-foot high, 100-foot long concrete diversion structure; (2) a 2.7-mile long, 60-inch diameter conduit; (3) a 2,000-foot long, 42-inch diameter penstock; (4) a powerhouse with total installed capacity of 4,100 kW; and (5) a 7-mile long, 69-kV transmission line from the powerhouse to an existing BPA transmission line. The Applicant estimates that the average annual energy production would be 26.0 million kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 24 months during which time it would conduct technical, environmental, and economic analysis; and prepare an FERC license application. No new roads would be required for conducting these studies. The Applicant estimates that the cost of undertaking the studies would be $100,000.

Competing Applications—This application was filed as a competing application to the Mineral Butte Power Project No. 5341 filed on September 8, 1981, by Western Power Inc., under 18 CFR 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent is December 16, 1981. Anyone desiring to file a competing application

must submit to the Commission, on or before December 16, 1981, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 6, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35544 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA82-1-7-000 (PGA82-1)]

Southern Natural Gas Co.; Proposed Changes in FERC Gas Tariff

December 7, 1981.

Take notice that Southern Natural Gas Company (Southern), on December 1, 1981, tendered for filing proposed changes in its FPC Gas Tariff, Sixth Revised Volume No. 1, to become effective January 1, 1982. Such filing is pursuant to section 17 (Purchased Gas Adjustment) of the General Terms and Conditions of Southern's FERC Gas Tariff, Sixth Revised Volume No. 1. The proposed changes would increase Southern's rates as a result of the following items.

(1) A Current Adjustment pursuant to § 17.3 of the General Terms and Conditions of Southern's Tariff, reflecting an annual increase in cost of purchased gas to jurisdictional customers of $5.1 million or approximately 0.952¢ per Mcf.

(2) A Surcharge Adjustment, pursuant to § 17.4 of the General Terms and Conditions of Southern's Tariff, for Unrecovered Purchased Gas Costs of 7.989¢ per Mcf which is an increase of 13.404¢ from the present negative Surcharge Adjustment. This Surcharge Adjustment will amortize the $22.3 million balance in the Deferred Account over the estimated sales for the six-month period commencing January 1, 1982.

(3) A Surcharge Adjustment for estimated Demand Charge Credits pursuant to Section 9.6(3) of the General Terms and Conditions of Southern's Tariff of (.102¢) per Mcf which is an increase of .325¢ from the present Surcharge Adjustment.

(4) A GRI Surcharge Adjustment of .720¢ per Mcf approved by FERC order dated September 28, 1981, Opinion 131 (Docket No. RP81-72), which is an increase of .160¢ above the present GRI Surcharge Adjustment.

(5) Pursuant to § 282.602(a)(1)(ii) of the Regulations under the Natural Gas Policy Act of 1978, Southern is also filing Fourth Revised Sheet No. 45R with a proposed effective date of January 1, 1982. Such tariff sheet reflects Southern's projected incremental pricing surcharge for each of the six months during the rate collection period aggregating a total for the six month period of $74,334.

Copies of the filing are being served upon the company's jurisdictional customers and interested state commissions.

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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1981. 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. 81-35559 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-86-000]

Southern Natural Gas Co.; Application

December 8, 1981.

Take notice that on November 13, 1981, Southern Natural Gas Company (Applicant), P.O. Box 2563, Birmingham, Alabama 35202, filed in Docket No. CP82-86-000 an application pursuant to section 311(a)(1) of the Natural Gas Policy Act of 1978 (NGPA) and § 284.107 of the Commission's regulations for approval of a transportation service to be rendered by Applicant on behalf of Sugar Bowl Gas Corporation (Sugar Bowl), an intrastate pipeline company in the state of Louisiana, for a fixed period in excess of two years, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that on October 16, 1981, it entered into a gas transportation agreement with Sugar Bowl under which Sugar Bowl would deliver or cause to be delivered a maximum daily transportation quantity of 1.8 billion Btu of gas to Applicant at an existing point of interconnection between Trunkline Gas Company's pipeline facilities and Applicant's 24-inch North Main Second Loop line near mile post 30.212 on Applicant's line in West Carroll Parish, Louisiana. Applicant further states that pursuant to such agreement it would transport such gas on an interruptible basis and redeliver a thermally equivalent quantity of gas for Sugar Bowl's account at an existing point of interconnection between Applicant's pipeline facilities near its Toca Compressor Station, St. Bernard Parish, Louisiana, and the facilities of Union Texas Petroleum Corporation (Union Texas) at the inlet side of its Toca Plant. It is asserted that such transportation

agreement is for a primary term of five years from the date of initial deliveries.

It is submitted that Sugar Bowl has entered into a gas sales agreement with Union Texas pursuant to which Sugar Bowl would provide Union Texas with a supply of natural gas to be used as fuel gas to fractionate liquids available at Union Texas' natural gas processing plant and fractionator in St. Bernard Parish, Louisiana. It is further submitted that Sugar Bowl's pipeline system is not connected to Union Texas's Toca Plant and in order to effectuate its sale to Union Texas Sugar Bowl has requested Applicant to transport its sales gas to the Toca Plant.

For such transportation service, Applicant states Sugar Bowl would pay Applicant a transportation rate of 28.0 cents per million Btu of gas transported and delivered for its account.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1982, 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 person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35574 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP82-12-000]

Tennessee Gas Pipeline Co.; Filing of Changes in Rates

December 8, 1981.

Take notice that on November 30, 1981, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), tendered for filing changes in its FERC Gas Tariff to be effective January 1, 1982, consisting of the following revised tariff sheets:

Original Volume No. 1

First Revised Sheet No. 226
Second Revised Sheet No. 225
Substitute Third Revised Sheet No. 21
Substitute Fourth Revised Sheets Nos. 20 and 22
A Sheet Reserving Original Sheet Nos. 227 through 325 for Future Use

Original Volume No. 2

First Revised Sheet Nos. 299QQ4, 299QQ5, and 299RR5, Second Revised Sheet Nos. 267L, 277B, 286E, 297D, 297E, 299V6, 299W5, 299X6, 299Y6, 299EE6, 286E, 299FF5, 299GG7, 299MM5, 299NN4, 299OO5, and 322D; Third Revised Nos. 266J, 267K, 268C, 287E, 288D, 289E, 290E, 291E, 292E, 299L9, 299M6, 299N5, 299Q5, 299R5, 299S9, and 299S10; Fourth Revised Nos. 266I, and 274E; Sixth Revised Sheet No. 141A; Seventh Revised Nos. 249H, and 249I; Eighth Revised Sheet No. 245D; Ninth Revised Sheet Nos. 76, and 215; Tenth Revised Sheet Nos. 53, 54 and 77; Eleventh Revised Sheet No. 141; Thirteenth Revised Sheet Nos. 11 and 12.

The changes would increase revenues from jurisdictional sales and services by $122,284,595 based on a test period consisting of the twelve months ended August 31, 1981, adjusted for known and measurable changes through May 31, 1982.

Tennessee states that the increased rates are required to reflect an increase in rate of return and related income taxes, increased plant and related expenses, and increases in the cost of materials, supplies, wages, taxes, prepayments to producers and the transportation of gas by others.

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 December 17, 1981. 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. 81-35580 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-72-000]

Tennessee Gas Pipeline Co., and National Fuel Gas Supply Corp.; Application

December 8, 1981.

Take notice that on November 12, 1981, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), P.O. Box 2511, Houston, Texas 77001, and National Fuel Gas Supply Corporation (Supply), 10 Lafayette Square, Buffalo, New York 14203, filed in Docket No. CP82-72-000 a joint 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 for Natural Fuel Gas Distribution Corporation (Distribution), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants request authorization to transport natural gas for the account of Distribution up to a maximum annual volume of 75,000 Mcf of natural gas at daily volumes of up to 15,000 Mcf pursuant to a precedent agreement dated August 25, 1981. Supply proposes to make volumes available to Tennessee at the existing interconnection between the facilities of Supply and Tennessee at Tennessee's existing East Aurora Sales Meter Station delivery point in New York. Tennessee proposes to receive such volumes from Supply and transport equivalent volumes, less fuel and use volumes, to Honeoye Storage Corporation (Honeoye) for the account of Distribution at the existing interconnection of Tennessee's and Honeoye's pipelines in Ontario County, New York.

Applicants state that Distribution would pay Tennessee a volume charge each month equal to 3.48 cents per Mcf transported with provision for a minimum annual bill. It is further stated that Distribution would also provide to Tennessee volumes of natural gas equal to 1.21 percent of the volumes received for transportation as a supplement to Tennessee's system gas supply for its system fuel and use requirements.

It is asserted that the arrangements between Supply and Distribution relative to this proposed transportation service are set forth in a letter agreement dated August 18, 1981. It is explained that Supply would charge Distribution in accordance with its Rate Schedule T-1 which charge is presently 15.68 cents per Mcf. In addition, it is stated that Supply would keep 2.0 percent of the total volumes delivered for shrinkage.

Applicants maintain that the ability to render presently authorized services to their customers would not be affected by this proposal. Such service, it is submitted, would enable Distribution to deliver gas to Honeoye for storage.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1982, 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 the protestant 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35570 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-56-000]

Transcontinental Gas Pipe Line Corp.; Application

December 8, 1981.

Take notice that on November 4, 1981, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77251, filed in Docket No. CP82-56-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain pipeline and appurtenant facilities in the Brazos Area, offshore Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate approximately 0.43 mile of 16-inch pipeline which would connect the existing "A" production platform in Block 578, Brazos Area, offshore Texas, to a subsea connection in that block with a 24-inch pipeline of Applicant and Columbia Gulf Transmission Company. Applicant also proposes to construct metering, regulating and other appurtenant facilities on the production platform. Applicant states that the proposed facilities would have a maximum capability to transport up to 150,000 Mcf of gas per day.

It is stated that such facilities would have a maximum capability of 150,000 Mcf per day and are estimated to cost $3,604,080 which would be financed initially through short-term loans and available cash with permanent financing to be undertaken at a later date.

It is submitted that the facilities proposed herein are required to attach new gas supplies that would be available to Applicant commencing in the spring of 1982 from Brazos 578.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 5, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35545 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA82-1-11-000]

United Gas Pipe Line Co.; Filing of Revised Tariff Sheets

December 8, 1981.

Take notice that on November 30, 1981, United Gas Pipe Line Company (United) tendered for filing Fifty-Fifth Revised Sheet No. 4 and Fourth Revised Sheet Nos. 4-A, 4-B, and 4C to its FERC Gas Tariff, First Revised Volume No. 1. These tariff sheets and supporting information are being filed pursuant to the Purchase Gas Adjustment Provisions set out in Sections 19, 22 and 23 of United's tariff.

United states that the current adjustment reflects rates payable to United's suppliers for the six (6) months commencing January 1, 1982.

Fourth Revised Sheet Nos. 4-A and 4-B are being filed to reflect the estimated incremental pricing surcharges as required by Commission Order No. 49, issued September 28, 1979.

Copies of the proposed tariff sheets will be mailed to United's customers and interested state commission.

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 Steet, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 17, 1981. 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. 81-35561 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. EC82-5-000]

Virginia Electric & Power Co.; Filing

December 9, 1981.

The filing Company submits the following:

Take notice that on November 30, 1981, Virginia Electric and Power Company (VEPCO) submitted an application for authorization to enter into an exchange of ownership with Monongahela Power Company (Monongahela) and Potomac Edison Company (Potomac Edison) of some of the existing transmission facilities between Mount Storm (near Mt. Storm, West Virginia) and Pruntytown (near Fairmont, West Virginia) substations, Mount Storm and Valley (near Harrisonburg, Virginia) substations and Mount Storm and Morrisville (near Warrenton, Virginia) substations and at Mount Storm and Valley substations. No new transmission facilities are proposed to be constructed pursuant to the agreement to exchange facilities. No consideration will be paid. This is an exchange of equal megawatts of capacity in the affected facilities. The exchange will not affect interconnections among VEPCO, Monongahela and Potomac Edison.

The purpose of the exchange transaction is to provide a direct electrical path over facilities owned by Potomac Edison and Monongahela between the Bath County Project and the operating territory of the Allegheny Power System. VEPCO requests approval of its application pursuant to section 203 of the Federal Power Act.

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 §§ 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 January 5, 1982. 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. 81-35562 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF82-22-000]

Richard C. Walker; Application for Commission Certification of Qualifying Status of Small Power Production Facility

December 7, 1981.

On November 17, 1981, Richard C. Walker of Cambridge, Iowa, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The facility is a wind generating system located in Cambridge, Iowa. The rated capacity of the facility is 10 kilowatts. No electric utility, electric utility holding company or any combination therof has an ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status 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 §§ 1.8 and 1.10 of the Commission's rules of practice and procedure. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. 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. 81-35546 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-53-000]

Wisconsin Natural Gas Co.; Application

December 8, 1981.

Take notice that on November 3, 1981, Wisconsin Natural Gas Company (Applicant), 233 Lake Avenue, Racine, Wisconsin 53403, filed in Docket No. CP82-53-000 an application pursuant to section 7(c) of the Natural Gas Act and § 284.222 of the Commission Regulations for a certificate of public convenience and necessity for blanket authorization to sell, transport or assign natural gas which is surplus to its present needs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has contract demand volumes and available gas volumes temporarily in excess of its system requirements due to the depressed economic situation involving the principal industries it serves and the availability of surplus gas from its pipeline supplier, Michigan Wisconsin Pipe Line Company. Therefore, Applicant requests blanket authority to permit it to sell up to 2,400,000 dekatherms (dt) equivalent of gas per year for the next two years. Applicant asserts this would reduce the cost burdens on its customers associated with the reduced demand for gas sales which otherwise might be borne by its customers.

Applicant proposes a sales rate of $3.919 per dt equivalent subject to upward adjustment based upon changes in Applicant's system cost of gas. It is stated that this rate is based upon the current rate as approved by the Public Service Commission of Wisconsin for Applicant's sales to interruptible industrial customers on its system. Applicant requests authority to modify its rate from time to time to reflect rate changes approved by the Public Service Comission of Wisconsin and, further, requests that its rate as computed from time to time by its proposed methodology be deemed to constitute the maximum price so that Applicant may change such price in any individual transaction under the requested blanket certificate without further Commission action. Additionally, Applicant requests that the Commission disclaim jurisdiction over any activities of Applicant except for the sales made pursuant to the requested authorization.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 6, 1982, 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 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 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35577 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2426-007]

State California Department of Water Resources; Application for Amendment of License

December 4, 1981.

Take notice that on July 24, 1981, the State of California Department of Water Resources (Licensee) filed an application for amendment of its existing license for the California Aqueduct Project No. 2426, to add Mojave Siphon powerplant in San Bernardino County, California. Correspondence with the Licensee should be directed to: Mr. Ronald B. Robie, Director, Department of Water Resources, P.O. Box 388, Sacramento, California 95802.

Licensee seeks authorization to construct, operate, and maintain: (1) a 650-foot long, 11-foot diameter penstock connecting the existing Mojave Siphon inlet structure with; (2) a powerhouse with a total installed capacity of 7.2 MW; (3) an 11-foot diameter pipeline and a 17-foot diameter tunnel carrying the powerplant tailrace to Silverwood Lake; and (4) a 33-kV, 0.5 mile long transmission line connecting adjacent to the powerhouse to an existing Southern California Edison Company's transmission line.

The estimated annual energy of 47 million kWh generated by the proposed powerplant would be added to the energy generated at the other powerplants of the Licensee. The Licensee estimates the cost of the proposed action to be $30,374,780.

Comment, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 21, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", OR "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35584 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4412-001]

Thornton Lake Resource Co.; Application For Exemption For Small Hydroelectric Power Project Under 5 MW Capacity

December 4, 1981.

Take notice that on October 21, 1981, Thornton Lake Resource Company (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (FERC Project No. 4412) would be located on Thornton Creek, near the town of Newhalem, in Whatcom County, Washington. Correspondence with the Applicant should be directed to: Ms. Sherri M. Lee, 2100 Electric Avenue, #326, Bellingham, Washington 98226.

Project Description—The proposed project would consist of: 1) a 4-foot high and 50-foot long diversion weir; 2) a 9,000-foot long, 30-inch diameter steel penstock; 3) a concrete powerhouse containing one generating unit rated at 4 MW; 4) a tailrace; 5) a switchyard; and 6) a 2-mile long access road.

Purpose of Project—The average annual energy generation of 26 million kWh would be sold to a local utility.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Washington Departments of Fisheries and Game are requested, for the purposes set forth in section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before January 20, 1982, either the competing license application that proposed to develop at least 7.5 megawatts in that project, or a notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than January 20, 1982. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the

requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of its Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before January 20, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, 825 North Capitol Street, N.E., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35585 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: December 7, 1981.

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
OHIO DEPARTMENT OF NATURAL RESOURCES									
-A & R COMPANY						RECEIVED: 11/06/81 JA: OH			
8205557		3416724714			107-DV	JOSEPH C EDDY TR A #1-A OH 12 0501	NEWPORT	5.0	COLUMBIA GAS TRAN
8205558		3416724718			107-DV	OPHELLA HOFF #1 OH 26 1401	NEWPORT	7.0	COLUMBIA GAS TRAN
8205559		3416724764			107-DV	RAYMOND ABICHT #6 OH 17 0106	NEWPORT	15.0	COLUMBIA GAS TRAN
-ALTEX INC						RECEIVED: 11/06/81 JA: OH			
8205560		3412725271			103	C BIBLER #1	READING TWP	6.0	NATIONAL GAS & OI
-ALTHEIRS OIL INC						RECEIVED: 11/06/81 JA: OH			
8205561		3412725166			103	LEWIS #1	SCOTCH HEIGHTS	10.0	NATIONAL GAS & OI
8205562		3412725243			103	PEABODY COAL #1	SALT LICK TWP	4.0	
-AMERICAN EXPLORATION CO						RECEIVED: 11/06/81 JA: OH			
8205564		3411923758			108	MCNEISH #1		10.0	LIBBEY OWENS FORD
8205565		3411923957			108	MCNEISH #2		10.0	LIBBEY OWENS FORD
-BEREA OIL AND GAS CORPORATION						RECEIVED: 11/06/81 JA: OH			
8205567		3411925388			103	GRANT #1	UNION	0.0	COLUMBIA GAS TRAN
8205567		3411925388			107-TF	GRANT #1	UNION	0.0	COLUMBIA GAS TRAN
8205571		3415521389			103	HUBISH #1	BROOKFIELD	0.0	COLUMBIA GAS TRAN
8205571		3415521389			107-TF	HUBISH #1	BROOKFIELD	0.0	COLUMBIA GAS TRAN
8205572		3415521390			103	HUBISH #2	BROOKFIELD	0.0	COLUMBIA GAS TRAN
8205572		3415521390			107-TF	HUBISH #2	BROOKFIELD	0.0	COLUMBIA GAS TRAN
8205570		3411925630			103	PROUTY #1	RICH HILL	0.0	COLUMBIA GAS TRAN
8205570		3411925630			107-TF	PROUTY #1	RICH HILL	0.0	COLUMBIA GAS TRAN
8205569		3411925541			103	RITCHEY #1	UNION	0.0	COLUMBIA GAS TRAN
8205569		3411925541			107-TF	RITCHEY #1	UNION	0.0	COLUMBIA GAS TRAN
8205568		3411925540			103	RUSSELL-PEACH UNIT #1	UNION	0.0	COLUMBIA GAS TRAN
8205568		3411925540			107-TF	RUSSELL-PEACH UNIT #1	UNION	0.0	COLUMBIA GAS TRAN
-BLACK GOLD PRODUCTIONS						RECEIVED: 11/06/81 JA: OH			
8205573		3411122375			107-DV	POTTS #1	FRANKLIN	0.0	COLUMBIA GAS TRAN
-BUCKEYE OIL PRODUCING CO						RECEIVED: 11/06/81 JA: OH			
8205574		3411122442	D		107-DV	WILLIAM STEPHEN #1	MALAGA	30.0	COLUMBIA GAS TRAN
-CARLTON OIL CORP						RECEIVED: 11/06/81 JA: OH			
8205577		3411122145			107-DV	HARRY CLINE #1	WASHINGTON	50.0	
8205575		3411121950			107-DV	PIATT #1 79-1	WASHINGTON	50.0	
8205576		3411121952			107-DV	PIATT #3	WASHINGTON	50.0	
-FARMS OIL CO						RECEIVED: 11/06/81 JA: OH			
8205578		3407322292			103	ADCOCK-THOMA #1	FALLS GORE	72.0	COLUMBIA GAS TRAN
8205579		3407322328			103	ADCOCK-THOMA #2	FALLS GORE	30.0	COLUMBIA GAS TRAN
-FUTURE ENERGY CORPORATION						RECEIVED: 11/06/81 JA: OH			
8205580		3411522145			107-TF	D CLEMENS #1	MALTA	66.0	
-G P ASSOCIATES						RECEIVED: 11/06/81 JA: OH			
8205581		3416726523			107-DV	GREG PRYOR #1	NEWPORT FIELD	5.0	COLUMBIA GAS TRAN
-GEN MOTORS CORP						RECEIVED: 11/06/81 JA: OH			

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JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8205582		3415521528		107	TF	CALKO #1	LORDSTOWN	75.0	EAST OHIO GAS CO
-HADDAD & BROOKS INC				RECEIVED: 11/06/81 JA: OH					
8205583		3411122369		107	DV	MICHAEL DICK #1	BETHEL	17.0	
8205584		3411122370		107	DV	MICHAEL DICK #2	BETHEL	17.0	
-HEINRICH ENTERPRISES INC				RECEIVED: 11/06/81 JA: OH					
8205586		3416724506		107	DV	FREDA WEINSTOCK #1	NEWPORT	4.0	COLUMBIA GAS TRAN
8205587		3416724510		107	DV	HART-KUROSKI #1	MARIETTA	4.0	RIVER GAS CO
8205591		3416724920		107	DV	JOHN VALENTINE #1-A	MARIETTA	4.0	COLUMBIA GAS TRAN
8205590		3416724515		107	TF	LEONARD GARDNER #1	NEWPORT	4.0	COLUMBIA GAS TRAN
8205588		3416724512		107	DV	WILLARD MARSEE #1	MARIETTA	4.0	COLUMBIA GAS TRAN
8205589		3416724514		107	DV	WILLIAM BOWERSOCK #1	NEWPORT	4.0	COLUMBIA GAS TRAN
8205585		3416724505		107	DV	WILLIAM BOWERSOCK #1-A	NEWPORT	4.0	COLUMBIA GAS TRAN
-HOPCO RESOURCES INC				RECEIVED: 11/06/81 JA: OH					
8205594		3412724972		103		WISEMAN #1	MADISON	12.0	COLUMBIA GAS TRAN
8205594		3412724972		107	TF	WISEMAN #1	MADISON	12.0	COLUMBIA GAS TRAN
-INLAND DRILLING CO INC				RECEIVED: 11/06/81 JA: OH					
8205595		3413321981		107	TF	GUYETTE-STAMM #1	SHALERSVILLE	0.5	
8205596		3413322033		107	TF	RAMSEY-HERR #4	SHALERSVILLE	0.1	
-INTEGRATED PETROLEUM COMPANY INC				RECEIVED: 11/06/81 JA: OH					
8205598		3415521299		107	TF	MCCAFFERTY #1	SOUTHINGTON	30.0	
8205600		3415521314		107	TF	MCCAFFERTY #2	SOUTHINGTON	60.0	
8205599		3415521300		107	TF	MCCAFFERTY #3	SOUTHINGTON	40.0	
8205597		3413322068		107	TF	REYNOLDS #2	HIRAM	40.0	
-J. V. ALTIER GAS & OIL CO INC.				RECEIVED: 11/06/81 JA: OH					
*8205563		3411522466		103		JESSIE M & MELVIN O HICKERSON #1	MCCONNELSVILLE	0.0	BAY STATE GAS CO
-J-R DEVELOPMENT CO				RECEIVED: 11/06/81 JA: OH					
8205601		3412725268		103		CONCORD COAL #1	FULTONHAM WEST	37.0	COLUMBIA GAS TRAN
-JONSU OIL CORP				RECEIVED: 11/06/81 JA: OH					
8205689		3403124319		103		R KELLY #1	MONROE	50.0	
-K S T OIL & GAS CO INC				RECEIVED: 11/06/81 JA: OH					
8205605		3415320964		103		BOWERS UNIT #1	NORTHAMPTION	210.0	
8205603		3415320902		103		CUMMINGS #1	NORTHAMPTON	190.0	
8205606		3415320974		103		FIELDMAN UNIT #1	NORTHAMPTION	0.0	
8205607		3415521811		103		GRAND VALLEY #10	BLOOMFIELD	120.0	
8205602		3400721208		103		GRAND VALLEY #2	ORWELL	0.0	
8205604		3415320904		103		MCCULLOUGH-SENEFF #1	NORTHAMPTION	210.0	
-L & B OIL CO INC				RECEIVED: 11/06/81 JA: OH					
8205608		3411122337		107	DV	BLANEY #1	WAYNE	11.0	COLUMBIA GAS TRAN
-L & M OPERATING INC				RECEIVED: 11/06/81 JA: OH					
8205610		3416725336		107	DV	ELIZA BROOKS #2	LAWRENCE	12.8	COLUMBIA GAS TRAN
8205609		3416724703		107	DV	LLOYD LANKFORD #2	NEWPORT	12.8	COLUMBIA GAS TRAN
-L & M PETROLEUM INC				RECEIVED: 11/06/81 JA: OH					
8205612		3416724908		107	DV	CHARLES LOWE #1	FEARING	12.8	COLUMBIA GAS TRAN
8205613		3416724988		107	DV	ELIZA BROOKS #1	LAWRENCE	12.8	COLUMBIA GAS TRAN
8205615		3416725466		107	DV	ELIZA BROOKS #4	LAWRENCE	12.8	COLUMBIA GAS TRAN
8205616		3416725489		107	DV	ELIZA BROOKS #5	LAWRENCE	12.8	COLUMBIA GAS TRAN
8205614		3416725151		107	DV	ELMER MILLER #1	FEARING	12.8	COLUMBIA GAS TRAN
8205611		3412724753		103		NEW LEXINGTON SCHOOL BD/SNYDER # 1	PIKE	4.0	FORAKER GAS CO IN
8205611		3412724753		107	TF	NEW LEXINGTON SCHOOL BD/SNYDER # 1	PIKE	4.0	FORAKER GAS CO IN
-LANDPROVEST INC				RECEIVED: 11/06/81 JA: OH					
8205617		3411925707		107	TF	WENDELL DERPY #2	PERRY	25.0	
-MOHAWK OIL & GAS CORP				RECEIVED: 11/06/81 JA: OH					
8205622		3412122471		107	DV	CRUM #1	HARRIETTSVILLE	0.0	COLUMSIA GAS TRAN

JD NO	JA CKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8205621		3412122446			107-DV	WILLARD HELLER # 1	HARRIETTSVILLE	0.0	COLUMBIA GAS TRAN
8205620		3411122166			107-DV	WOOD HENDERSHOT #3	MARR	1.0	COLUMBIA GAS TRAN
						RECEIVED: 11/06/81 JA: OH			
-NEDCO INC									
8205625		3412122253			107-DV	CLARA FRANKS #1	ELK	50.0	
8205626		3412122254			107-DV	CLARA FRANKS #2	ELK	50.0	
8205627		3412122293			107-DV	WALTER ULLMAN #1	ELK	50.0	
8205628		3412122940			107-DV	WALTER ULLMAN #2	ELK	50.0	
8205629		3412122596			107-TF	WALTER ULLMAN #5	ELK	50.0	
						RECEIVED: 11/06/81 JA: OH			
-NOBLE GAS CO									
8205630		3411922718			108	VALLEY KNICELY #1		4.0	EAST OHIO GAS CO
						RECEIVED: 11/06/81 JA: OH			
-OHIO OIL & GAS CO									
8205631		3415521571			102-2	ZULUCK #1	JOHNSTON	20.0	COLUMBIA GAS TRAN
8205631		3415521571			107-TF	ZULUCK #1	JOHNSTON	20.0	COLUMBIA GAS TRAN
						RECEIVED: 11/06/81 JA: OH			
-OHIO PARTNERS OIL CO									
8205632		3411124830			107-DV	HINES #1	WAYNE	20.0	COLUMBIA GAS TRAN
8205634		3415516470			103	SAWYER #1	BRISTOL	20.0	
8205634		3415516470			107-TF	SAWYER #1	BRISTOL	20.0	
8205633		3415516370			103	TOUNSHENDEAUX #1	FARMINGTON	20.0	COLUMBIA GAS TRAN
8205633		3415516370			107-TF	TOUNSHENDEAUX #1	FARMINGTON	20.0	COLUMBIA GAS TRAN
						RECEIVED: 11/06/81 JA: OH			
-OILTECH INC									
8205635		3407522313			107-TF	HORACE A DUTTON #3	MECHANICS	0.0	COLUMBIA GAS TRAN
8205636		3407522391			107-TF	HORACE A DUTTON #5	MECHANICS	0.0	COLUMBIA GAS TRAN
						RECEIVED: 11/06/81 JA: OH			
-ONEAL PETROLEUM INC									
8205637		3411522017			103	PARMITER #3	MORGAN	8.0	COLUMBIA GAS TRAN
8205637		3411522017			107-TF	PARMITER #3	MORGAN	8.0	COLUMBIA GAS TRAN
						RECEIVED: 11/06/81 JA: OH			
-ORION ENERGY CORP									
8205638		3413322526			103	TIMBERLAKE UNIT #2	ATWATER	15.0	
						RECEIVED: 11/06/81 JA: OH			
-ORWIG OIL COMPANY									
8205639		3407322532			103	ROBERT GEIGER #1	GREEN	6.0	PARAMOUNT TRANSMI
						RECEIVED: 11/06/81 JA: OH			
-OXFORD OIL CO									
8205648		3411922458			108	ALPINE-SLACK #2		6.5	EAST OHIO GAS CO
8205640		3407521642			108	DALE SCHLEGEL #1		2.5	COLUMBIA GAS TRAN
8205644		3411122180			107-TF	ELEANOR MIRACLE #1	FRANKLIN	11.0	
8205642		3407522197			108	ELI WEAVER #1		1.5	COLUMBIA GAS TRAN
8205641		3407522196			108	GALEN YODER #1		0.0	COLUMBIA GAS TRAN
8205645		3411122330			107-DV	HENRY WINLAND #1	FRANKLIN	12.0	
8205647		3411922453			108	LAWRENCE HARDY #1		6.5	EAST OHIO GAS CO
8205646		3411122492			107-DV	MARGARET GIBSON #1	FRANKLIN	0.0	
8205643		3407523195			103	SCHLABACH-WEAVER #1	PAINT	10.0	
8205643		3407523195			107-TF	SCHLABACH-WEAVER #1	PAINT	10.0	
						RECEIVED: 11/06/81 JA: OH			
-PETRO-LEWIS CORPORATION									
8205656		3410521694			108	KING #1 ROBERT	RUTLAND	2.4	COLUMBIA GAS TRAN
8205655		3410521636			108	WELSH #1 DENZIL	RUTLAND	0.4	COLUMBIA GAS TRAN
-PETROLEUM SECURITIES FUND - 80									
						RECEIVED: 11/06/81 JA: OH			
8205657		3407322436			103	HAWK #1	WASHINGTON	29.0	
8205659		3407322446			103	PRIMMER #3	WASHINGTON	29.0	
8205658		3407322442			103	PRIMMER #4	WASHINGTON	29.0	
						RECEIVED: 11/06/81 JA: OH			
-POI ENERGY INC									
8205650		3413322199			107-TF	BECK-GRIFFITH-WILSON #5	STREETSBORO	55.0	
8205654		3415320817			107-TF	KOBERNA #2	HUDSON	45.0	
8205649		3413322043			107-TF	WILCOX #2	STREETSBORO	110.0	
8205651		3413322206			107-TF	WILCOX-ADAMS #3	STREETSBORO	75.0	
8205652		3413322207			107-TF	WILCOX-ADAMS #4	STREETSBORO	50.0	

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JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8205653		3413322208		107	TF	WILCOX-ADAMS #5	STREETSBORO	75.0	
-QUAKER STATE OIL REFINING CORP				RECEIVED: 11/06/81 JA: OH					
8205660		3412725142		103		SULLIVAN #1	READING	18.3	
8205660		3412725142		107	TF	SULLIVAN #1	READING	18.3	
-RELIANCE ENERGY				RECEIVED: 11/06/81 JA: OH					
8205662		3408924154		107	DV	C RODNEY ELLIS #1	NEWTON	3.0	COLUMBIA GAS TRAN
-RMR PETROLEUM CORP				RECEIVED: 11/06/81 JA: OH					
8205661		3416726595		107	DV	ERNEST HANLON #1	GRANDVIEW	12.5	
-RYDER RESOURCES INC				RECEIVED: 11/06/81 JA: OH					
8205663		3416726668		103		WELLS #1	BEAR CREEK ALLOTMENT	0.0	COLUMBIA GAS TRAN
-SANTA FE DRILLING CO INC				RECEIVED: 11/06/81 JA: OH					
8205664		3411122363		107	DV	ELAINE FLEEMAN #5	BETHEL	50.0	
8205665		3416726555		107	DV	ELAINE FLEEMAN #9	LIBERTY	50.0	
-SCHRIMSHER OIL & GAS EXPLORATION				RECEIVED: 11/06/81 JA: OH					
8205667		3416922217		103		ANDREW JOHNSON #7	BAUGHMAN	20.0	EAST OHIO GAS CO
8205667		3416922217		107	TF	ANDREW JOHNSON #7	BAUGHMAN	20.0	EAST OHIO GAS CO
8205668		3416922230		103		ANDREW JOHNSON #8	BAUGHMAN	20.0	EAST OHIO GAS CO
8205668		3416922230		107	TF	ANDREW JOHNSON #8	BAUGHMAN	20.0	EAST OHIO GAS CO
8205669		3416922314		103		LARRY E BAER #4	BAUGHMAN	20.0	EAST OHIO GAS CO
8205669		3416922314		107	TF	LARRY E BAER #4	BAUGHMAN	20.0	EAST OHIO GAS CO
8205666		3415723433		103		RENICKER (WALLACE) #1	WARREN	20.0	EAST OHIO GAS CO
8205666		3415723433		107	TF	RENICKER (WALLACE) #1	WARREN	20.0	EAST OHIO GAS CO
-SUNSET PETROLEUM INC				RECEIVED: 11/06/81 JA: OH					
8205672		3415521443		103		BABCOCK #1	SOUTHINGTON	10.0	COLUMBIA GAS TRAN
8205672		3415521443		107	TF	BABCOCK #1	SOUTHINGTON	10.0	COLUMBIA GAS TRAN
8205670		3415521433		103		CHALKER #1	SOUTHINGTON	10.0	COLUMBIA GAS TRAN
8205670		3415521433		107	TF	CHALKER #1	SOUTHINGTON	10.0	COLUMBIA GAS TRAN
8205671		3415521436		103		CHALKER-ELSTON #2	SOUTHINGTON	10.0	COLUMBIA GAS TRAN
8205671		3415521436		107	TF	CHALKER-ELSTON #2	SOUTHINGTON	10.0	COLUMBIA GAS TRAN
8205673		3415521450		103		HOPE #1	SOUTHINGTON	10.0	COLUMBIA GAS TRAN
8205673		3415521450		107	TF	HOPE #1	SOUTHINGTON	10.0	COLUMBIA GAS TRAN
-SUPERIOR PETROLEUM INC				RECEIVED: 11/06/81 JA: OH					
8205676		3409921273		103		MOTORCYCLE CLUB #2	GOSHEN	20.0	EAST OHIO GAS CO
8205676		3409921273		107	TF	MOTORCYCLE CLUB #2	GOSHEN	20.0	EAST OHIO GAS CO
8205675		3409921244		107	TF	O'KEEFE #4	GOSHEN	20.0	EAST OHIO GAS CO
8205677		3409921326		107	TF	TRAFFICANT #1	GOSHEN	0.0	EAST OHIO GAS CO
8205674		3409921239		107	TF	TRUE #1	GOSHEN	20.0	EAST OHIO GAS CO
-THE BENATTY CORPORATION				RECEIVED: 11/06/81 JA: OH					
8205566		3400922210		107	DV	M BUCK #1	LODI	40.0	COLUMBIA GAS TRAN
-THE MUTUAL OIL & GAS COMPANY				RECEIVED: 11/06/81 JA: OH					
8205624		3416922401		103		CHIPPEWA DEVELOPMENT #2	CHIPPEWA	15.0	EAST OHIO GAS CO
8205623		3412122626		107	DV	ORANGE COAL COMPANY 2-A	ELK	40.0	
-THELSTON O & RUTH MCCOY				RECEIVED: 11/06/81 JA: OH					
8205678		3411920813		108		LONGSTRETH #1		0.9	NATIONAL GAS & OI
-TITAN ENERGY CORP				RECEIVED: 11/06/81 JA: OH					
8205679		3415521700		103		P & V JURKO-UNIT-WELL #2	BROOKFIELD	20.0	
8205679		3415521700		107	TF	P & V JURKO-UNIT-WELL #2	BROOKFIELD	20.0	
-TORO OIL & GAS CO				RECEIVED: 11/06/81 JA: OH					
8205680		3415521601		107	TF	RICCI #1	NEWTON	15.0	COLUMBIA GAS TRAN
8205681		3415521742		107	TF	RICCI #2	NEWTON	15.0	COLUMBIA GAS TRAN
-UNIVERSAL MINERALS INC				RECEIVED: 11/06/81 JA: OH					
8205682		3416922376		107	TF	MUMAW #1	GREEN	12.0	COLUMBIA GAS TRAN
-VESCORP INDUSTRIES INC				RECEIVED: 11/06/81 JA: OH					

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8205685		3413320989		108		GIRTON R W AND B J #1		0.0	TIMKEN CO
8205683		3411924572		108		HITTLE #1		10.0	TIMKEN CO
8205684		3413320981		108		PAVILONIS #1		10.0	TIMKEN CO
8205686		3413321261		108		ROPPEL #1		0.0	TIMKEN CO
-VIKING RESOURCES CORP				RECEIVED: 11/06/81 JA: OH					
8205687		3415123445		103		ARRASMITH UNIT #4	PARIS	30.0	
8205687		3415123445		107-TF		ARRASMITH UNIT #4	PARIS	30.0	
8205688		3415123528		103		DICK UNIT #3	PARIS	30.0	
8205688		3415123528		107-TF		DICK UNIT #3	PARIS	30.0	
-W J LYDIC INC				RECEIVED: 11/06/81 JA: OH					
8205618		3411122233		107-DV		JULIA JONES #2	LEE	27.0	COLUMBIA GAS TRAN
8205619		3411122421		107-DV		SIMS #1	JACKSON	270.0	COLUMBIA GAS TRAN
-WILLIAM F HILL				RECEIVED: 11/06/81 JA: OH					
8205593		3407523254		103		KEN BARNARD #1	RICHLAND	8.0	
8205592		3407523253		103		KENNETH G BARNARD #2	RICHLAND	6.0	

OTHER PURCHASERS

8205563 FITCHBURG GAS & ELECTRIC CO

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission on or before December 29, 1981.

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New resrevoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–35587 Filed 12–11–81; 8:45 am]

BILLING CODE 6717–01–M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: December 7, 1981.

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
KANSAS CORPORATION COMMISSION									
-BRADEN-DEEM INC						RECEIVED: 11/06/81 JA: KS			
8205729	K-79-0013	1500700009		108-SA		WHEAT B-2	AETNA	18.0	KANSAS POWER & LI
-TEXAS OIL & GAS CORP						RECEIVED: 11/06/81 JA: KS			
8205727	K81-0794	1509521034		102-4		DEPENBUSCH #1	UNDESIGNATED	182.5	DELHI GAS PIPELIN
8205728	K81-0797	1509521017		102-4		HAGEMAN "B" #1	HARDING EAST	182.5	DELHI GAS PIPELIN
OKLAHOMA CORPORATION COMMISSION									
-ANADARKO PRODUCTION COMPANY						RECEIVED: 11/09/81 JA: OK			
8205752	10926	3513900000		108		CITIES SERVICE F #1	POSTLE HOUGH GAS A	2.0	PANHANDLE EASTERN
-ARCO OIL AND GAS COMPANY						RECEIVED: 11/06/81 JA: OK			
8205700	11272	3504721595		108		MADORA AUSTIN #13	GARBER	16.7	
8205712	11274	3505300000		108		NELLIE HART #1	MEDFORD WEST	16.3	CITIES SERVICE GA
-B M C OIL & GAS INC						RECEIVED: 11/09/81 JA: OK			
8205732	14548	3509120406		102-2		ALBIN #1-29	NORTH RAIFORD	474.5	WELLHEAD ENTERPRI
-B R POLK INC						RECEIVED: 11/06/81 JA: OK			
8205699	11269	3508321521		103		BETTY MAE KIENHOLZ #2	WEST ORLANDO	0.0	EASON OIL CO
-BEARD OIL COMPANY						RECEIVED: 11/09/81 JA: OK			
8205775	14202	3510920385		102-4		STONE #1	CHOCTAW	183.0	OKLAHOMA NATURAL
-BERRY OPERATING CO						RECEIVED: 11/06/81 JA: OK			
8205710	10852	3511900000		108		BALLARD #1	RIPLEY	14.4	SUN GAS CO
-BOATMAN & HARDGRAVES						RECEIVED: 11/09/81 JA: OK			
8205756	12210	3514321029		103		SUE #1	SOUTH WEKIWA	1.5	COLORADO GAS COMP
-CITIES SERVICE COMPANY						RECEIVED: 11/09/81 JA: OK			
8205750	14524	3513921435		102-4		SLEEPER C #5	N E TRIUMPH	26.4	PANHANDLE EASTERN
-CLARK RESOURCES INC						RECEIVED: 11/06/81 JA: OK			
8205711	11177	3507323022		103		MARCUS 6-2	SOONER TREND	75.0	CITIES SERVICE GA
-CONTINENTAL RESOURCES CORP						RECEIVED: 11/09/81 JA: OK			
8205770	11306	3509321949		103		GRAHAM #1	CAMPBELL	150.0	MICHIGAN WISCONSI
-COTTON PETROLEUM CORPORATION						RECEIVED: 11/06/81 JA: OK			
8205692	14748	3505121086		107-DP		ZEISET #1	SOUTH VERDEN	425.0	SOUTHERN NATURAL
-COTTON PETROLEUM CORPORATION						RECEIVED: 11/09/81 JA: OK			
8205772	14252	3501521080		102-2		BARGER #1	WEST LOOKEBA	540.0	PRODUCERS GAS CO
8205772	14252	3501521080		103		BARGER #1	WEST LOOKEBA	540.0	PRODUCERS GAS CO
8205749	14871	3501520972		107-DP		WATSON A #1	NORTH VERDEN	250.0	
-DAVIS OIL COMPANY						RECEIVED: 11/06/81 JA: OK			
8205708	8971	3501721584		103		HANSKA #2	NORTH FORK	150.0	PHILLIPS PETROLEU
-DEMINEX U.S. OIL CO						RECEIVED: 11/09/81 JA: OK			
8205758	14194	3504921655		102-4		JORDON #1	S W PAOLI A	255.0	WARREN PETROLEUM
-DIAMOND SHAMROCK CORPORATION						RECEIVED: 11/09/81 JA: OK			
8205760	13027	3512920517		102-2		THOMAS #1-26	RED FORK	0.0	TRANSWESTERN PIPE

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JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-DIGGER OIL & GAS INC						RECEIVED: 11/09/81 JA: OK			
8205738	10793	3511920883		103		ROSS #3 119-49360	BROYLES	36.1	SUN GAS CO
-ECC OIL CO						RECEIVED: 11/06/81 JA: OK			
8205698	11034	3514721994		103		MOODY #3	OGLESBY GAS	38.1	OKAN GAS CO
-EDDIE HARDGRAVES						RECEIVED: 11/06/81 JA: OK			
8205719	12213	3514320831		103		R O C #3	SOUTH WEKIWA	0.0	COLORADO GAS COMP
-EL DORADO DRILLING INC						RECEIVED: 11/06/81 JA: OK			
8205726	10656	3507122075		103		ROLLY #8	WILDCAT	26.0	SUN GAS CO
-EL PASO NATURAL GAS COMPANY						RECEIVED: 11/09/81 JA: OK			
8205741	14806	3500920393		107-DP		GREEN #1	BERLIN EAST ATOKA	590.0	EL PASO NATURAL G
-EXXON CORPORATION						RECEIVED: 11/09/81 JA: OK			
8205751	14553	3512920554		107-DP		GLEN KELLY #1	REYDON SW (UPPER MORROW)	1249.0	EL PASO NATURAL G
-F C D OIL CORP						RECEIVED: 11/09/81 JA: OK			
8205768	11302	3504722548		103		OVEN 1-36	GARBER	80.3	ARCO OIL & GAS
-FAIN-PORTER PRODUCTION CO INC						RECEIVED: 11/06/81 JA: OK			
8205718	8259	3510321070		102-A		HAZEL #1-30	SOUTH TONKAWA	0.0	
8205722	10103	3510321117		102-A		KING #1-24	S TONKAWA	0.0	ARCO OIL & GAS CO
8205721	10104	3510321153		102-A		KING #2-24	S TONKAWA	0.0	ARCO OIL & GAS CO
8205691	10105	3510321154		102-A		KING #3-24	S TONKAWA	0.0	ARCO OIL & GAS CO
8205725	8392	3510320956		102-A		MATTHIESEN #1	SOUTH TONKAWA	0.0	
8205717	8391	3510321075		102-A		RUSH #1-24	SOUTH TONKAWA	0.0	
8205690	10106	3510321157		102-A		SARA #1-24	S TONKAWA	0.0	ARCO OIL & GAS CO
8205716	10107	3510321158		102-A		SARA #2-24	S TONKAWA	0.0	ARCO OIL & GAS CO
-FUNK EXPLORATION INC						RECEIVED: 11/09/81 JA: OK			
8205733	10467	3500721983		102-A		DEHART #1	S BALKO	0.0	NORTHERN NATURAL
8205734	11136	3500721984		102-A		MAYS #1	CAMRICK	0.0	NORTHERN NATURAL
-GETTY OIL COMPANY						RECEIVED: 11/09/81 JA: OK			
*8205764	11145	3513722623		103		DOMA SPEARS WELL NO 11	SHO-VEL-TUM	60.0	OKLAHOMA NATURAL
*8205771	11402	3513722636		103		SELBY WELL #58	SHO-VEL-TUM	150.0	OKLAHOMA NATURAL
-INEXCO OIL COMPANY						RECEIVED: 11/09/81 JA: OK			
8205731	14447	3503920459		102-A		PANTHER #1	UNDESIGNATED	550.0	
-JAMES E AMERSON						RECEIVED: 11/06/81 JA: OK			
8205705	13901	3511122695		103		WILSON #1		91.3	PHILLIPS PETR CO
-JEFFERSON-WILLIAMS ENERGY CORP						RECEIVED: 11/09/81 JA: OK			
8205740	11260	3507122207		103		ELEANOR WILSON #1	TONKAWA	24.0	SUN GAS CO
-KETAL OIL PRODUCING CO						RECEIVED: 11/06/81 JA: OK			
8205703	11292	3513122008		103		BOYD #1	N TALALA	56.6	
8205713	11291	3514721837		103		BUCK #1	RAMONA	64.2	
-L O WARD						RECEIVED: 11/09/81 JA: OK			
8205769	11305	3502700000		103		KERR #1	S W CORN	21.9	SUN GAS CO
-LEECO OIL CO						RECEIVED: 11/09/81 JA: OK			
8205755	11031	3514321239		103		WHITTMORE #5	SKINTOOK (EAST BIRDCREEK	35.0	PHILLIPS PETROLEU
-LRF CORP						RECEIVED: 11/09/81 JA: OK			
8205757	10365	3507920430		103		VERNON #1	SO BOKOSHE	750.0	ARKANSAS LOUISIAN
-MAY PETROLEUM INC						RECEIVED: 11/06/81 JA: OK			
8205720	14441	3510321271		102-A		VANN A #1		182.5	AMINOIL USA INC
-MEWBOURNE OIL COMPANY						RECEIVED: 11/06/81 JA: OK			
8205702	11287	3504520893		102-A		AVA AKERS #1	AVA AKERS	20.0	
-MULTISTATE OIL PROPERTIES NV						RECEIVED: 11/09/81 JA: OK			
8205730	14561	3508520225		102-A		STATE TRACT 5 #1	ENVILLE NW	157.0	
-NOBLE OPERATING INC						RECEIVED: 11/09/81 JA: OK			
8205737	09745	3501121534		103		CLINE #1		0.0	DELHI GAS PIPELIN
8205736	09744	3501121519		103		SHOPE #1		0.0	DELHI GAS PIPELIN

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-OIL LIFT INC						RECEIVED: 11/09/81 JA: OK			
8205747	14535	3510500000		102-2		HUSTON #2	SOUTH COFFEYVILLE	54.8	PELICAN PIPELINE
8205748	14536	3510500000		102-2		OESTMANN #22	SOUTH COFFEYVILLE	21.9	PELICAN PIPELINE
-OKLAHOMA PETROLEUM MANAGEMENT CORP						RECEIVED: 11/09/81 JA: OK			
8205774	14293	3511921363		102-2		WRIGHT #1	MARKHAM	0.0	PARKS ENERGY INVE
8205773	14291	3511921554		102-2		WRIGHT #2	MARKHAM	0.0	PARKS ENERGY INVE
-P-T LTD 80						RECEIVED: 11/09/81 JA: OK			
8205753	11256	3504722394		103		BECKNER 13-1	SOONER TREND	35.0	WELLHEAD ENTERPRI
8205754	11162	3504722185		103		DOBROVOLNY 35-1	SOONER TREND	35.0	WELLHEAD ENTERPRI
8205762	11161	3507322807		103		HENNEKE 36-1	SOONER TREND	35.0	WELLHEAD ENTERPRI
8205765	11157	3509322040		103		LEE 13-1	SOONER TREND	35.0	WELLHEAD ENTERPRI
8205761	11160	3504772191		103		MARKES MILACEK 15-1	SOONER TREND	35.0	WELLHEAD ENTERPRI
8205763	11163	3504722377		103		MONTCASTLE 7-4	SOONER TREND	35.0	WELLHEAD ENTERPRI
-PCX CORP						RECEIVED: 11/09/81 JA: OK			
8205743	14857	3501520996		107-DP		J J #1	WILDCAT	700.0	
-PETRO-ENERGY EXPLORATION INC						RECEIVED: 11/09/81 JA: OK			
8205767	11275	3515121134		103		RAWSON #1-14	SOONER TREND	100.0	PANHANDLE EASTERN
-PHILLIPS PETROLEUM COMPANY						RECEIVED: 11/09/81 JA: OK			
8205739	11075	3501720287		108-SA		UNION CITY A #1	UNION CITY	11.2	OKLAHOMA NATURAL
-RAMBLER OIL CO						RECEIVED: 11/06/81 JA: OK			
8205709	14457	3509322284		102-2		WARNER #1-14	S E ORION	0.0	MICHIGAN WISCONSI
-RAMBLER OIL CO						RECEIVED: 11/09/81 JA: OK			
8205742	14458	3509322366		102-2		JANZEN 1-23	S E ORION	15.0	MICHIGAN WISCONSO
-SAMSON RESOURCES COMPANY						RECEIVED: 11/06/81 JA: OK			
8205725	10607	3513520096		102-4		GOODLOE #1-ALMA	KINTA	108.0	ARKANSAS LOUISIAN
8205725	10607	3513520096		103		GOODLOE #1-ALMA	KINTA	108.0	ARKANSAS LOUISIAN
-SENECA OIL COMPANY						RECEIVED: 11/06/81 JA: OK			
8205707	14543	3513921533		102-2		JOLLIFFE #1-23	BEAVER RIVER	301.1	PANHANDLE EASTERN
8205714	14544	3501721979		102-2		SIMPSON #3-4	PIEDMONT	32.9	
8205714	14544	3501721979		103		SIMPSON #3-4	PIEDMONT	32.9	
-SENECA OIL COMPANY						RECEIVED: 11/09/81 JA: OK			
8205766	14545	3501722025		102-2		SIMPSON #4-4	PIEDMONT	12.4	
8205766	14545	3501722025		103		SIMPSON #4-4	PIEDMONT	12.4	
-SOUTHWESTERN EXPLOR CONSULTANTS INC						RECEIVED: 11/09/81 JA: OK			
8205746	14190	3508321859		102-4		GOLDA #1	CRESCENT	0.0	EASON OIL CO
-STANTON PETROLEUM CO						RECEIVED: 11/06/81 JA: OK			
8205695	11156	3511921245		103		ADKINS #1		21.0	COLORADO GAS COMP
8205694	11155	3511921302		103		ADKINS #2		14.0	COLORADO GAS COMP
8205693	11154	3511921399		103		RAPER #1		14.0	COLORADO GAS COMP
-STEVE JERNIGAN INC						RECEIVED: 11/06/81 JA: OK			
8205734	13643	3501722125		102-2		RALPH ROYSE #1	CONCHO	0.0	PHILLIPS PETROLEU
-SWAN OIL CO						RECEIVED: 11/09/81 JA: OK			
8205745	11469	3501900000		108		BROOKS 4	GRAHAM	1.8	MOBIL OIL CORP
-THE GHK COMPANY						RECEIVED: 11/06/81 JA: OK			
8205706	14540	3503920440		102-1		K C CATTLE 1-33	NORTH ELK CITY	591.3	PANHANDLE EASTERN
8205715	14774	3500920388		107-DP		MORSE 1-13	CARPENTER	591.3	EL PASO NATURAL G
-THE GHK COMPANY						RECEIVED: 11/09/81 JA: OK			
8205759	14541	3512920493		102-1		FOWLER 1-18	CARPENTER	24.1	
-THE WIL-MC OIL CORP						RECEIVED: 11/06/81 JA: OK			
8205701	11293	3511921345		103		DENNIS BODE #1	WEST BLACKWELL LAKE	16.8	AMINOIL USA INC
-WILLIAM H LAMBDIN						RECEIVED: 11/09/81 JA: OK			
8205735	09727	3508700000	D	103		BAKER 6-1	CRINER	43.0	SUN GAS CO
-WORLD OIL INC						RECEIVED: 11/06/81 JA: OK			

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JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8205724	11239	3508321518		103		AMY NO 1	S LUCIEN	18.0	AMINOIL USA INC
8205696	11237	3508321440		103		KAREN #1	S LUCIEN	73.0	AMINOIL USA INC
8205697	11238	3508321455		103		KAREN #2	S LUCIEN	91.0	AMINOIL USA INC
-WORLD OIL INC				RECEIVED: 11/09/81 JA: OK					
8205744	11240	3508321530		103		AMY #2	S LUCIEN	18.0	AMINOIL USA INC

OTHER PURCHASERS

8205764 LONE STAR GAS CO
8205771 LONE STAR GAS CO

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission on or before December 29, 1981.

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enchancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–35587 Filed 12–11–81; 8:45 am]

BILLING CODE 6717–01–M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: December 7, 1981.

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION									
-ADOBE OIL & GAS CORPORATION		RECEIVED: 11/12/81 JA: TX							
8206041	F-08-04221	4213500000		108		COLE "A" #1	ANDECTOR (YATES)	20.0	AMARILLO OIL CO
-AMERADA HESS CORPORATION		RECEIVED: 11/12/81 JA: TX							
8206055	F-08-042160	4232900000		108		A O'BRIEN "43" #3	SPRABERRY TREND	1.2	PHILLIPS PETROLEU
-AMERICAN PETROFINA COMPANY OF TEXAS		RECEIVED: 11/12/81 JA: TX							
8205848	F-04-038585	4235531593		102-4		UNION CENTRAL B #19	STRATTON (J-10 E)	150.0	
8205848	F-04-038585	4235531593		103		UNION CENTRAL B #19	STRATTON (J-10 E)	150.0	
-AMOCO PRODUCTION CO		RECEIVED: 11/12/81 JA: TX							
8206029	F-08-042092	4200332512		103		BLOCK 9 FUHRMAN MASCHO UNIT #136	FUHRMAN-MASCHO	8.4	PHILLIPS PETROLEU
8206030	F-08-042093	4213533428		103		ELLIOTT F COWDEN "A" #147	FOSTER	8.4	WESTAR TRANSMISSI
8206056	F-06-042163	4240131175		102-4		HILLIARD GAS UNIT #1	DIRGIN/COTTON VALLEY/	500.0	LONE STAR GAS CO
8206056	F-06-042163	4240131175		107-TF		HILLIARD GAS UNIT #1	DIRGIN/COTTON VALLEY/	500.0	LONE STAR GAS CO
8205871	F-08-040169	4222732100		102-4		TEXAS LAND & MTGE CO A P/A B #114	COAHOMA (WOLFCAMP)	246.4	GETTY OIL CO
-ANDERSON PETROLEUM INC		RECEIVED: 11/12/81 JA: TX							
8205788	F-7C-031539	4210533204		103		SARAH C MILLSPAUGH B2 3-16	OZONA (CANYON SAND)	40.0	ANDERSON PETROLEU
8205788	F-7C-031539	4210533204		107-TF		SARAH C MILLSPAUGH B2 3-16	OZONA (CANYON SAND)	40.0	ANDERSON PETROLEU
-ARCO OIL AND GAS COMPANY		RECEIVED: 11/12/81 JA: TX							
8205861	F-02-039473	4212330805		102-4		J R SHARMAN #1	FRIAR RANCH (WILCOX 11,3	40.0	TEJAS GAS CORP
*8206047	F-8A-042139	4250132004		103		WILLARD UNIT #108-B	WASSON	37.0	COLTEXO CORP
*8206049	F-8A-042142	4250131858		103		WILLARD UNIT #109-C	WASSON	13.0	COLTEXO CORP
*8206046	F-8A-042138	4250131860		103		WILLARD UNIT #119-B	WASSON	0.7	COLTEXO CORP
*8206048	F-8A-042141	4250131855		103		WILLARD UNIT #27-B	WASSON	3.0	COLTEXO CORP
-ARKLA EXPLORATION COMPANY		RECEIVED: 11/12/81 JA: TX							
8205818	F-06-024484	4236531126		102-2		ALVIS RITTER #2	CARTHAGE (COTTON VALLEY)	110.0	ARKANSAS LOUISIAN
-B & M ENERGY		RECEIVED: 11/12/81 JA: TX							
8205856	F-08-039310	4249531287		103		JOHN SEALY #5	WARD-ESTES NORTH	4.0	WARREN PETROLEUM
-BAR-MAC & HOLLUB DRILLING CO		RECEIVED: 11/12/81 JA: TX							
8205929	F-03-044195	4205130831		102-4		MORTON #3 LEASE #13152	INEZ JAMESON (NAVARRO -A	26.0	FERGUSON CROSSING
-BLUE RIDGE OIL & GAS EXPLOR INC		RECEIVED: 11/12/81 JA: TX							
8205801	F-7C-033450	4210532879		103		A PHILLIPS #47	ADAMS-BAGGETT RANCH (CAN	0.0	DETROIT-TEXAS GAS
8205801	F-7C-033450	4210532879		107-TF		A PHILLIPS #47	ADAMS-BAGGETT RANCH (CAN	0.0	DETROIT-TEXAS GAS
8205802	F-7C-033451	4210532880		103		A PHILLIPS #48	ADAMS-BAGGETT RANCH (CAN	28.5	DETROIT-TEXAS GAS
8205802	F-7C-033451	4210532880		107-TF		A PHILLIPS #48	ADAMS-BAGGETT RANCH (CAN	28.5	DETROIT-TEXAS GAS
8205798	F-7C-033440	4210532951		102-2		A PHILLIPS #53	ADAMS-BAGGETT RANCH (CAN	25.2	DETROIT-TEXAS GAS
8205798	F-7C-033440	4210532951		107-TF		A PHILLIPS #53	ADAMS-BAGGETT RANCH (CAN	25.2	DETROIT-TEXAS GAS
8205800	F-7C-033446	4210533021		102-2		A PHILLIPS #61	ADAMS-BAGGETT RANCH (CAN	62.4	DETROIT-TEXAS GAS
8205800	F-7C-033446	4210533021		107-TF		A PHILLIPS #61	ADAMS-BAGGETT RANCH (CAN	62.4	DETROIT-TEXAS GAS
8205799	F-7C-033445	4210533022		103		A PHILLIPS #62	ADAMS-BAGGETT RANCH (CAN	26.4	DETROIT-TEXAS GAS
8205799	F-7C-033445	4210533022		107-TF		A PHILLIPS #62	ADAMS-BAGGETT RANCH (CAN	26.4	DETROIT-TEXAS GAS
8205803	F-7C-033452	4210533023		102-2		A PHILLIPS #63	ADAMS-BAGGETT RANCH (CAN	32.4	DETROIT-TEXAS GAS
8205803	F-7C-033452	4210533023		107-TF		A PHILLIPS #63	ADAMS-BAGGETT RANCH (CAN	32.4	DETROIT-TEXAS GAS

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8205804	F-7C-033453	4210533024		102-2	A	PHILLIPS #64	ADAMS-BAGGETT RANCH (CAN	38.2	DETROIT-TEXAS GAS
8205804	F-7C-033453	4210533024		107-TF	A	PHILLIPS #64	ADAMS-BAGGETT RANCH (CAN	38.2	DETROIT-TEXAS GAS
8205805	F-7C-033454	4210533025		102-2	A	PHILLIPS #65	ADAMS-BAGGETT RANCH (CAN	66.0	DETROIT-TEXAS GAS
8205805	F-7C-033454	4210533025		107-TF	A	PHILLIPS #65	ADAMS-BAGGETT RANCH (CAN	66.0	DETROIT-TEXAS GAS
-BTA OIL PRODUCERS				RECEIVED: 11/12/81 JA: TX					
8205917	F-7C-040970	4238331803		103		COATES #6	SPRAYBERRY (TREND AREA)	35.0	EL PASO NATURAL G
-BURK ROYALTY CO				RECEIVED: 11/12/81 JA: TX					
8205933	F-09-041238	4223733799		103		T D WILLIAMS #4	TTE (ATOKA 4770)	183.5	LONE STAR GAS CO
-CA-TEX PETROLEUM INC				RECEIVED: 11/12/81 JA: TX					
8205962	F-09-041483	4250334515		102-2		BOYDSTON #2	YOUNG COUNTY REGULAR	0.0	MID STATE GAS COR
8205976	F-09-041648	4250334849		102-2		GRAHAM #4	YOUNG COUNTY REGULAR	0.0	MID STATE GAS COR
-CHAMPLIN PETROLEUM COMPANY				RECEIVED: 11/12/81 JA: TX					
8206065	F-08-042214	4243130941		103		D L GLASS #3	CONGER SW (PENN)	111.0	NORTHERN NATURAL
8205796	F-03-033197	4205100000		102-2		W O WARD #1 R	GIDDINGS	0.0	FERGUSON CROSSING
8205796	F-03-033197	4205100000		103		W O WARD #1 R	GIDDINGS	0.0	FERGUSON CROSSING
-CHARLES L WALKER				RECEIVED: 11/12/81 JA: TX					
8206021	F-08-042049	4200332863		102-4		FISHER "2" #2	BLOCK A-34 (SAN ANDRES)	16.2	PHILLIPS PETROLEU
8206021	F-08-042049	4200332863		103		FISHER "2" #2	BLOCK A-34 (SAN ANDRES)	16.2	PHILLIPS PETROLEU
8206020	F-042048	4200332818		102-4		FISHER "4" #2	BLOCK A-34 (SAN ANDRES)	6.5	PHILLIPS PETROLEU
8206020	F-042048	4200332818		103		FISHER "4" #2	BLOCK A-34 (SAN ANDRES)	6.5	PHILLIPS PETROLEU
8206001	F-08-041931	4200332864		102-4		FISHER 1 #2	BLOCK A-34 (SAN ANDRES)	8.0	PHILLIPS PETROLEU
8206001	F-08-041931	4200332864		103		FISHER 1 #2	BLOCK A-34 (SAN ANDRES)	8.0	PHILLIPS PETROLEU
8206000	F-08-041930	4200332817		102-4		FISHER 6 #2	BLOCK A-34 (SAN ANDRES)	14.8	PHILLIPS PETROLEU
8206000	F-08-041930	4200332817		103		FISHER 6 #2	BLOCK A-34 (SAN ANDRES)	14.8	PHILLIPS PETROLEU
8205999	F-08-041929	4200332595		102-4		FISHER 9 #2	BLOCK A-34 (SAN ANDRES)	6.1	PHILLIPS PETROLEU
8205999	F-08-041929	4200332595		103		FISHER 9 #2	BLOCK A-34 (SAN ANDRES)	6.1	PHILLIPS PETROLEU
-CHEVRON U S A INC				RECEIVED: 11/12/81 JA: TX					
8206026	F-8A-042083	4241531661		103		SACROC UNIT 17A-9	KELLY-SNYDER	26.0	EL PASO NATURAL G
8206027	F-8A-0412084	4241531648		103		SACROC UNIT 199-5	KELLY-SNYDER	70.0	EL PASO NATURAL G
8206025	F-8A-042082	4241531653		103		SACROC UNIT 49-9	KELLY-SNYDER	33.0	EL PASO NATURAL G
-CIRCLE SEVEN PRODUCTION CO				RECEIVED: 11/12/81 JA: TX					
8205826	F-09-035584	4223733378		102-4		C C PATTON #1 ID #91636	HUNTER (CONGLOMERATE)	0.0	LONE STAR GAS CO
8205824	F-09-035582	4223733336		102-4		MARY C SEWELL #1 ID #91637	MIGL (5150')	0.0	LONE STAR GAS CO
8205825	F-09-035583	4223733079		102-4		TURNER-BURNS #1 ID #91602	HUNTER (CONGLOMERATE)	0.0	LONE STAR GAS CO
-CITIES SERVICE COMPANY				RECEIVED: 11/12/81 JA: TX					
8206059	F-10-042184	4217930784		103		SHIELDS A #14	PANHANDLE GRAY COUNTY	3.3	CITIES SERVICE CO
8205941	F-04-041275	4235500000		108		ST TRACT 751 #5U & 5L	INDIAN POINT (F-8, F-17)	4.5	HOUSTON PIPE LINE
-CLAYTON W WILLIAMS JR				RECEIVED: 11/12/81 JA: TX					
8205791	F-03-032252	4205100000		102-2		W T BARNHART UNIT #1	GIDDINGS	0.0	VALERO TRANSMISSI
-COBRA OIL AND GAS CORPORATION				RECEIVED: 11/12/81 JA: TX					
8205980	F-03-041691	4214930415		102-2		MELVIN FRITSCHE #1	GIDDINGS (AUSTIN CHALK)	19.0	PHILLIPS PETROLEU
8205981	F-03-041692	4214930706		102-2		MELVIN FRITSCHE #2	GIDDINGS (AUSTIN CHALK)	26.0	PHILLIPS PETROLEU
-COLUMBIA GAS DEVELOPMENT CORP				RECEIVED: 11/12/81 JA: TX					
8205969	F-03-041567	4205131749		102-2		E K SCHOPPE #1	GIDDINGS (AUSTIN CHALK-3	31.0	FERGUSON CROSSING
8205888	F-03-040644	4228730975		102-2		IRA J LEHMANN #2	GIDDINGS (AUSTIN CHALK-3	41.0	PHILLIPS PETROLEU
-CONOCO INC				RECEIVED: 11/12/81 JA: TX					
8206037	F-08-042113	4231700000		108		GRISHAM & GREEMAN -A- #2 ID #22878	SPRAYBERRY TREND	2.6	PHILLIPS PETROLEU
8206036	F-08-042112	4231700000		108		GRISHAM & GREEMAN #37 ID #22261	SPRAYBERRY TREND	0.2	ADOBE OIL CO
8206034	F-08-042109	4213500000		108		H S FOSTER-C #6 ID #18248	COWDEN S	0.4	PHILLIPS PETROLEU
8206035	F-8A-042110	4211500000		108		T L HOWARD JR-A- #1 ID #60944	ACKERLY NORTH	1.8	GETTY OIL
8206022	F-08-042064	4200300000		108		W FUHRMAN MASCHO UT #11 ID #21220	FUHRMAN-MASCHO	0.3	PHILLIPS PETROLEU
8206038	F-08-042114	4200300000		108		W H BONER-A- #24 ID #01663	FUHRMAN-NIX	1.1	PHILLIPS PETROLEU
8206023	F-08-042065	4213500000		108		WIGHT UNIT #114 ID #20661	COWDEN N	6.9	AMOCO PRODUCTION

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-CROMERA OIL & GAS CO						RECEIVED: 11/12/81 JA: TX			
8205811	F-09-033863	4223732396		103		HALSELL BROTHERS #1 ID-80518	ARCO (CONGL)	164.2	SOUTHWESTERN GAS
-CUMMINS & WALKER OIL CO INC						RECEIVED: 11/12/81 JA: TX			
8205853	F-02-039091	4217500000		103		TORIAN #1	MARSHALL (2700')	110.0	DELHI GAS PIPELIN
-DAMERON PETROLEUM CORP						RECEIVED: 11/12/81 JA: TX			
8205807	F-7C-033523	4210532716		102-2		B E DUNLAP-SEC 12 BLK 1 #1	AMERICAN (CANYON)	65.0	EL PASO NATURAL G
8205807	F-7C-033523	4210532716		107-TF		B E DUNLAP-SEC 12 BLK 1 #1	AMERICAN (CANYON)	65.0	EL PASO NATURAL G
8205808	F-7C-033524	4210532679		102-2		RAY DUNLAP-SEC 92 #2092	AMERICAN (CANYON)	50.0	EL PASO NATURAL G
8205808	F-7C-033524	4210532679		107-TF		RAY DUNLAP-SEC 92 #2092	AMERICAN (CANYON)	50.0	EL PASO NATURAL G
8205806	F-7C-033518	4210532547		102-2		W P HOOVER #1018A	AMERICAN (CANYON)	45.0	EL PASO NATURAL G
8205806	F-7C-033518	4210532547		107-TF		W P HOOVER #1018A	AMERICAN (CANYON)	45.0	EL PASO NATURAL G
-DELTA OIL & GAS CO						RECEIVED: 11/12/81 JA: TX			
8206052	F-7B-042150	4242900000		108		GARLAND COODY RRC #81828	STEPHENS COUNTY REGULAR	9.2	LONE STAR GAS CO
8206050	F-7B-042143	4242900000		108		JOE ROGERS #1 RRC #16178	STEPHENS COUNTY REGULAR	3.5	LONE STAR GAS CO
8206051	F-7B-042144	4242900000		108		R W STONE RRC #82728	CADDO NORTH (DUFFER)	6.7	LONE STAR GAS CO
-DEVON CORPORATION						RECEIVED: 11/12/81 JA: TX			
8206042	F-7C-042125	4238331948		103		OWENS #3	BARNHART (GRAYBURG)	3.5	EL PASO NATURAL G
-DIAMOND SHAMROCK CORPORATION						RECEIVED: 11/12/81 JA: TX			
8205958	F-10-041454	4229530881		103		ALEX BORN F #2	BRADFORD	159.0	
8205961	F-10-041479	4229530926		103		OLIVER WATERS B #2-462	LIPSCOMB SW	536.0	
-DON H HANVEY OIL INTERESTS INC						RECEIVED: 11/12/81 JA: TX			
8205983	F-7B-041732	4213332773		102-4		HANVEY-HAGAN #1	MANGUM S (UP MARBLE FALL	80.0	ODESSA NATURAL CO
-DON R ORMAND						RECEIVED: 11/12/81 JA: TX			
8206066	F-08-042215	4237133231		103		FERRIS STATE #1	ABELL (CLEAR FORK UPPER)	36.0	DELHI GAS PIPELIN
-DRILLERS ENERGY SEARCH INC						RECEIVED: 11/12/81 JA: TX			
8205822	F-04-035551	4240931483		102-4		KEETON NO 1-C	HIBERNIA (4880)	126.0	HOUSTON PIPELINE
-DUKE OIL & GAS CO						RECEIVED: 11/12/81 JA: TX			
8205905	F-06-040917	4220300000		108		ABNEY ABNEY WHELAN "G" 10	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205906	F-06-040918	4220300000		108		ABNEY ABNEY WHELAN "G" 11	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205907	F-06-040919	4220300000		108		ABNEY ABNEY WHELAN "G" 12	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205908	F-06-040920	4220300000		108		ABNEY ABNEY WHELAN "G" 13	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205909	F-06-040922	4220300000		108		ABNEY ABNEY WHELAN "G" 17	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205910	F-06-040923	4220300000		108		ABNEY ABNEY WHELAN "G" 18	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205911	F-06-040924	4220300000		108		ABNEY ABNEY WHELAN "G" 19	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205912	F-06-040925	4220300000		108		ABNEY ABNEY WHELAN "G" 20	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205899	F-06-040911	4220300000		108		ABNEY ABNEY WHELAN "G" 4	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205900	F-06-040912	4220300000		108		ABNEY ABNEY WHELAN "G" 5	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205901	F-06-040913	4220300000		108		ABNEY ABNEY WHELAN "G" 6	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205903	F-06-040915	4220300000		108		ABNEY ABNEY WHELAN "G" 8	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205904	F-06-040916	4220300000		108		ABNEY ABNEY WHELAN "G" 9	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205896	F-06-040908	4220300000		108		ABNEY ABNEY WHELAN G #1	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205897	F-06-040909	4220300000		108		ABNEY ABNEY WHELAN G #2	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205898	F-06-040910	4220300000		108		ABNEY ABNEY WHELAN G #3	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205913	F-06-040926	4220300000		108		ABNEY ABNEY WHELAN G 21	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205902	F-06-040914	4220300000		108		ABNEY ABNEY WHELAN G 7	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205914	F-06-040297	4220300000		108		BELL DANIELS "G" 1	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205916	F-06-040929	4220300000		108		BELL DANIELS "G" 3	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
8205915	F-06-040928	4220300000		108		BELL DANIELS G 2	LONGWOOD (GOODLAND LIME)	48.0	ARKANSAS LOUISIAN
-DYNAMIC PRODUCTION INC						RECEIVED: 11/12/81 JA: TX			
8205868	F-7B-040042	4236731949		102-4		WALDEN UNIT #2	GARNER (3000)	200.0	NATURAL GAS PIPEL
-EL PASO NATURAL GAS COMPANY						RECEIVED: 11/12/81 JA: TX			
8205977	F-10-041664	4217923691		108		BEASLEY #2	PANHANDLE WEST	17.0	EL PASO NATURAL G
8205995	F-7C-041844	4243519194		108		BERGER GAS UNIT #1	SONORA - CANYON UPPER	19.0	EL PASO NATURAL G

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME
-ELMER TIDWELL INVESTMENTS INC						RECEIVED: 11/12/81 JA: TX
8205784	F-78-027962	4241733154			103	MEADOR-STRICKLAND #1 #15950
-ESPERANZA ENERGY CORP						RECEIVED: 11/12/81 JA: TX
8205849	F-78-038782	4209330625			103	FISHER #1
8205850	F-78-038783	4209330752			103	FISHER #2
-EXCELSIOR OIL CORP						RECEIVED: 11/12/81 JA: TX
8205815	F-06-034269	4231500000			102-2	FRED BRAMLETT #1
8205815	F-06-034269	4231500000			107-TF	FRED BRAMLETT #1
-EXXON CORPORATION						RECEIVED: 11/12/81 JA: TX
8205876	F-08-040322	4237133446			103	FORT STOCKTON UNIT #1009
8205949	F-08-041362	4200332844			103	FULLERTON CLEARFORK UNIT #2541
*8205892	F-08-040803	4200332487			103	FULLERTON CLEARFORK UNIT #2629
8206064	F-08-042233	4200332793			103	FULLERTON CLEARFORK UNIT #2869
8205928	F-08-041154	4231732191			103	HOLCOMB #1
8205948	F-08-041361	4210332627			103	J B TUBB A/C 1 #246L
8205979	F-08-041672	4210332627			103	J B TUBB A/C 1 #246U
8205947	F-08-041360	4210332608			103	J B TUBB A/C 2 #244U
8205883	F-10-040572	4210332608			103	J B TUBB A/C2 #244L
8205859	F-08-039426	4210332508			103	J B TUBB C #26L
8205870	F-08-040082	4210332602			103	J B TUBB C #29U
8205967	F-7C-041493	4210500000			108	J W OWENS G #1
8206018	F-04-042045	4204700000			108	K J HOCKER 2-T (02594)
8206017	F-04-042044	4204700000			108	MCGILL BROS 363-D (55146)
8205946	F-08-041356	4200332832			103	MEANS/SAN ANDRES/ UNIT 1962
8206024	F-08-042077	4200332831			103	MEANS/SAN ANDRES/UNIT #1458
8205972	F-08-041609	4200332779			103	MEANS/SAN ANDRES/UNIT #662
8206019	F-04-042046	4204700000			108	N R MONTALVO 23-D (53661)
*8205879	F-06-040356	4240130988			102-2	OMIE ROBERTSON GAS UNIT 1 #1
*8205879	F-06-040356	4240130988			107-TF	OMIE ROBERTSON GAS UNIT 1 #1
*8205843	F-06-038158	4242330355			107-TF	OVERTON GAS UNIT 18 #1
8205945	F-8A-041354	4216532059			103	ROBERTSON CLFK UNIT #5803
8206016	F-04-042043	4221531108			102-4	SANTA FE RANCH 70 (94720)
*8205878	F-06-040355	4240130987			102-2	W I WHITE GAS UNIT 1 #1
*8205878	F-06-040355	4240130987			107-TF	W I WHITE GAS UNIT 1 #1
-F H STOUT						RECEIVED: 11/12/81 JA: TX
8205894	F-04-040859	4224931391			103	C W PRICE #1
-FAGADAU ENERGY CORP						RECEIVED: 11/12/81 JA: TX
8205970	F-09-041575	4207731943			103	LEWIS BROWN #1 21297
-FAIR OIL CO						RECEIVED: 11/12/81 JA: TX
8206013	F-01-042016	4216331655			103	BOB WHITE RANCH #3 (80117)
8206014	F-01-042017	4216331704			103	BOB WHITE RANCH #4 (84159)
-FIRST AMERICAN OIL & GAS INC						RECEIVED: 11/12/81 JA: TX
8206045	F-78-042136	4208323625			102-4	H BYROM #2-A
-FISHER-WEBB INC						RECEIVED: 11/12/81 JA: TX
8205809	F-7C-033783	4241330959			103	H EMMONS #1
8205809	F-7C-033783	4241330950			107-TF	H EMMONS #1
-FLAG-REDFERN OIL CO						RECEIVED: 11/12/81 JA: TX
8206043	F-7C-042126	4246131734			103	B S DARBY #2 #008863
-FLORIDA GAS EXPLORATION COMPANY						RECEIVED: 11/12/81 JA: TX
8205873	F-7C-040178	4243532528			103	FLORENCE 28 #1
8205873	F-7C-040178	4243532528			107-TF	FLORENCE 28 #1
-FORTUNE PRODUCTION CO						RECEIVED: 11/12/81 JA: TX
*8205939	F-7C-041259	4223531772			103	BAKER #3

FIELD NAME	PROD	PURCHASER
SHACKELFORD COUNTY REGUL	73.0	DELHI GAS PIPE LI
MITTIE (MARBLE FALLS)	180.0	SOUTHWESTERN GAS
MITTIE (MARBLE FALLS)	180.0	SOUTHWESTERN GAS
RODESSA (COTTON VALLEY)	200.0	TEXAS EASTERN TRA
RODESSA (COTTON VALLEY)	200.0	TEXAS EASTERN TRA
FORT STOCKTON (YATES LOW	30.0	NUECES CO
FULLERTON	15.0	PHILLIPS PETROLEU
FULLERTON	15.0	PHILLIPS PETROLEU
FULLERTON	15.0	PHILLIPS PETROLEU
SPRAYBERRY (TREND AREA)	7.0	
SAND HILLS (TUBB)	92.0	EL PASO NATURAL G
SAND HILLS (MCKNIGHT)	38.0	EL PASO NATURAL G
SAND HILLS (MCKNIGHT)	46.0	EL PASO NATURAL G
SAND HILLS (TUBB)	84.0	EL PASO NATURAL G
SAND HILLS (TUBB)	47.0	EL PASO NATURAL G
SAND HILLS (MCKNIGHT)	45.0	EL PASO NATURAL G
CLARA COUCH	6.4	EL PASO NATURAL G
SCOTT & HOPPER (7000-A)	4.0	TENNESSEE GAS PIP
KELSEY DEEP (21-N)	13.0	TRUNKLINE GAS CO
MEANS	15.0	PHILLIPS PETROLEU
MEANS	9.0	PHILLIPS PETROLEU
MEANS	15.0	PHILLIPS PETROLEU
SUN (D-1)	19.0	TENNESSEE GAS PIP
OAKHILL NW (COTTON VALLE	400.0	ARMCO STEEL CORP
OAKHILL NW (COTTON VALLE	400.0	ARMCO STEEL CORP
OVERTON (HAYNESVILLE)	329.0	ARMCO STEEL CORP
ROBERTSON N (CLFK 7100)	15.0	PHILLIPS PETROLEU
SANTA FE SOUTH (E-94)	365.0	NATURAL GAS PIPEL
OAKHILL NW (COTTON VALLE	400.0	ARMCO STEEL CORP
OAKHILL NW (COTTON VALLE	400.0	ARMCO STEEL CORP
TERESA (3110)	215.0	UNITED GAS PIPE L
CLAY COUNTY REGULAR	35.0	BLUEGROVE GASOLIN
DOERING RANCH (SAN MIGUE	84.0	TEJAS GAS CORP
DOERING RANCH (SAN MIGUE	112.0	TEJAS GAS CORP
SOMMA SUMMITT (JENNINGS)	425.0	ODESSA NATURAL CO
EMMONS RANCH (CANYON)	200.0	INTRATEX GAS CO
EMMONS RANCH (CANYON)	200.0	INTRATEX GAS CO
KING MOUNTAIN N (CISCO)	65.7	WARREN PETROLEUM
PHYLLIS (SONORA)	621.0	INTRATEX GAS CO
PHYLLIS (SONORA)	621.0	INTRATEX GAS CO
BAKER RANCH (CANYON)	120.6	CRA INC

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME
-GEOCHEMICAL SURVEYS INC						RECEIVED: 11/12/81 JA: TX
8205919	F-7C-041075	4243500000		103		SIMMONS RANCH #4
8205919	F-7C-041075	4243500000		107-TF		SIMMONS RANCH #4
8205920	F-7C-041076	4243500000		103		SIMMONS RANCH #5
8205920	F-7C-041076	4243500000		107-TF		SIMMONS RANCH #5
8205921	F-7C-041077	4243500000		103		SIMMONS RANCH #6
-GEODYNE RESOURCES INC						RECEIVED: 11/12/81 JA: TX
8205852	F-10-039054	4229530926		103		SCHULTZ #1-872-P
-GO OIL CORP						RECEIVED: 11/12/81 JA: TX
8206004	F-09-041970	4249700000		102-4		DON I GENTRY #1 (ID NO 94789)
-GOLDEN PETOLEUM						RECEIVED: 11/12/81 JA: TX
8205819	F-09-034972	4223733532		103		EATHERLY-BETHESDA LTD #1
-GHR ENERGY CORP						RECEIVED: 11/12/81 JA: TX
8205956	F-04-041419	4250531096		102-4		LA PERLA #28
8205956	F-04-041419	4250531096		107-TF		LA PERLA #28
8205886	F-04-040632	4250531242		102-4		LA PERLA #34
8205886	F-04-040632	4250531242		107-TF		LA PERLA #34
-GOOD HOPE REFINERIES INC						RECEIVED: 11/12/81 JA: TX
8205854	F-04-039138	4247932913		102-4		MARRS MCLEAN #1
8205854	F-04-039138	4247932913		107-TF		MARRS MCLEAN #1
-GRACE PETROLEUM CORPORATION						RECEIVED: 11/12/81 JA: TX
8205781	F-05-027319	4228930367		102-4		M B FULLEN #1
-GULF OIL CORPORATION						RECEIVED: 11/12/81 JA: TX
8205823	F-10-035564	4239300000		108		G MCCUISTION A #4
-GULF SANDS OIL CO						RECEIVED: 11/12/81 JA: TX
8205817	F-02-034456	4202531476		103		SNAPKA & NOLTE #1
-HARMAN-TUCKER CO						RECEIVED: 11/12/81 JA: TX
8205794	F-7C-033062	4245130675		103		BOYER CURRY & SEALS C-1
-HARRISON INTERESTS LTD						RECEIVED: 11/12/81 JA: TX
8205887	F-7C-040643	4210500000		107-TF		JOHN W HENDERSON III "G" #13
-HAWN BROTHERS						RECEIVED: 11/12/81 JA: TX
8205931	F-01-041200	4217730913		102-2		R H FLOYD #1
-HINTON PRODUCTION COMPANY						RECEIVED: 11/12/81 JA: TX
8205927	F-06-041148	4240131003		102-4		CHILDRESS #1
-HNG OIL COMPANY						RECEIVED: 11/12/81 JA: TX
8206069	F-7C-042242	4243500000		108		SHURLEY 95 #2
8206068	F-7C-042241	4243500000		108		STEWART "34" #1
-HUGHES & HUGHES						RECEIVED: 11/12/81 JA: TX
8206057	F-04-042180	4235500000		102-4		HERBERT K SCHULZE #4
8206058	F-04-042181	4235531364		102-4		HERBERT K SCHULZE #5
-HYDROCARBON ENERGIES INC						RECEIVED: 11/12/81 JA: TX
8206060	F-7B-042189	4205932969		103		LUTZENBERGER #1 #17405
8206061	F-7B-042190	4205932970		103		MORRIS #1 #17480
-INDIAN WELLS OIL CO						RECEIVED: 11/12/81 JA: TX
8205884	F-7C-040618	4241339092		103		GREEN #167
8205884	F-7C-040618	4241339092		107-TF		GREEN #167
8205893	F-7C-040846	4241330956		103		GRIFFIN 141
8205893	F-7C-040846	4241330956		107-TF		GRIFFIN 141
8205944	F-7C-041290	4223531695		103		HARRIS 61-2
8205943	F-7C-041289	4223531593		103		PHILLIPS #4-2
8205885	F-7C-040621	4210532921		103		ROBERTSON 68 #2
8205885	F-7C-040621	4210532921		107-TF		ROBERTSON 68 #2
-INEXCO OIL COMPANY						RECEIVED: 11/12/81 JA: TX

FIELD NAME	PRO.	PURCHASER
SONORA (CANYON SAND)	36.0	EL PASO NATURAL G
SONORA (CANYON SAND)	36.0	EL PASO NATURAL G
SONORA (CANYON SAND)	36.0	EL PASO NATURAL G
SONORA (CANYON SAND)	36.0	EL PASO NATURAL G
SONORA (CANYON SAND)	36.0	EL PASO NATURAL G
N MAMOTH CREEK (CLEVELAN	180.0	DIAMOND SHAMROCK
GENTRY-PERKINS (STRAWN)	0.0	NORTHERN NATURAL
STRAHAN (STRAWN)	100.0	SOUTHWESTERN GS P
LA PERLA RANCH (9500)	44.0	VALERO TRANSMISSI
LA PERLA RANCH (9500)	44.0	VALERO TRANSMISSI
LA PERLA RANCH (LOBO 895	141.0	VALERO TRANSMISSI
LA PERLA RANCH (LOBO 895	141.0	VALERO TRANSMISSI
VAQUILLAS RANCH (WILCOX	525.0	VALERO TRANSMISSI
VAQUILLAS RANCH (WILCOX	525.0	VALERO TRANSMISSI
BEAR GRASS (PETIT)	276.0	DELHI GAS PIPELIN
QUINDUNO	3.0	NATURAL GAS PIPEL
TYNAN E (3150)	131.0	GULF STATES EQUIT
R L G (CANYON LOWER)	1.0	ODESSA NATUPAL CO
OZONA (CANYON SAND)	300.0	INTRATEX GAS CO
PEACH CREEK (AUSTIN CHAL	219.0	VALERO TRANSMISSI
SKIP (PETTIT) FIELD	500.0	UNITED GAS PIPE L
SAWYER CANYON	42.4	INTRATEX GAS CO
SAWYER (CANYON)	19.8	INTRATEX GAS CO
AGUA DULCE (8700) FIELD	876.0	HOUSTON PIPE LINE
AGUA DULCE (8700 N SEG)	73.0	HOUSTON PIPE LINE
NICHOLAS (DUFFER)	63.8	SOUTHWESTERN GAS
NICHOLAS (DUFFER)	65.7	SOUTHWESTERN GAS
PAGE RANCH (CANYON)	15.0	INTRATEX GAS CO
PAGE RANCH (CANYON)	15.0	INTRATEX GAS CO
PAGE RANCH (CANYON)	92.0	INTRATEX GAS CO
PAGE RANCH (CANYON)	92.0	INTRATEX GAS CO
PROBANDT (CANYON)	100.0	NORTHERN NATURAL
IRION (W CANYON)	19.0	NORTHERN NATURAL
OZONA (CANYON SAND)	100.0	DELHI PIPELINE CO
OZONA (CANYON SAND)	100.0	DELHI PIPELINE CO

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME
8205890	F-03-040669	4214930932		102-2		GUSSIE STEIN #1
8205891	F-03-040670	4214930933		102-2		LOIS RIGHTMER #1
8205889	F-03-040668	4214931042	.	102-2		TOMMIE E O BREWER #1
				RECEIVED: 11/12/81 JA: TX		
-JAMES K ANDERSON INC						
8206002	F-7C-041939	4239932001		103		PRESLEY #1 RRC LEASE #09005
				RECEIVED: 11/12/81 JA: TX		
-JAMES W STRAWN						
8205790	F-7C-032131	4210500000		108		HENDERSON #1
				RECEIVED: 11/12/81 JA: TX		
-KAISER-FRANCIS OIL COMPANY						
8205951	F-10-041388	4237500000		108		MASTERSON R #1
				RECEIVED: 11/12/81 JA: TX		
-L M YOUNG						
8205828	F-7B-035841	4204932443		102-4		W R CHAMBERS A #1 (91478)
				RECEIVED: 11/12/81 JA: TX		
-LA ACEITE ENERGY INC						
8206003	F-7B-041945	4205933091		103		NEUMAN B #1
				RECEIVED: 11/12/81 JA: TX		
-LA SALLE ENERGY CORP						
8205820	F-03-035176	4214900000		102-2		WHITE #1
				RECEIVED: 11/12/81 JA: TX		
-LAYTON ENTERPRISES INC						
8205930	F-8A-041198	4237931417		103		REED WRIGHT #26
				RECEIVED: 11/12/81 JA: TX		
-LHG RESOURCES INC						
8205845	F-7C-038233	4232730401		103		MAULDIN #1 #38849
				RECEIVED: 11/12/81 JA: TX		
-MARLIN OIL CORPORATION						
8205838	F-05-037574	4228930399		102-4		HOLLEMAN #1 RRC ID #94531
				RECEIVED: 11/12/81 JA: TX		
-MARSHALL AND WINSTON INC						
8206028	F-01-042087	4249330840		102-4		MANFORD #1
				RECEIVED: 11/12/81 JA: TX		
-MAY PETROLEUM INC						
8205836	F-10-036825	4229530945		103		GEX #1
				RECEIVED: 11/12/81 JA: TX		
-MAYNARD OIL COMPANY						
8206012	F-7B-042014	4208300000		102-4		HERRING D #1
				RECEIVED: 11/12/81 JA: TX		
-MCBRIDE PRODUCTION CO						
8206008	F-7B-042000	4242932268		108		FAMBRO LAND & CATTLE #4 15471
8206010	F-7B-042002	4242900000		108		FAMBRO LAND & CATTLE A #1 60705
8206009	F-7B-042001	4242932248		108		FAMBRO LAND & CATTLE A #2 15627
8206011	F-7B-042003	4242932158		108		H RICHARDSON #1 RRC 15140
8206007	F-7B-041999	4242931849		108		W FAMBROUGH #2 79612
				RECEIVED: 11/12/81 JA: TX		
-MCCORMICK OPERATING CO						
8205855	F-06-039275	4240130589		103		DELTA GAS UNIT #1
				RECEIVED: 11/12/81 JA: TX		
-MECCA ENERGY INC						
8206044	F-7B-042133	4242932403		103		ALEXANDER-SEARCY UNIT #1 (15887)
				RECEIVED: 11/12/81 JA: TX		
-MEWBOURNE OIL COMPANY						
8205860	F-10-039454	4235731115		103		PRICE "1016" #1
				RECEIVED: 11/12/81 JA: TX		
-MHW INC						
8205996	F-7B-041893	4213300000		108		O HAMILTON EST #2 (08063)
				RECEIVED: 11/12/81 JA: TX		
-MICHAELSON PRODUCING CO						
8205965	F-7C-041486	4210533270		103		UNIVERSITY "9" #10
*8205964	F-7C-041485	4210533269		103		UNIVERSITY "9" #11
*8205963	F-7C-041484	4210533268		103		UNIVERSITY "9" #12
8205966	F-7C-041487	4210533271		103		UNIVERSITY 9 #9
				RECEIVED: 11/12/81 JA: TX		
-MITCHELL ENERGY CORPORATION						
8205837	F-09-037323	4249732128		103		ALLEN C MCCURDY #1
8205940	F-09-041267	4249732049		103		B E ADAMS #2-L
8205830	F-7C-036138	4243500000		107-TF		O GENINI 39 #2
8205857	F-7B-039318	4236732050		103		J P REED #1
8205829	F-09-035921	4249732081		103		N R STEVENSON #1
8205998	F-09-041917	4250334776		103		OLIVER LOVING #3 21289

FIELD NAME	PROD	PURCHASER
GIDDINGS (AUSTIN-CHALK)	75.0	PHILLIP*S PETROLE
GIDDINGS (AUSTIN-CHALK)	50.0	PHILLIP*S PETROLE
GIDDINGS (AUSTIN-CHALK)	55.0	PHILLIPS PETROLEU
ENOCH JOHNSON (MORRIS SA	20.0	UNION TEXAS PETRO
SUSITA (SAN ANDRES)	7.3	PERMIAN CORP
W PANHANDLE (RED CAVE)	20.0	WESTAR TRANSMISSI
CHAMBERS (CONGL)	201.0	ODESSA NATURAL CO
CALLAHAN COUNTY REGULAR	4.0	LONE STAR GAS CO
GIDDINGS	0.0	PHILLIPS PETROLEU
LEVELLAND	7.3	CITIES SERVICE CO
JACOBY (FRY)	22.0	SUN GAS CO
S E RED OAK (WOODBINE 64	275.0	SOUTH TEXAS GATHE
ACLETO (AUSTIN CHALK)	0.0	
MAMMOTH CREEK NORTH (CLE	365.0	DIAMOND SHAMROCK
COLEMAN (MORRIS)	73.0	LONE STAR GAS CO
STEPHENS COUNTY REGULAR	4.0	BRAZOS FUEL CO
STEPHENS COUNTY REGULAR	7.2	BRAZOS FUEL CO
STEPHENS COUNTY REGULAR	3.5	BRAZOS FUEL CO
STEPHENS COUNTY REGULAR	10.0	SOUTHWESTERN GAS
WAYLAND FIELD	5.5	SOUTHWESTERN GAS
OAK HILL (COTTON VALLEY)	389.7	HYDROCARBON TRANS
STEPHENS COUNTY REGULAR	4.0	WARREN PETROLEUM
HERMAN (UPPER MORROW)	15.0	PHILLIPS PETROLEU
EASTLAND COUNTY REGULAR	0.0	LONE STAR GAS CO
FARMER (SAN ANDRES)	7.0	J L DAVIS
FARMER (SAN ANDRES)	7.0	J L DAVIS
FARMER (SAN ANDRES)	7.0	J L DAVIS
FARMER (SAN ANDRES)	7.0	J L DAVIS
BOONSVILLE (BEND CONGL G	450.0	SOUTHWESTERN GAS
BOONSVILLE (BEND CONGLOM	200.0	NATURAL GAS PIPEL
SHURLEY RANCH (CANYON)	0.0	
WILDCAT	60.0	
BOONSVILLE (BEND CONGLOM	225.0	
JERMYN WEST (MARBLE FALL	22.5	SOUTHWESTERN GAS

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME
8205997	F-09-041916	4249732211		103		R N WILLIFORD #2
8205793	F-09-032875	4249731951		103		R W LINEHAN #3-C
8205842	F-03-037882	4228700000		103		SCHAUTSCHICK UNIT A #1
8205777	F-09-023643	4249700000		108		W T ALEXANDER #1 19154
8205786	F-09-028866	4249700000		108		WEBER-GUNHILD #1 28847
-MOBIL PROD TEXAS & NEW MEXICO INC				RECEIVED: 11/12/81 JA: TX		
8205858	F-7C-039418	4244330267		103		BANNER EST #8
8205975	F-10-041647	4223331017		103		ELIZABETH HERRING #4
-MONSANTO COMPANY				RECEIVED: 11/12/81 JA: TX		
8205968	F-8A-041501	4207931388		103		STARNES #41-28
-MONTERREY PETROLEUM CORP				RECEIVED: 11/12/81 JA: TX		
8205942	F-03-041287	4205131016		102-2		GINI UNIT #1
-MOON DRILLING SERVICE CO.				RECEIVED: 11/12/81 JA: TX		
8205874	F-09-040206	4223700030		103		D C SMITH 1-A R R C #21030
-MOTE RESOURCES INC				RECEIVED: 11/12/81 JA: TX		
8205869	F-09-040069	4249732142		103		MARY C WATERS #2
-MUELLER ENGINEERING CORP				RECEIVED: 11/12/81 JA: TX		
8205840	F-02-037596	4217500000		108-ER		WALLACE SHAY #1
-MUSTANG EXPLORATION CO INC				RECEIVED: 11/12/81 JA: TX		
8205993	F-01-041816	4217730855		102-2		ANHAISER UNIT #1
8205994	F-01-041817	4217730855		102-2		BECKENDORF #1
-OILWELL OPERATORS INC				RECEIVED: 11/12/81 JA: TX		
8205971	F-10-041601	4217930953		103		MORGAN #1 - NL
-PALO PETROLEUM INC				RECEIVED: 11/12/81 JA: TX		
8206053	F-08-042155	4217331064		103		CALVERLEY #2
-PARKER & PARSLEY INC				RECEIVED: 11/12/81 JA: TX		
8205923	F-08-041082	4231732335		103		BLOCKER #1
8205926	F-08-041085	4217331173		103		HUTCHISON B #1
8205924	F-08-041083	4231732334		103		RICHARDS "G" #1
8205925	F-08-041084	4232930997		103		TXL "B" #1
8205922	F-08-041081	4232931008		103		TXL C #1
-PCX CORP				RECEIVED: 11/12/81 JA: TX		
8205847	F-10-038498	4248330697		102-4		EVANS #1
-PENN-TEX ENGINEERING				RECEIVED: 11/12/81 JA: TX		
8205982	F-178-041694	4213332999		102-4		ERNEST REICH #1 (17419)
-PETROLEUM ACQUISITIONS CORP				RECEIVED: 11/12/81 JA: TX		
8206005	F-08-041992	4231732317		103		O W ORSON #3 (RRC #105873)
-PETROLEUM CORPORATION OF TEXAS				RECEIVED: 11/12/81 JA: TX		
8205957	F-02-041431	42175313R2		103		WALTER DIETZEL #1
-PHILLIPS PETROLEUM COMPANY				RECEIVED: 11/12/81 JA: TX		
8205953	F-08-041408	4213502427		108		ABELL #2 (00217)
8205877	F-08-040338	4249531352		103		MCCABE F P #56 (21555)
8205810	F-10-033804	4217900000		108		TRUST #2
-PIONEER PRODUCTION CORPORATION				RECEIVED: 11/12/81 JA: TX		
8205833	F-10-036538	4229530988		103		FAGG UNIT #2-985
8205844	F-10-038204	4221100000		103		NORRIS #44-6
8205846	F-10-038446	4221100000		102-4		PICKENS UNIT #1-76
8205846	F-10-038446	4221100000		103		PICKENS UNIT #1-76
-R H ENGELKE				RECEIVED: 11/12/81 JA: TX		
8205832	F-02-036291	4223931169		102-4		UNITED METHODIST GAS UNIT #1
8205832	F-02-036291	4223931169		103		UNITED METHODIST GAS UNIT #1
-REALITOS ENERGY CORP				RECEIVED: 11/12/81 JA: TX		
8205864	F-02-039550	4202531542		102-4		BLACKBURN G U #1-C

FIELD NAME	PROD	PURCHASER
BOONSVILLE (BEND CONGL G	131.8	NATURAL GAS PIPEL
BRIDGEPORT (ATOKA CONGLO	112.0	NATURAL GAS PIPEL
GIDDINGS (AUSTIN CHALK)	0.0	
ALVORD (ATOKA CONGL)	16.0	NATURAL GAS PIPEL
BOONESVILLE (BEND CONGL	13.0	NATURAL GAS PIPEL
BROWN-BASSETT (STRAWN)	2.0	EL PASO NATURAL G
PANHANDLE HUTCHINSON COU	85.4	PHILLIPS PETROLEU
LEVELLAND	7.3	CITIES SERVICE CO
GIDDINGS (AUSTIN CHALK-3	90.0	FERGUSON CROSSING
JACK CO REGULAR	0.0	LONE STAR GAS CO
BOONSVILLE (BEND CONGL G	20.0	NATURAL GAS PIPEL
CLARKSON	0.0	UNITED GAS PIPELI
PEACH CREEK (AUSTIN CHAL	40.0	TIPPERARY GATHERI
PEACH CREEK (AUSTIN CHAL	150.0	TIPPERARY GATHERI
PANHANDLE-GRAY	21.0	COLTEXO CORP
SPRABERRY (TREND AREA)	17.2	EL PASO NATURAL G
SPRABERRY (TREND AREA)	15.0	PHILLIPS PETROLEU
SPRABERRY (TREND AREA)	15.0	PHILLIPS PETROLEU
SPRABERRY (TREND AREA)	15.0	PHILLIPS PETROLEU
SPRABERRY (TREND AREA)	15.0	EL PASO NATURAL G
SPRABERRY (TREND AREA)	15.0	EL PASO NATURAL G
PCX (GRANITE WASH)	180.0	EL PASO NATURAL G
MANGUM S (UP MARBLE FALL	30.0	ODESSA NATURAL CO
SPRABERRY (TREND AREA)	0.0	PHILLIPS PETROLEU
COLLETTOVILLE CREEK (VIC	37.2	
ANDECTOR (ELLENBURGER)	4.2	EL PASO NATURAL G
HALLEY	1.0	EL PASO NATURAL G
PANHANDLE GRAY	0.0	
MAMMOTH CREEK NORTH (CLE	0.0	NORTHERN NATURAL
HEMPHILL FIELD	0.0	PIONEER NATURAL G
CAST (MORROW UPPER)	0.0	PIONEER CORP
CAST (MORROW UPPER)	0.0	PIONEER CORP
LA SALLE (7100)	0.0	TENNESSEE GAS PIP
LA SALLE (7100)	0.0	TENNESSEE GAS PIP
WILDCAT	250.0	HOUSTON PIPE LINE

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8205863	F-02-039549	4202531542		102-4		BLACKBURN G U #1-T	WILDCAT	250.0	HOUSTON PIPELINE
-REISS PETROLEUM INC						RECEIVED: 11/12/81 JA: TX			
8206006	F-7B-041994	4213300000		108		FIRST NATIONAL BANK #1 (36553)	EASTLAND COUNTY REGULAR	11.0	LONE STAR GAS CO
-RICHARD E HAAS						RECEIVED: 11/12/81 JA: TX			
8205816	F-04-034434	4235531611		102-4		H & F PROPERTIES #1	RUNWAY NORTH (COMMONWEAL	730.0	VALERO TRANSMISSI
8205816	F-04-034434	4235531611		103		H & F PROPERTIES #1	RUNWAY NORTH (COMMONWEAL	730.0	VALERO TRANSMISSI
-RICHEY EXPLORATION CO						RECEIVED: 11/12/81 JA: TX			
8205827	F-09-035783	4223733613		103		GLEASON ET AL UNIT #1	MARYETTA S E (CONGL)	91.0	LONE STAR GAS CO
-RIDDLE OIL CO						RECEIVED: 11/12/81 JA: TX			
8205789	F-03-032125	4205130645		102-2		MATT MORELLO #1 #13023	CALDWELL (AUSTIN CHALK)	36.5	ADOBE GAS CO
-ROCKWOOD RESOURCES INC						RECEIVED: 11/12/81 JA: TX			
8205862	F-02-039544	4223931629		102-4		A SCHOMBURG #1 ID NO 94076	SANDY CREEK (FRIO 5550)	0.0	LONE STAR GAS CO
8205973	F-02-041630	4223931591		102-4		BERRY K #1 (ID NO 94864)	S C A R (FRIO 4900)	0.0	TRANSCONTINENTAL
8205974	F-02-041631	4223931626		102-4		DAHLSTROM #1 (ID NO 94863)	MAYO (FRIO 6530)	0.0	DELHI GAS PIPELIN
-S & J OPERATING CO						RECEIVED: 11/12/81 JA: TX			
8206015	F-09-042033	4223733676		103		H E EICHLER #2	JACK COUNTY REGULAR (GAS	73.0	LONE STAR GAS CO
-SABINE PRODUCTION COMPANY						RECEIVED: 11/12/81 JA: TX			
8205872	F-06-040177	4206730307		107-TF		RAWLES #1	KILDARE (COTTON VALLEY O	50.0	
-SABIO OIL & GAS INC						RECEIVED: 11/12/81 JA: TX			
8205867	F-09-039955	4249700000		107-PE		THELMA MCGEE #28537	BOONESVILLE (BEND CONGLO	72.0	LONE STAR GAS CO
-SAGE ENERGY CO						RECEIVED: 11/12/81 JA: TX			
8205821	F-03-035197	4205131224		102-2		BENTKE UNIT #1 RRC #13888	GIDDINGS (AUSTIN CHALK)	227.0	FALCON GAS CO
-SAND SPRINGS OIL & GAS CO						RECEIVED: 11/12/81 JA: TX			
8205955	F-10-041416	4223300000		103		HAMILTON (01134) #50	PANHANDLE HUTCHINSON COU	20.0	GETTY OIL CO
8205954	F-10-041415	4223300000		103		HAMILTON #51 01134	PANHANDLE HUTCHINSON COU	20.0	GETTY OIL CO
-SCANDRILL CO						RECEIVED: 11/12/81 JA: TX			
8205813	F-7B-034078	4244732508		103		KEETER #2	THROCKMORTON COUNTY REGU	0.0	CLEAR FORK GAS CO
8205814	F-09-034081	4250334443		103		PEARL T KURK #26	YOUNG COUNTY REGULAR	21.9	SUN GAS GATHERING
8206067	F-09-042216	4250334053		103		WILLIAM KURK #19	YOUNG COUNTY REGULAR	11.0	SUN GAS TRANSMISS
-SENTINEL PETROLEUM CORP						RECEIVED: 11/12/81 JA: TX			
8205865	F-7B-039793	4213333073		102-4		LOUISE HARLOW "B"	MANGUM WEST	0.0	ODESSA NATURAL CO
-SKLAR & PHILLIPS OIL CO						RECEIVED: 11/12/81 JA: TX			
8205881	F-06-040537	4242330441		103		FAIR OIL LTD #1 (RODESSA)	CHAPEL HILL (RODESSA LOW	150.0	ETEXAS PRODUCERS
-SPINDLETOP OIL & GAS CO						RECEIVED: 11/12/81 JA: TX			
8205992	F-7B-041815	4236732006		102-4		HARRIS 1-C	SPRINGTOWN (COMYN)	10.0	LONE STAR GAS CO
8205991	F-7B-041814	4236732006		102-4		HARRIS 1-T	SPRINGTOWN (5500)	250.0	LONE STAR GAS CO
-STAHL PETROLEUM CO						RECEIVED: 11/12/81 JA: TX			
8206063	F-10-042201	4217930699		108		KINNARD "A" #1	EAST PANHANDLE	0.0	TRANSWESTERN PIPE
-STALLWORTH OIL & GAS INC						RECEIVED: 11/12/81 JA: TX			
8205797	F-7B-033286	4236732012		102-4		STALLWORTH D&G INC-WALKER GAS # 1	CLAYTON (CONGL)	0.0	SOUTHWESTERN GAS
8205797	F-7B-033286	4236732012		103		STALLWORTH D&G INC-WALKER GAS # 1	CLAYTON (CONGL)	0.0	SOUTHWESTERN GAS
-STUART DEVELOPMENT CO						RECEIVED: 11/12/81 JA: TX			
8205792	F-7B-032541	4236731811		103		J K BRADSHAW #1	SPRINGTOWN (5500)	150.0	LONE STAR GAS CO
-SUN OIL CO						RECEIVED: 11/12/81 JA: TX			
8205776	F-09-011169	4223700000		108-ER		EVANS GAS UNIT #1	BOONESVILLE BEND CONGLOM	0.0	LONE STAR GAS CO
-SUN OIL COMPANY (DELAWARE)						RECEIVED: 11/12/81 JA: TX			
8205990	F-8A-041752	4221933096		103		CENTRAL LEVELLAND UNIT #249	LEVELLAND	3.0	AMOCO PRODUCTION
8205989	F-8A-041751	4221933100		103		CENTRAL LEVELLAND UNIT #262	LEVELLAND	30.0	AMOCO PRODUCTION
8205988	F-09-041749	4249731188		108		DORA MORRIS #2	BOONSVILLE	15.0	NATURAL GAS PIPE
8205987	F-09-041747	4223700000		108		S W FOWLER "A" #2	BOONSVILLE	17.0	LONE STAR GAS CO
8205986	F-09-041746	4223700000		108		S W FOWLER A #1	BOONSVILLE	16.0	LONE STAR GAS CO
8205918	F-8A-041035	4221933035		103		L L LAUHOFF #8	SLAUGHTER	7.5	AMOCO PRODUCTION
-SUPERIOR OIL CO						RECEIVED: 11/12/81 JA: TX			

JD NO	DA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8205875	F-08-043255	4247532305		103		UNIVERSITY 32-1R A-1	WAR-WINK S (WOLFCAMP)	0.0	
-TAYLOR OPERATING COMPANY				RECEIVED: 11/12/81 JA: TX					
8206039	F-09-042118	4223700000		103		CHRISTIAN #1 (20854)	NEWPORT S (BEND CONGL)	31.0	LONE STAR GAS CO
8206040	F-09-042119	4223700000		103		FOWLER #2 (20545)	RUSMAG SE (CONGL 4900)	57.3	LONE STAR GAS CO
8205785	F-78-027974	4236300003		103		R G CORNELIUS #1 (91027)	PALO PINTO CO REP (GAS)	28.0	LONE STAR GAS CO
-TEXACO INC				RECEIVED: 11/12/81 JA: TX					
8205934	F-10-041250	4217900000		108		J C SHORT #14	PANHANDLE GRAY	6.5	COLTEXO CORP
8205935	F-10-041251	4217900000		108		J C SHORT #22	PANHANDLE GRAY	1.8	COLTEXO CORP
8205938	F-10-041255	4217900000		108		J C SHORT #3	PANHANDLE GRAY	1.8	COLTEXO CORP
8205937	F-10-041254	4217900003		108		J C SHORT #6	PANHANDLE GRAY	1.8	COLTEXO CORP
8205936	F-10-041253	4217900000		108		J C SHORT #8	PANHANDLE GRAY	1.8	COLTEXO CORP
8205880	F-8A-040468	4221933105		103		MONTGOMERY EST DAVIES NCT-2 #74	LEVELLAND	31.0	AMOCO PRODUCTION
-TEXAS INTERNATIONAL PET CORP				RECEIVED: 11/12/81 JA: TX					
8205851	F-08-038913	4233531203		103		EDWIN PARKS #10	DIXON (STRAWN)	30.0	SUN GAS CO
-TEXAS OIL & GAS CORP				RECEIVED: 11/12/81 JA: TX					
8205787	F-02-038054	4239131369		102-4		FAGAN P #3	FAGAN	0.0	UNITED GAS PIPELI
8205788	F-02-025259	4229732415		102-4		MCCLELLAND #15 #89642	OAKVILLE (WILCOX 9700)	0.0	DELHI GAS PIPELIN
-TEXLAND-RECTOR & SCHUMACHER				RECEIVED: 11/12/81 JA: TX					
8205959	F-8A-041470	4221933076		103		DAVIS-LABOR 4 #1	SLAUGHTER	1.0	AMOCO PRODUCTION
8205960	F-8A-041472	4244530901		102-4		PAULINE MORGENSTERN #7	TERRYON (CLEARFORK UP)	1.0	AMOCO PRODUCTION
-THE DOW CHEMICAL COMPANY				RECEIVED: 11/12/81 JA: TX					
8206062	F-7C-042193	4241330929		102-4		UNIVERSITY 55-20 #1	UNIVERSITY 55 (ELLENBURG	180.0	CRA INC
-THE MAURICE L BROWN COMPANY				RECEIVED: 11/12/81 JA: TX					
8206054	F-06-042158	4220300000		108		TIMMINS GAS UNIT #1	BETHANY	21.0	TENNESSEE GAS PIP
-THREE-B OIL CO				RECEIVED: 11/12/81 JA: TX					
8205984	F-08-041743	4237132969		103		ARCO CORDZ #5 #26420	PAYTON	14.6	EL PASO NATURAL G
8205985	F-08-041744	4237132992		103		ARCO CORDZ "A" #6 #26420	PAYTON	14.6	EL PASO NATURAL G
-TIPPERARY OIL AND GAS CORP				RECEIVED: 11/12/81 JA: TX					
8205835	F-01-036679	4217739633		103		GRAVES #1	PEACH CREEK (AUSTIN CHAL	1.0	VALERO TRANSMISSI
8205831	F-01-036241	4217730867		103		MARCEE #1	PEACH CREEK (AUSTIN CHAL	37.0	VALERO TRANSMISSI
8205834	F-01-036678	4217736659		103		THOMPSON #1	PEACH CREEK (AUSTIN CHAL	37.0	VALERO TRANSMISSI
-TRACE OIL & GAS CO				RECEIVED: 11/12/81 JA: TX					
8205839	F-02-037588	4240930000		102-4		J J WELDER #1-C	PAPALOTE WEST (3950)	100.0	
-TRANS-AMERICAN DEVELOPMENT CORP				RECEIVED: 11/12/81 JA: TX					
8205866	F-78-039919	4204900000		108		VANN-W BOYD #1 (90173)	MIKLAR	26.3	ODESSA NATURAL CO
-TRIPLE L OIL CO INC				RECEIVED: 11/12/81 JA: TX					
8205978	F-03-041669	4246931610		102-4		HENRY - ID #14452	KUBELA (6110')	109.8	DOW CHEMICAL U S
-TSPI INC				RECEIVED: 11/12/81 JA: TX					
8205882	F-10-040552	4223300000		103		PEANUT #4	PANHANDLE HUTCHINSON COU	0.0	PANHANDLE PRODUCI
-TUMBLEWEED PRODUCTION CO				RECEIVED: 11/12/81 JA: TX					
8205795	F-10-033069	4206500000		103		BURNETT C-6-41	PANHANDLE	100.0	PANHANDLE EASTERN
-U S OPERATING INC				RECEIVED: 11/12/81 JA: TX					
8205950	F-03-041368	4228730855		102-4		SHEILA #1	GIDDINGS (AUSTIN CHALK G	0.0	PGP GAS PRODUCTS
-UPHAM OIL & GAS CO				RECEIVED: 11/12/81 JA: TX					
8205779	25027	4249700000		108-ER		HAROLD SHILLING #2 #51043	BOONSVILLE (BEND CONG)	2.1	LONE STAR GAS CO
8205778	25026	4249700000		108-ER		MARY GUNN #1 RRC #35089	BOONSVILLE (CONSOL CONG)	6.4	LONE STAR GAS CO
-WAINOCO OIL & GAS COMPANY				RECEIVED: 11/12/81 JA: TX					
8205812	F-03-033969	4224531311		103		W C GILBERT EST #1	GILBERT RANCH (HACKENBER	365.0	SOUTHWESTERN GAS
-WESTERN STATES PETROLEUM DEVELOPMEN				RECEIVED: 11/12/81 JA: TX					
8205841	F-10-037645	4223330928		103		HERRING-NIVENS #7	PANHANDLE FIELD	182.0	PANHANDLE PRODUCI
-WILLIAM PERLMAN				RECEIVED: 11/12/81 JA: TX					
8205782	F-7C-027530	4243532372		103		FIELDS 57-1	SAWYER (CANYON)	0.0	EL PASO NATURAL G
8205782	F-7C-027530	4243532372		107-TF		FIELDS 57-1	SAWYER (CANYON)	0.0	EL PASO NATURAL G

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8205783	F-7C-027535	4243530003		103		MAYER #8	SAWYER (CANYON)	0.0	VALERO GAS TRANSM
8205783	F-7C-027535	4243500008		107-TF		MAYER #8	SAWYER (CANYON)	0.0	VALERO GAS TRANSM
-WILLIAMS PETROLEUM CO				RECEIVED: 11/12/81 JA: TX					
8205952	F-7B-041393	4236300033		103		LANCAR #5	E R A (CONGLOMERATE)	290.0	TEXAS UTILITIES F
-WINDSOR PRODUCING CO				RECEIVED: 11/12/81 JA: TX					
8205932	F-03-041204	4228730867		102-2		JENSEN #2	GIDDINGS (AUSTIN CHALK)	36.5	PGP GAS PRODUCTS
8205932	F-03-041204	4228730867		103		JENSEN #2	GIDDINGS (AUSTIN CHALK)	36.5	PGP GAS PRODUCTS
8205895	F-03-040889	4228730764		102-2		MITSCHKE #1	GIDDINGS (AUSTIN CHALK)	36.5	PGP GAS PRODUCTS
-WY-VEL CORP				RECEIVED: 11/12/81 JA: TX					
8206033	F-10-042101	4206530385		103		J R NICHOLSON (025532) #7	PANHANDLE CARSON COUNTY	35.0	GETTY OIL CO
8206032	F-10-042100	4206530624		103		J R NICHOLSON (025532) #8	PANHANDLE CARSON COUNTY	15.0	GETTY OIL CO
8206031	F-10-042099	4206530655		103		J R NICHOLSON (025532) #9	PANHANDLE CARSON COUNTY	10.0	GETTY OIL CO

OTHER PURCHASERS

8205843	E I DUPONT DE NEMOURS & CO INC
8205878	E I DUPONT DE NEMOURS & CO INC
8205879	E I DUPONT DE NEMOURS & CO INC
8205892	AMOCO PRODUCTION CO
8205959	LONE STAR GAS CO
8205963	WARREN PETROLEUM CO
8205964	AMOCO PRODUCTION CO
8206046	SHELL OIL CO
8206047	SHELL OIL CO
8206048	SHELL OIL CO
8206049	SHELL OIL CO

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275. 203 and 275.204, file a protest with the Commission on or before December 29, 1981.

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS Lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–35588 Filed 12–11–81; 8:45 am]

BILLING CODE 6717–01–M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: December 7, 1981.

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
CALIFORNIA DEPARTMENT OF CONSERVATION									
-ARCO OIL AND GAS COMPANY						RECEIVED: 11/06/81 JA: CA			
8206075	81-6-0053	0411320602		102-2		A G RICHTER #1	CROSSROADS GAS	177.0	PACIFIC GAS & ELE
-ARMSTRONG PETROLEUM CORP						RECEIVED: 11/06/81 JA: CA			
8206070	81-6-0055	0401120185		102-4		MERIDIAN #2	SYCAMORE GAS	72.0	PACIFIC GAS & ELE
-HOME PETROLEUM CORPORATION						RECEIVED: 11/06/81 JA: CA			
8206076	81-6-0050	0401120119		102-2		ZUMWALT NO 1	WILLIAMS GAS	100.0	PACIFIC GAS & ELE
-JORDAN OIL & GAS COMPANY						RECEIVED: 11/06/81 JA: CA			
8206072	81-6-0052	0401120205		102-4		BARON AG NO 2-5	COMPTON LANDING GAS	100.0	PACIFIC GAS & ELE
8206071	81-6-0056	0401120201		102-4		PRINCETON COMMUNITY 2-19	PRINCETON GAS	400.0	PACIFIC GAS & ELE
-TEXACO INC						RECEIVED: 11/06/81 JA: CA			
8206074	81-6-0058	0409520425		103		DIXON EAST UNIT 1 NO 3	MILLAR	85.0	PACIFIC GAS & ELE
8206073	81-6-0059	0409520416		103		DIXON EAST UNIT 1 NO 4	MILLAR	182.0	PACIFIC GAS & ELE
LOUISIANA OFFICE OF CONSERVATION									
-ARKLA EXPLORATION COMPANY						RECEIVED: 11/17/81 JA: LA			
8206222	81-2014	1711122151		108		ARMSTRONG #2	MONROE	5.0	IMC PIPELINE CO I
8206225	81-2011	1711122152		108		BEN BRYAN #3	MONROE	3.9	ARKANSAS LOUISIAN
8206228	81-2010	1711122133		108		FLORA POTTS #2	MONROE	13.6	ARKANSAS LOUISIAN
8206226	81-2012	1711122138		108		K D LANGFORD #3	MONROE	3.4	IMC PIPELINE CO I
8206291	81-2008	1711122134		108		NOLAN #3	MONROE	12.4	ARKANSAS LOUISIAN
8206227	81-2009	1711122135		108		NOLAN #4	MONROE	4.5	ARKANSAS LOUISIAN
8206253	81-2043	1711122148		103		RABUN #2	MONROE	19.1	ARKANSAS LOUISIAN
8206253	81-2043	1711122148		108		RABUN #2	MONROE	19.1	ARKANSAS LOUISIAN
8206224	81-2013	1711122153		108		WRIGHT #2	MONROE	2.4	ARKANSAS LOUISIAN
-CALPETCO HERBST EXPLORATION INC						RECEIVED: 11/17/81 JA: LA			
8206206	81-1929	1706720765		108		KENYON SPYKER 17	MONROE GAS ROCK	10.0	SOUTHERN NATURAL
8206336	81-1928	1706720965		108		SPYKER 1	MONROE GAS ROCK	1.5	SOUTHERN NATURAL
-CONOCO INC						RECEIVED: 11/10/81 JA: LA			
8206194		1771920261		102-4		SL 2550 WD 56 #2	WEST DELTA BLOCK 56	1825.0	TENNESSEE GAS PIP
-COX						RECEIVED: 11/17/81 JA: LA			
8206263	81-2062	1707321699		103		NUGENT #1 (173468)	MONROE	7.3	IMC PIPELINE CO I
-CRYSTAL OIL COMPANY						RECEIVED: 11/17/81 JA: LA			
8206237	81-2032	1701521448		107-TF		HAY RA SU C INTERNL PAPER CO B #1	ARKANA	511.3	ARKANSAS LOUISIAN
8206235	81-2034	1701521404		107-TF		HAY RA SU E DISCUS OIL #1	ARKANA	204.4	ARKANSAS LOUISIAN
8206255	81-2041	1701521447		107-TF		HAY RA SU F DICKSON DUTY #1	ARKANA	182.5	ARKANSAS LOUISIAN
8206229	81-2039	1701521450		107-TF		HAY RA SU J; RINSLAND EST #1	ARKANA	32.8	ARKANSAS LOUISIAN
8206234	81-2035	1701521414		107-TF		HAY RA SU K WILLAMETTE #1	ARKANA	68.6	ARKANSAS LOUISIAN
8206232	81-2038	1701520323		107-TF		HAY RA SU L WYCHE #1	ARKANA	98.5	ARKANSAS LOUISIAN
8206230	81-2040	1701520204		107-TF		HAY RA SU N FOSTER A #1	ARKANA	18.6	ARKANSAS LOUISIAN
8206233	81-2036	1701521507		107-TF		HAY RA SU O INTERNL PAPER CO "C" #1	ARKANA	1136.8	ARKANSAS LOUISIAN

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206252	81-2042	1701521413		107-TF		HAY RA SU S INTERNL PAPER A #1	ARKANA	13.1	ARKANSAS LOUISIAN
8206231	81-2037	1701500088		107-TF		HAY RA SU T BOLINGER #1	ARKANA	102.2	ARKANSAS LOUISIAN
8206239	81-2031	1701521545		107-TF		HAY RA SU U MORESI #1	ARKANA	46.5	ARKANSAS LOUISIAN
8206236	81-2033	1701521451		107-TF		HAY RA SU W WISE A #1	ARKANA	76.2	ARKANSAS LOUISIAN
-DYNAMIC EXPLORATION INC				RECEIVED: 11/10/81 JA: LA					
8206198		1705320686		102-A		LANGLEY NO 2	WEST EDNA FIELD	744.0	TENNESSEE GAS PIP
-ERGON INC				RECEIVED: 11/17/81 JA: LA					
8206215	81-1918	1711123093		103		BENNY HAILE #1	MONROE	11.8	TEXAS GAS TRANSMI
8206215	81-1918	1711123093		107-TF		BENNY HAILE #1	MONROE	11.8	TEXAS GAS TRANSMI
8206242	81-2027	1711123136		103		F V WALL ET AL #1	MONROE	11.8	TEXAS GAS TRANSMI
8206242	81-2027	1711123136		107-TF		F V WALL ET AL #1	MONROE	11.8	TEXAS GAS TRANSMI
8206290	81-1999	1711121819		108		H D GREEN #9	MONROE	4.9	TEXAS GAS TRANSMI
8206238	81-2030	1711123181		103		MATTHEW W TAYLOR ET AL #7	MONROE	10.9	TEXAS GAS TRANSMI
8206238	81-2030	1711123181		107-TF		MATTHEW W TAYLOR ET AL #7	MONROE	10.9	TEXAS GAS TRANSMI
8206216	81-1917	1711123095		103		VERA K TAYLOR #2	MONROE	10.2	TEXAS GAS TRANSMI
8206216	81-1917	1711123095		107-TF		VERA K TAYLOR #2	MONROE	10.2	TEXAS GAS TRANSMI
8206240	81-2029	1711123139		103		VUCC J L COLE JR	MONROE	10.9	TEXAS GAS TRANSMI
8206240	81-2029	1711123139		107-TF		VUCC J L COLE JR	MONROE	10.9	TEXAS GAS TRANSMI
8206241	81-2028	1711123138		103		VUDD ADELE C LITTLETON #1	MONROE	13.7	TEXAS GAS TRANSMI
8206241	81-2028	1711123138		107-TF		VUDD ADELE C LITTLETON #1	MONROE	13.7	TEXAS GAS TRANSMI
8206288	81-1997	1711121817		108		VUH JIMMY BRANTLEY #1	MONROE	5.3	TEXAS GAS TRANSMI
8206289	81-1998	1711121818		108		VUI FARRIS RATZLAFF #1	MONROE	4.7	TEXAS GAS TRANSMI
8206219	81-1916	1711122934		103		VUR JESSE TAYLOR #2	MONROE (6824)	8.7	TEXAS GAS TRANSMI
8206219	81-1916	1711122934		107-TF		VUR JESSE TAYLOR #2	MONROE (6824)	8.7	TEXAS GAS TRANSMI
-FRANK B MCGRATH				RECEIVED: 11/17/81 JA: LA					
8206271	81-2054	1711120879		108		DOWNS #1	MONROE	9.0	CENTRAL TRANSMISS
-GLENDA PETROLEUM CORP				RECEIVED: 11/17/81 JA: LA					
8206217	81-1924	1711122004		108		D'ARBONNE CO 1 #3 S/N 170901	MONROE	12.0	MID LOUISIANA GAS
8206218	81-1923	1711122250		108		D'ARBONNE CO 1 #8 S/N 176903	MONROE	12.0	MID LOUISIANA GAS
8206220	81-1922	1711122267		108		D'ARBONNE CO 12 #15 (170907)	MONROE	12.5	MID LOUISIANA GAS
8206339	81-1927	1711122795		108		EXXON-ARCO 35 #10 (171220)	MONROE	16.4	MID LOUISIANA GAS
8206298	81-2001	1711122796		108		EXXON-ARCO 35 #11 (171221)	MONROE	11.0	MID LOUISIANA GAS
8206299	81-2002	1711122806		108		EXXON-ARCO 35 #14 (171401)	MONROE	14.0	MID LOUISIANA GAS
8206295	81-2003	1711122807		108		EXXON-ARCO 35 #15 (171402)	MONROE	15.0	MID LOUISIANA GAS
8206337	81-1925	1711121612		108		EXXON-ARCO 35 #5 (171217)	MONROE	15.6	MID LOUISIANA GAS
8206336	81-1926	1711121598		108		EXXON-ARCO 35 #7 (171219)	MONROE	14.8	MID LOUISIANA GAS
8206262	81-2063	1711122620		108		HASTEDT 35 #1 (169865)	MONROE	8.0	MID LOUISIANA GAS
8206261	81-2064	1711122621		108		HASTEDT 35 #2 (169866)	MONROE	8.0	MID LOUISIANA GAS
8206260	81-2065	1711122622		108		HASTEDT 35 #3 (169867)	MONROE	15.0	MID LOUISIANA GAS
8206259	81-2066	1711122623		108		HASTEDT 35 #4 (169868)	MONROE	14.4	MID LOUISIANA GAS
8206258	81-2067	1711122624		108		HASTEDT 35 #5 (169869)	MONROE	14.0	MID LOUISIANA GAS
8206257	81-2068	1711122625		108		HASTEDT 35 #6 (169870)	MONROE	14.0	MID LOUISIANA GAS
8206256	81-2069	1711122626		108		HASTEDT 35 #7 (169871)	MONROE	13.0	MID LOUISIANA GAS
8206254	81-2070	1711122627		108		HASTEDT 35 #8 S/N 169872	MONROE	14.0	MID LOUISIANA GAS
8206207	81-1930	1711122358		108		RABUN 1 #4 S/N 168189	MONROE	16.9	MID LOUISIANA GAS
8206208	81-1931	1711122641		108		RABUN 22 #7 S/N 169956	MONROE	14.4	MID LOUISIANA GAS
8206221	81-1921	1711122278		108		RIVER CITY #5 (167578)	MONROE	12.6	MID LOUISIANA GAS
8206294	81-2006	1711122634		108		SMITH 35 #6 (169879)	MONROE	9.0	MID LOUISIANA GAS
8206292	81-2007	1711122635		108		SMITH 35 #7 (169880)	MONROE	12.0	MID LOUISIANA GAS
8206296	81-2004	1711122632		108		YELTON #1 (169877)	MONROE	12.4	MID LOUISIANA GAS
8206293	81-2005	1711122633		108		YELTON #2 (169878)	MONROE	12.4	MID LOUISIANA GAS
-HADDOX PETROLEUM CORP				RECEIVED: 11/17/81 JA: LA					
8206244	81-2051	1711123282		103		SMITH A#1	MONROE	18.3	IMC PIPELINE CO I

JD NO	J4 DKT	API NO	C	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206245	81-2052	1711123283		103		SMITH A#2	MONROE	21.2	IMC PIPELINE CO I
8206272	81-2053	1711123284		103		SMITH A#3	MONROE	14.6	IMC PIPELINE CO I
-HOOTKINS-SMITH LA LTD				RECEIVED: 11/17/81 JA: LA					
8206243	81-2026	1711122989		103		M P GARDNER #1	MONROE	13.0	TEXAS GAS TRANSMI
8206243	81-2026	1711122989		107-TF		M P GARDNER #1	MONROE	13.0	TEXAS GAS TRANSMI
-IMC EXPLORATION COMPANY				RECEIVED: 11/17/81 JA: LA					
8206334	81-1944	1711122970		108		CHAPMAN #4	MONROE	21.0	PETRO-LEWIS CORP
8206327	81-19422	1707321788		103		UNION PRODUCING CO T #14	MONROE	18.0	IMC PIPELINE CO I
8206335	81-1943	1707321789		103		UNION PRODUCING CO T #15	MONROE	18.0	IMC PIPELINE CO I
8206326	81-1941	1707321783		103		UNION PRODUCING CO T 17	MONROE	18.0	IMC PIPELINE CO I
8206214	81-1920	1707321037		108		WEST VIRGINIA #5	MONROE	18.0	UNITED GAS PIPELI
-KERR-MCGEE CORPORATION				RECEIVED: 11/10/81 JA: LA					
8206195		1772628200		102-4		S L 2326 NO 39	BRETON SOUND BLOCK 20	0.0	SOUTHERN NATURAL
-L A WEST				RECEIVED: 11/17/81 JA: LA					
8206333	81-1945	1707321731		103		L A WEST #4	MONROE	0.0	IMC PIPELINE CO I
8206332	81-1946	1707321732		103		L A WEST #5	MONROE	12.7	IMC PIPELINE CO I
-LANKFORD & NANCE				RECEIVED: 11/17/81 JA: LA					
8206268	81-2059	1711123302		103		BARR #4	MONROE	8.0	TEXAS GAS TRANSMI
8206267	81-2058	1711123291		103		FROST #1	MONROE	10.0	TEXAS GAS TRANSMI
8206251	81-2045	1711123232		103		FROST #10	MONROE	12.0	TEXAS GAS TRANSMI
8206249	81-2046	1711123233		103		FROST #11	MONROE	12.0	TEXAS GAS TRANSMI
8206250	81-2044	1711123215		103		FROST #2	MONROE	28.0	TEXAS GAS TRANSMI
8206266	81-2057	1711123196		103		FROST #6	MONROE	6.0	TEXAS GAS TRANSMI
8206269	81-2056	1711123161		103		HAILE #5	MONROE	24.0	TEXAS GAS TRANSMI
8206248	81-2047	1711123277		103		IRMA HAILE #1	MONROE	24.0	TEXAS GAS TRANSMI
8206270	81-2055	1711123158		103		J M EDWARDS #1	MONROE	30.0	TEXAS GAS TRANSMI
8206264	81-2061	1711123304		103		PARDUE #1	MONROE	14.0	TEXAS GAS TRANSMI
8206265	81-2060	1711123303		103		PENNZOIL #1	MONROE	18.0	TEXAS GAS TRANSMI
8206246	81-2049	1711123305		103		REPPOND #2	MONROE	24.0	TEXAS GAS TRANSMI
8206247	81-2048	1711123292		103		S S REPPOND #1	MONROE	24.0	TEXAS GAS TRANSMI
-LYONS PETROLEUM INC				RECEIVED: 11/10/81 JA: LA					
8206200		1703120660		102-4		PANKEY NO 2	BETHANY-LONGSTREET	360.0	ARKANSAS LOUISIAN
8206200		1763120660		103		PANKEY NO 2	BETHANY-LONGSTREET	360.0	ARKANSAS LOUISIAN
-MARSHALL EXPLORATION INC				RECEIVED: 11/17/81 JA: LA					
8206329	81-1949	1703121142		108		FBG RA SU 167; HALL #1	LOGANSPORT	19.0	SOUTHERN NATURAL
8206328	81-1950	1703120989		108		FBG RA SU 36; FOSHEE #3	LOGANSPORT	20.0	TENNESSEE GAS PIP
8206330	81-1948	1703120812		108		FBG RA SU 37; FOSHEE #1	LOGANSPORT	20.0	TENNESSEE GAS PIP
8206324	81-1951	1703120926		108		FBG RA SU 41; T G CHANDLER #1	LOGANSPORT	17.0	TENNESSEE GAS PIP
8206331	81-1947	1703121242		108		LGR RA SUY; CONNIE ALLEN #1	LOGANSPORT	17.0	SOUTHERN NATURAL
-MCALESTER FUEL COMPANY				RECEIVED: 11/10/81 JA: LA					
8206196		1707522693		102-4		STATE LEASE 8063 NO 1	GARDEN ISLAND BAY	109.0	
-MID LOUISIANA GAS COMPANY				RECEIVED: 11/17/81 JA: LA					
8206277	81-1963	1711122435		108		MLGC FEE GAS # 886	MONROE	5.2	MID LOUISIANA GAS
8206313	81-1962	1711121450		108		MLGC FEE GAS #685	MONROE	14.6	MID LOUISIANA GAS
8206273	81-1963	1711121917		108		MLGC FEE GAS #805	MONROE GAS FIELD	18.9	MID LOUISIANA GAS
8206274	81-1964	1711121923		108		MLGC FEE GAS #811	MONROE	8.5	MID LOUISIANA GAS
8206314	81-1961	1711121925		108		MLGC FEE GAS #813	MONROE	15.2	MID LOUISIANA GAS
8206323	81-1952	1711122324		108		MLGC FEE GAS #868	MONROE	6.9	MID LOUISIANA GAS
8206320	81-1953	1711122325		108		MLGC FEE GAS #869	MONROE	1.1	MID LOUISIANA GAS
8206321	81-1954	1711122328		108		MLGC FEE GAS #872	MONROE	3.7	MID LOUISIANA GAS
8206322	81-1955	1711122330		108		MLGC FEE GAS #874	MONROE	8.8	MID LOUISIANA GAS
8206319	81-1956	1711122331		108		MLGC FEE GAS #875	MONROE	8.6	MID LOUISIANA GAS
8206318	81-1957	1711122414		108		MLGC FEE GAS #878	MONROE	1.4	MID LOUISIANA GAS

JD NO	JA INT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206317	81-1958	1711122416	108	MLGC FEE GAS #880	MONROE	1.2	MID LOUISIANA GAS
8206315	81-1959	1711122418	108	MLGC FEE GAS #882	MONROE	1.2	MID LOUISIANA GAS
8206316	81-1960	1711122419	108	MLGC FEE GAS #883	MONROE	5.0	MID LOUISIANA GAS
8206281	81-1981	1711122420	108	MLGC FEE GAS #884	MONROE	6.5	MID LOUISIANA GAS
8206282	81-1982	1711122434	108	MLGC FEE GAS #885	MONROE	7.6	MID LOUISIANA GAS
8206278	81-1984	1711122436	108	MLGC FEE GAS #887	MONROE	8.7	MID LOUISIANA GAS
8206279	81-1985	1711122437	108	MLGC FEE GAS #888	MONROE	1.8	MID LOUISIANA GAS
8206287	81-1976	1711122438	108	MLGC FEE GAS #889	MONROE	8.1	MID LOUISIANA GAS
8206283	81-1977	1711122449	108	MLGC FEE GAS #890	MONROE	1.1	MID LOUISIANA GAS
8206284	81-1978	1711122450	108	MLGC FEE GAS #891	MONROE	8.1	MID LOUISIANA GAS
8206285	81-1979	1711122451	108	MLGC FEE GAS #892	MONROE	1.8	MID LOUISIANA GAS
8206280	81-1980	1711122452	108	MLGC FEE GAS #893	MONROE	13.5	MID LOUISIANA GAS
8206303	81-1965	1711122537	108	MLGC FEE GAS #909	MONROE	11.5	MID LOUISIANA GAS
8206304	81-1966	1711122549	108	MLGC FEE GAS #917	MONROE	2.9	MID LOUISIANA GAS
8206305	81-1967	1711122569	108	MLGC FEE GAS #924	MONROE	9.3	MID LOUISIANA GAS
8206306	81-1968	1711122584	108	MLGC FEE GAS #927	MONROE	10.0	MID LOUISIANA GAS
8206307	81-1969	1711122648	108	MLGC FEE GAS #946	MONROE	4.4	MID LOUISIANA GAS
8206308	81-1970	1711122656	108	MLGC FEE GAS #947	MONROE	7.8	MID LOUISIANA GAS
8206309	81-1971	1711122657	108	MLGC FEE GAS #948	MONROE	2.4	MID LOUISIANA GAS
8206310	81-1972	1711122658	108	MLGC FEE GAS #949	MONROE	8.3	MID LOUISIANA GAS
8206311	81-1973	1711122659	108	MLGC FEE GAS #950	MONROE	6.5	MID LOUISIANA GAS
8206312	811974	1711122660	108	MLGC FEE GAS #951	MONROE	6.2	MID LOUISIANA GAS
8206286	81-1975	1711122661	108	MLGC FEE GAS #952	MONROE	5.7	MID LOUISIANA GAS
8206300	81-2016	1707321463	108	MLGC FEE GAS #971	MONROE	16.0	MID LOUISIANA GAS
8206301	81-2017	1707321462	108	MLGC FEE GAS #972	MONROE	12.6	MID LOUISIANA GAS
8206223	81-2015	1711122677	108	MLGC FEEE GAS #954	MONROE	9.5	MID LOUISIANA GAS
-PRIMOS PRODUCTION CO				RECEIVED: 11/17/81 JA: LA			
8206297	81-2000	1711122368	108	PETRO LEWIS PENNZOIL FEE 65 #5	MONROE	11.4	PETRO-LEWIS FUNDS
-PRIMOS-PENNZOIL JV				RECEIVED: 11/17/81 JA: LA			
8206203	81-1932	1707321474	108	FEE 59 #1	MONROE	14.6	UNITED GAS PIPELI
8206204	81-1933	1711122695	108	M H TAUNTON #1	MONROE	14.4	UNITED GAS PIPELI
-RICHARD T PERRY				RECEIVED: 11/17/81 JA: LA			
8206340	81-1995	1711120564	108	LANKFORD #4	MONROE	12.8	IMC EXPLORATION C
8206302	81-1996	1711120566	108	LANKFORD #5	MONROE	2.6	IMC EXPLORATION C
8206275	81-1993	1707320626	108	M W MORGAN #1	MONROE	3.2	IMC EXPLORATION C
8206276	81-1994	1707320629	108	M W MORGAN #4	MONROE	3.2	IMC EXPLORATION C
-ROBERSON WELL SERVICE				RECEIVED: 11/17/81 JA: LA			
8206212	81-1935	1707321648	108	PENNZOIL OSTERLAND #2	MONROE	7.3	UNITED GAS PIPELI
8206213	81-1936	1707321649	108	PENNZOIL OSTERLAND #3	MONROE	7.3	UNITED GAS PIPELI
8206211	81-1937	1707321650	108	PENNZOIL OSTERLAND #4	MONROE	7.3	UNITED GAS PIPELI
8206210	81-1938	1707321667	108	PENNZOIL OSTERLAND #5	MONROE	7.3	UNITED GAS PIPELI
8206209	81-1939	1707321668	108	PENNZOIL OSTERLAND #6	MONROE	7.3	UNITED GAS PIPELI
8206325	81-1940	1707321669	108	PENNZOIL OSTERLAND #7	MONROE	7.3	UNITED GAS PIPELI
8206205	81-1934	1707321647	108	PENNZOIL OSTERLAND 11	MONROE	7.3	UNITED GAS PIPELI
-SAMEDAN OIL CORPORATION				RECEIVED: 11/10/81 JA: LA			
8206197		1772620188	102-4	S L 7895 NO 1	BRETON SOUND	1350.5	SOUTHERN NATURAL
-SOUTHPORT EXPLORATION INC				RECEIVED: 11/10/81 JA: LA			
8206199		1710900000	102-4	CONTINENTAL LAND & FUR #A-1	BAYOU COPASAW (9200' SAN	700.0	CHAMPION VALLEY F
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NORTH DAKOTA INDUSTRIAL COMMISSION							
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-DOME PETROLEUM CORP				RECEIVED: 11/13/81 JA: ND			
8206191	391	3305300908	102-2	DOME BURNS 3-34	MON-DAK	24.3	SHELL OIL CO

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-KERR-MCGEE CORPORATION				RECEIVED: 11/13/81 JA: ND					
8206187	396	3305300115		102-2		ANDERSON #1-12	MONDAK	6.0	
-LADD PETROLEUM CORPORATION				RECEIVED: 11/13/81 JA: ND					
8206192	392	3305301049		102-2		DUNCAN FEDERAL 30-22	SCAIRT WOMEN	103.8	KOCH HYDROCARBON
-MOSBACHER PRODUCTION CO				RECEIVED: 11/13/81 JA: ND					
8206188	395	3300700488		102-2		F F VOLESKY 34-1	UKRAINA (RED RIVER)	161.0	
-PHILLIPS PETROLEUM COMPANY				RECEIVED: 11/13/81 JA: ND					
8206189	394	3305301053		102-3		RIGGS #15-31	BLUE BUTTES	300.0	AMINOIL USA
-TENNECO OIL COMPANY				RECEIVED: 11/13/81 JA: ND					
8206190	393	33023001R4		102-2		STATE #1-16	FORTUNA	11.0	PHILLIPS PETROLEU
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NEW MEXICO DEPARTMENT OF ENERGY & MINERALS									
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-ALPHA TWENTY-ONE PRODUCTION CO				RECEIVED: 11/12/81 JA: NM					
8206093		3002527396		103		LANSFORD #3	PENROSE-SKELLY	70.0	EL PASO NATURAL G
-AMOCO PRODUCTION CO				RECEIVED: 11/09/81 JA: NM					
8206080		3002526703		103		STATE HU #1	UND WOLFCAMP	3.3	NEGOTIATING GAS S
-AMOCO PRODUCTION CO				RECEIVED: 11/12/81 JA: NM					
8206086		3001523461		102-4		STATE IM COM #1	HAPPY VALLEY MORROW	372.3	EL PASO NATURAL G
-AMOCO PRODUCTION CO				RECEIVED: 11/13/81 JA: NM					
8206136		3001523292		102-4		ALLEY UNIT #1	UND MORROW	377.2	GAS CO OF NEW MEX
8206127		3004521147		108		CANDELARIA GAS COM NO 1 (4TH)	AZTEC - PICTURED CLIFFS	20.6	EL PASO NATURAL G
8206121		3004511659		108		GALLEGOS CANYON UNIT #212 (2ND)	BASIN - DAKOTA	20.8	EL PASO NATURAL G
8206156		3004509255		108		MCCOY GAS COM C NO 1	FLORA VISTA	0.0	NORTHWEST PIPE LI
8206161		3000560830		102-2		O'BRIEN RANCH #1	WILDCAT MISSISSIPPIAN	271.9	
8206149		3001523674		102-4		R I FLOYD COM #1	HAPPY VALLEY MORROW	492.8	EL PASO NATURAL G
8206162		3002526559		102-2		STATE GC #1	WILDCAT WOLFCAMP (PROPOS	37.6	
8206144		3002527136		102-4		STATE IG COM #1	WILDCAT MORROW (PROPOSED	394.9	EL PASO NATURAL G
8206159		3000560787		102-2		STATE JA #1	WILDCAT STRAWN	408.4	
-ARCO OIL AND GAS COMPANY				RECEIVED: 11/12/81 JA: NM					
8206090		3002526874		103		F M BURLESON NO 3	JALMAT TANSILL YATES 7R	71.0	EL PASO NATURAL G
8206091		3002527255		103		G W TOBY NO 6	LANGLIE MATTIX 7R Q	5.0	EL PASO NATURAL G
-BLACKWOOD & NICHOLS CO LTD				RECEIVED: 11/12/81 JA: NM					
8206085		3004524219		103		NORTHEAST BLANCO UNIT #48A	BLANCO MESAVERDE SE 32-3	400.0	EL PASO NATURAL G
-BLACKWOOD & NICHOLS CO LTD				RECEIVED: 11/13/81 JA: NM					
8206120		3004524991		103		NORTHEAST BLANCO UNIT #32A	BLANCO MESAVERDE I-7-30N	100.0	EL PASO NATURAL G
-C & E OPERATORS INC				RECEIVED: 11/13/81 JA: NM					
8206130		3004524695		103		AZTEC #8 (BLANCO-MV)	BLANCO-MESAVERDE	150.0	EL PASO NATURAL G
8206131		3004524695		103		AZTEC #8 (FARMER-FRUITLAND)	FARMER-FRUITLAND EXTENSI	150.0	EL PASO NATURAL G
8206132		3004524699		103		AZTEC #9 (BLANCO-MV)	BLANCO-MESAVERDE	175.0	EL PASO NATURAL G
8206147		3004524699		103		AZTEC #9 (FARMER FRUITLAND)	FARMER-FRUITLAND EXTENSI	100.0	EL PASO NATURAL G
8206146		3004524694		103		FEE #8 (BLANCO MV)	BLANCO-MESAVERDE	200.0	EL PASO NATURAL G
8206133		3004524693		103		FEE #8A (BLANCO MV)	BLANCO-MESAVERDE	200.0	EL PASO NATURAL G
8206134		3004524693		103		FEE #8A (FARMER-FRUITLAND)	FARMER-FRUITLAND EXTENSI	200.0	EL PASO NATURAL G
8206135		3004524697		103		FEE #9A (PLANCO MV)	BLANCO-MESAVERDE	100.0	EL PASO NATURAL G
8206145		3004524840		103		FEE #9Y (BLANCO MV)	BLANCO-MESAVERDE	100.0	EL PASO NATURAL G
-EL PASO NATURAL GAS COMPANY				RECEIVED: 11/12/81 JA: NM					
8206100		3004511457		108		HEIZER #1	BLANCO-MESAVERDE GAS	16.0	EL PASO NATURAL G
8206097		3004506485		108		TURNER B COM B #7	FULCHER KUTZ-PICTURED CL	22.0	EL PASO NATURAL G
8206101		3004505630		108		WILSON A #1	BALLARD-PICTURED CLIFFS	21.0	EL PASO NATURAL G
-ELK OIL COMPANY				RECEIVED: 11/13/81 JA: NM					
8206142		3002527389		102-3		N E KEMNITZ #7	KEMNITZ MORROW	365.0	TRANSWESTERN PIPE
-ENERGY RESERVES GROUP INC				RECEIVED: 11/13/81 JA: NM					

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206138		3004524616		103		GALLEGOS CANYON UNIT P C #326	KUTZ WEST PICTURED CLIFF	39.9	EL PASO NATURAL G
-ENSERCH EXPLORATION INC				RECEIVED: 11/13/81 JA: NM					
8206140		3004120594		103		COLLIER NO 1	UNDESIGNATED	22.0	TRANSWESTERN PIPE
-FRED POOL DRILLING CO				RECEIVED: 11/13/81 JA: NM					
8206152		3000560633		102-2		CORN 24-1	UND WILDCAT	0.0	TRANSWESTERN PIPE
8206152		3000560633		107-TF		CORN 24-1	UND WILDCAT	0.0	TRANSWESTERN PIPE
8206167		3000560686		102-2		CORN 24-2	UND WILDCAT	0.0	TRANSWESTERN PIPE
8206167		3000560686		107-TF		CORN 24-2	UND WILDCAT	0.0	TRANSWESTERN PIPE
8206153		3000560854		102-2		J C NAIL #2	UND WILDCAT	0.0	TRANSWESTERN PIPE
-GETTY OIL COMPANY				RECEIVED: 11/13/81 JA: NM					
8206178		3004524313		103		W M HANLEY NO 1E	BASIN DAKOTA	101.0	EL PASO NATURAL G
-GIFFORD MITCHELL & WISENBAKER				RECEIVED: 11/13/81 JA: NM					
8206137		3002526557		102-4		WHITE EAGLE #1	PAWNEE STRAWN	300.0	EL PASO NATURAL G
-HARPER OIL COMPANY				RECEIVED: 11/13/81 JA: NM					
8206166		3002500000		103		WARFIELD-STATE 1-Y	EAST HIGHTOWER	20.0	WARREN PETROLEUM
-HNG OIL COMPANY				RECEIVED: 11/12/81 JA: NM					
8206087		3002500000		103		SIMS "35" STATE #1	WILDCAT MORROW	1211.0	
-IKE LOVELADY INC				RECEIVED: 11/13/81 JA: NM					
8206151		3000500000		103		PENNZOIL STATE NO 1	WILDCAT ABO	182.5	TRANSWESTERN PIPE
-JOHN L COX				RECEIVED: 11/13/81 JA: NM					
8206117		3002500000		102-2		PROCTOR #1	LERA-MORROW	100.0	WARREN PETROLEUM
-MARALO INC				RECEIVED: 11/13/81 JA: NM					
8206143		3000520738		102-2		CHAVELEA CARSON #4	CARSON MORROW	12.5	
-MARATHON OIL COMPANY				RECEIVED: 11/12/81 JA: NM					
8206096		3002500000		108		L G WARLICK "C" #2	BLINEBRY GAS POOL	13.0	NORTHERN NATURAL
-MARATHON OIL COMPANY				RECEIVED: 11/13/81 JA: NM					
8206125		3002500000		108		MCDONALD STATE A/C 1 #25	JALMAT	12.0	NORTHERN NATURAL
-MESA PETROLEUM				RECEIVED: 11/12/81 JA: NM					
8206098		3004520357		108		DELHI STATE COM X-01	BLANCO PICTURED CLIFFS	20.0	EL PASO NATURAL G
8206099		3004521000		108		STATE "COM" #40	BLANCO PICTURED CLIFFS	20.0	EL PASO NATURAL G
8206088		3002527269		103		WEST KNOWLES #8	CASEY STRAWN	720.0	PHILLIPS PETROLEU
-MESA PETROLEUM				RECEIVED: 11/13/81 JA: NM					
8206155		3000560647		107-TF		ACME #1	WILDCAT ABO	2250.0	TRANSWESTERN PIPE
8206114		3000560866		107-TF		COMER #1	UNDESIGNATED ABO	288.0	TRANSWESTERN PIPE
8206158		3000561010		102-2		COMER #1	UNDESIGNATED ABO	520.0	TRANSWESTERN PIPE
8206158		3000561010		107-TF		COMER #1	UNDESIGNATED ABO	520.0	TRANSWESTERN PIPE
8206169		3000561009		102-2		COMER #2	UNDESIGNATED ABO	900.0	TRANSWESTERN PIPE
8206169		3000561009		107-TF		COMER #2	UNDESIGNATED ABO	900.0	TRANSWESTERN PIPE
8206157		3000560911		102-2		MEADOWS COM #1	UNDESIGNATED ABO	370.0	TRANSWESTERN PIPE
8206157		3000560911		107-TF		MEADOWS COM #1	UNDESIGNATED ABO	370.0	TRANSWESTERN PIPE
8206154		3004524027		103		STATE COM A1 33E	BASIN DAKOTA	22.0	NORTHWEST PIPELIN
8206150		3000560853		102-4		WHITE STATE #2	DIAMOND MOUND MORROW	730.0	
-MTS LTD PARTNERSHIP				RECEIVED: 11/13/81 JA: NM					
8206168		3000560908		102-2		ROUND TOP STATE #2	UNDESIGNATED ABO	360.0	UNDETERMINED
8206168		3000560908		107-TF		ROUND TOP STATE #2	UNDESIGNATED ABO	360.0	UNDETERMINED
8206163		3000560997		102-2		ROUND TOP STATE #3	UNDESIGNATED ABO	40.0	
8206163		3000560997		107-TF		ROUND TOP STATE #3	UNDESIGNATED ABO	40.0	
8206164		3000560998		102-2		ROUND TOP STATE #4	UNDESIGNATED ABO	30.0	
8206164		3000560998		107-TF		ROUND TOP STATE #4	UNDESIGNATED ABO	30.0	
8206165		3004524903		102-2		SOUTH BLANCO STATE 36F #1	LYBROOK GALLUP EXT	55.0	GAS CO OF NEW MEX
-NORTHWEST PIPELINE CORPORATION				RECEIVED: 11/13/81 JA: NM					
8206122		3003900000		108		FEE #2	GAVILAN PICTURED CLIFFS	0.0	NORTHWEST PIPELIN
8206123		3003921277		108		SAN JUAN 30-5 UNIT 58	BLANCO MESAVERDE	0.0	NORTHWEST PIPELIN

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
*8206141		3003922710		103		SAN JUAN 30-5 UNIT 94	BLANCO MESAVERDE	6.0	NORTHWEST PIPELIN
8206124		3003907907		108		SAN JUAN 31-6 #19	BLANCO MESAVERDE	0.0	NORTHWEST PIPELIN
-PHILLIPS PETROLEUM COMPANY						RECEIVED: 11/13/81 JA: NM			
8206129		3002526571		108		F VAC GB/SA UT TR 2230 #002	VACUUM GB/SA	2.1	EL PASO NATURAL G
8206128		3002526379		108		E VAC GB/SA UT TR 2738 #005	VACUUM GB/SA	1.3	EL PASO NATURAL G
8206126		3002501436		108		LEAMEX #10	LEAMEX (WOLFCAMP)	1.7	EL PASO NATURAL G
8206148		3002527403		103		LEAMEX NO 3"	MALJAMAR GB/SA	66.7	EL PASO NATURAL G
-READ & STEVENS INC						RECEIVED: 11/12/81 JA: NM			
8206092		3001523700		103		GULF WEST MESA #3	UND BUNKER HILL PENROSE	1.0	PHILLIPS PETROLEU
-SOUTHLAND ROYALTY CO						RECEIVED: 11/09/81 JA: NM			
8206078		3004524514		103		MOORE #3 (FRUITLAND)	UNDESIGNATED	355.0	SOUTHERN UNION GA
8206079		3004524514		103		MOORE #3 (PICTURED CLIFFS)	BLANCO PICTURED CLIFFS	355.0	SOUTHERN UNION GA
-SOUTHLAND ROYALTY CO						RECEIVED: 11/13/81 JA: NM			
8206119		3002500000		108-ER		CURRIE #1	EUMONT QUEEN GAS	0.0	GETTY OIL CO
8206115		3002525441		108-PB		STATE AR #1	ANTELOPE RIDGE MORROW	0.0	GAS CO OF NEW MEX
8206160		3001523041		102-2		STATE 14-A COM #1	UNDESIGNATED TURKEY TRAC	156.0	EL PASO NATURAL G
8206118		3004500000		108-PB		YOUNG #1	BASIN DAKOTA	0.0	SOUTHERN UNION GA
-SUN OIL COMPANY (DELAWARE)						RECEIVED: 11/12/81 JA: NM			
8206089		3002500000		108-ER		PEERLESS #1	JALMAT FIELD	0.0	EL PASO NATURAL G
-WESTERN OIL PRODUCERS INC						RECEIVED: 11/13/81 JA: NM			
8206139		3002525715		103		UNION STATE #3	KEMNITZ LOWER WOLFCAMP W	6.3	CONTINENTAL OIL C
-YATES PETROLEUM CORPORATION						RECEIVED: 11/12/81 JA: NM			
8206094		3001523636		103		HOGBACK PB STATE COM #1	WILDCAT STRAWN	0.0	TRANSWESTERN PIPE
8206095		3001523801		103		RIO PENASCO "KD" COM #3	WILDCAT STRAWN	0.0	TRANSWESTERN PIPE
-YATES PETROLEUM CORPORATION						RECEIVED: 11/13/81 JA: NM			
8206116		3000560988		107-TF		COCKLEBURR "RD" STATE #1	UND ABO	0.0	TRANSWESTERN PIPE
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UTAH DIVISION OF OIL,GAS, & MINING									
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-BOWERS OIL & GAS EXPLORATION INC						RECEIVED: 11/09/81 JA: UT			
8206081	K-115-3	4301930747		102-4		BOWERS-TEXOMA STATE #2-36	GREATER CISCO AREA	116.0	NATURAL GAS PIPEL
-CIG EXPLORATION INC						RECEIVED: 11/09/81 JA: UT			
8206083	K-129-24	4304730889		107-TF		CIGE 51D-31-9-22	NATURAL BUTTES	657.0	COLORADO INTERSTA
8206082	K-129-23	4304730886		107-TF		CIGE 86D-16-9-21	NATURAL BUTTES	191.0	COLORADO INTERSTA
-COASTAL OIL & GAS CORP						RECEIVED: 11/09/81 JA: UT			
8206084	K-136-4	4304730867		107-TF		NATURAL BUTTES UNIT #57	NATURAL BUTTES	62.0	COLORADO INTERSTA
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WEST VIRGINIA DEPARTMENT OF MINES									
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-MILLS DRILLING CO INC						RECEIVED: 11/09/81 JA: WV			
8206201		4705900922		107-DV		CLOSTERMAN HEIRS NO M-1	HARVEY DISTRICT	9.1	COLUMBIA GAS TRAN
8206202		4705900935		107-DV		CLOSTERMAN HEIRS NO M-2	HARVEY DISTRICT	21.6	COLUMBIA GAS TRAN
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** U.S. GEOLOGICAL SURVEY - DENVER,CO									
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-ARCO OIL AND GAS COMPANY						RECEIVED: 11/13/81 JA: CO 1			
8206176	CD 0404-81	0506706308		103		SOUTHERN UTE 31-2 33-8 (DK)	IGNACIO BLANCO	36.0	NORTHWEST PIPELIN
-COSEKA RESOURCES (USA) LIMITED						RECEIVED: 11/13/81 JA: CO 1			
8206173	CD 0410 81	0510308596		102-2		4-22-4S-103W	ARCO FEDERAL	1918.0	SOUTHWEST GAS COR
8206172	CD 0409-81	0510303451		107-TF		5-31-4-101	WILDCAT	124.0	SOUTHWEST GAS COR
8206174	CD 0408-81	0510308451		103		5-31-4-101	WILDCAT	124.0	SOUTHWEST GAS COR
-EXXON CORPORATION						RECEIVED: 11/12/81 JA: CO 1			
8206110	CD 0400-81	0507708189		107-CS		VEGA UNIT #4	WILDCAT	31.0	NORTHERN NATURAL

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JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-IMPERIAL OIL COMPANY						RECEIVED: 11/12/81 JA: CO 1			
8206107	CD 0397-81	0508106439		103		AMOCO-FEDERAL #21-1	POWDER WASH	100.0	MOUNTAIN FUEL SUP
-KENNETH A ROSS JR						RECEIVED: 11/13/81 JA: CO 1			
8206184	CD 0391-81	0512309565		103		FEDERAL 43-4	ARISTOCRAT	65.7	COLORADO INTERSTA
-KOCH INDUSTRIES INC						RECEIVED: 11/12/81 JA: CO 1			
8206112	CD0412-81	0507708383		103		HORSESHOE CANYON NO 2-28	ROBERTS CANYON	109.5	NORTHWEST PIPELIN
-MESA PETROLEUM						RECEIVED: 11/12/81 JA: CO 1			
8206109	CD 0403-81	0512506581		102-2		CONRAD FEDERAL 30 #1	ECKLEY	588.0	CITIES SERVICE GA
8206109	CD 0403-81	0512506581		107-TF		CONRAD FEDERAL 30 #1	ECKLEY	588.0	CITIES SERVICE GA
8206102	CD0387-81	0512506577		102-2		ECKLEY FEDERAL 29 #1	ECKLEY	562.0	CITIES SERVICE GA
8206102	CD0387-81	0512506577		107-TF		ECKLEY FEDERAL 29 #1	ECKLEY	562.0	CITIES SERVICE GA
8206104	CD0388-81	0512506580		102-2		ECKLEY FEDERAL 29 #4	ECKLEY	233.0	CITIES SERVICE GA
8206104	CD0388-81	0512506580		107-TF		ECKLEY FEDERAL 29 #4	ECKLEY	233.0	CITIES SERVICE GA
8206113	CD 0389-81	0512506567		102-0		ECKLEY FEDERAL 6 #1	ECKLEY	854.0	CITIES SERVICE GA
8206103	CD0390-81	0512506569		102-2		FEDERAL KITZMILLER 28 #1	ECKLEY	250.0	CITIES SERVICE GA
8206103	CD0390-81	0512506569		107-TF		FEDERAL KITZMILLER 28 #1	ECKLEY	250.0	CITIES SERVICE GA
-MESA PETROLEUM						RECEIVED: 11/13/81 JA: CO 1			
8206179	CD 0386-81	0512506578		102-2		ECKLEY FEDERAL 29 #2	ECKLEY	335.0	CITIES SERVICE GA
8206179	CD 0386-81	0512506578		107-TF		ECKLEY FEDERAL 29 #2	ECKLEY	335.0	CITIES SERVICE GA
-MURCHISON BROTHERS						RECEIVED: 11/12/81 JA: CO 1			
8206111	CD 0377-81	0506705178		108		UTE BLOCK 6 NO 5-6	IGNACIO-BLANCO	0.0	WESTERN SLOPE GAS
-TENNECO OIL COMPANY						RECEIVED: 11/13/81 JA: CO 1			
8206183	CD 0392-81	0504506293		102-2		DOUGLAS PASS UNIT #20-15	UNNAMED	160.0	NORTHWEST PIPELIN
-TWIN ARROW INC						RECEIVED: 11/13/81 JA: CO 1			
8206178	CD 0200-81	0510308489		103		CONTINENTAL 2-20	CATHEDRAL	0.0	NORTHWEST PIPELIN
8206177	CD 0201-81	0510308399		103		CONTINENTAL 2-21	CATHEDRAL	0.0	NORTHWEST PIPELIN
-WEXPRO COMPANY						RECEIVED: 11/12/81 JA: CO 1			
8206105	CD0363-81	0510308546		103		MIKULICH-MT FUEL WELL NO 28-1	CATHEDRAL	64.0	MOUNTAIN FUEL SUP
8206105	CD0363-81	0510308546		107-TF		MIKULICH-MT FUEL WELL NO 28-1	CATHEDRAL	64.0	MOUNTAIN FUEL SUP
-BELCO PETROLEUM CORPORATION						RECEIVED: 11/12/81 JA: UT 1			
8206106	UD 0399-81	4304730659		103		STAGECOACH 21-8	STAGECOACH	0.0	MOUNTAIN FUEL SUP
-CIG EXPLORATION INC						RECEIVED: 11/13/81 JA: UT 1			
8206185	UD 0407-81	4304730956		103		CIGE 77D-10-10-21P	NATURAL BUTTES	410.0	COLORADO INTERSTA
8206185	UD 0407-81	4304730956		107-TF		CIGE 77D-10-10-21P	NATURAL BUTTES	410.0	COLORADO INTERSTA
-COASTAL OIL & GAS CORP						RECEIVED: 11/12/81 JA: UT 1			
8206108	UD-0405-81	4304730872		103		NATURAL BUTTES UNIT #46	NATURAL BUTTES	383.0	COLORADO INTERSTA
8206108	UD-0405-81	4304730872		107-TF		NATURAL BUTTES UNIT #46	NATURAL BUTTES	383.0	COLORADO INTERSTA
-COASTAL OIL & GAS CORP						RECEIVED: 11/13/81 JA: UT 1			
8206181		4304730467		107-TF		NATURAL BUTTES UNIT 65-25B	NATURAL BUTTES UNIT	0.0	COLORADO INTERSTA
8206182	UD 0360-81	4304730578		107-TF		NATURAL BUTTES UNIT 71-26B	NATURAL BUTTES UNIT	0.0	COLORADO INTERSTA
-CONOCO INC						RECEIVED: 11/13/81 JA: UT 1			
8206186	UD 0411-81	4304730804		107-TF		CONOCO POST 3 NO 24	OURAY	146.0	MOUNTAIN FUEL SUP
-NATURAL GAS CORPORATION OF CALIF						RECEIVED: 11/13/81 JA: UT 1			
8206180	UD 0362-81	4304730353		102-2		23-11 FEDERAL	SAND RIDGE II UNIT	44.0	PACIFIC GAS & ELE
-NP ENERGY CORPORATION						RECEIVED: 11/13/81 JA: UT 1			
8206171	UD-0012-80	4301930428		108		NP ENERGY FEDERAL 31-3	CISCO DOME	17.0	NORTHWEST PIPELIN
-TEXACO INC						RECEIVED: 11/13/81 JA: UT 1			
8206175	UD 0401-81	4303730645		103		ANETH UNIT #J-229	ANETH	19.0	EL PASO NATURAL G
**********									
** U.S. GEOLOGICAL SURVEY - ALBUQUERQUE,NM									
**********									
-AMOCO PRODUCTION CO						RECEIVED: 11/12/81 JA: NM 4			
8206193	NM-1303-81	3004511947		108		GALLEGOS CANYON UNIT #261 (2ND)	PINON-FRUITLAND	15.0	EL PASO NATURAL G

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-EL PASO NATURAL GAS COMPANY						RECEIVED: 11/10/81 JA: NM 4			
8206077	NM-1297-80	3003921972	D	108		RINCON UNIT #100A	BLANCO-MESAVERDE	2.0	EL PASO NATURAL G

OTHER PURCHASERS	VOLUME % 3553
8206141	EL PASO NATURAL GAS CO

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission on or before December 29, 1981.

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservior
102–5: New reservoir on old OCS lease

Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation

Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: December 7, 1981.

JD NO	JA DKT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
KANSAS CORPORATION COMMISSION							
-GOULD OIL INC			RECEIVED: 11/16/81 JA: KS				
8206467	K-81-0299	1509720239	108-ER	LEISS #1		0.0	PANHANDLE EASTERN
NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION							
-APPALACHIAN ENERGY INC			RECEIVED: 11/12/81 JA: NY				
8206372	841	3101313751	102-2	BRUCE KIDDER #1 A-E-72	BUSTI	30.0	COLUMBIA GAS TRAN
8206373	837	3101313787	102-2	BRUCE KIDDER #2 A-E-73	BUSTI	30.0	COLUMBIA GAS TRAN
8206376	1337	3101315350	102-2	L ANDERSON #1 A-E-74	BUSTI	30.0	COLUMBIA GAS TRAN
8206374	1415	3101314863	102-2	OLSEN/JIM UNIT A-E-158	BUSTI	30.0	COLUMBIA GAS TRAN
8206378	1416	3101315351	102-2	OLSEN/STONE #1 A-E-159	BUSTI	30.0	COLUMBIA GAS TRAN
8206381	1338	3101314264	102-2	P CARLSON #1 A-E-117	BUSTI	30.0	COLUMBIA GAS TRAN
8206352	1417	3101315403	102-2	P CARLSON #2 A-E-174	BUSTI	30.0	COLUMBIA GAS TRAN
8206362	946	3101314265	102-2	R HAMILTON A-E-113	BUSTI	30.0	COLUMBIA GAS TRAN
-ARROWHEAD GAS PRODUCERS INC			RECEIVED: 11/12/81 JA: NY				
8206353	1317	3101315828	102-2	G NELSON #2	ELLICOTT	60.0	COLUMBIA GAS TRAN
-BEREA OIL AND GAS CORPORATION			RECEIVED: 11/12/81 JA: NY				
8206363	1329	3101315692	102-2	NYS FOREST AREA #1 WELL #1	WILDCAT	30.0	COLUMBIA GAS TRAN
-BEREA OIL AND GAS CORPORATION			RECEIVED: 11/18/81 JA: NY				
8206446	1842	3101316062	103	T REARICK UNIT #1	GERRY	30.0	COLUMBIA GAS TRAN
8206445	1843	3101316063	103	T REARICK UNIT #2	GERRY	30.0	COLUMBIA GAS TRAN
-BOUNTY OIL & GAS INC			RECEIVED: 11/12/81 JA: NY				
8206343	1065	3101313255	102-2	JANE HOLLIDAY #1	BUSTI	100.0	NATIONAL FUEL GAS
8206345	1064	3101312945	102-2	SIMMENTAL RANCHES #5	BUSTI	30.0	NATIONAL FUEL GAS
-BOUNTY OIL & GAS INC			RECEIVED: 11/18/81 JA: NY				
8206438	1589	3101314381	108	MORRISON #1	BUSTI	10.0	NATIONAL FUEL GAS
-CHAUTAUQUA ENERGY INC			RECEIVED: 11/18/81 JA: NY				
8206452	1837	3101315984	103	W HARRIS #1	LAKESHORE	22.0	NATIONAL FUEL GAS
-COLUMBIA GAS TRANSMISSION CORP			RECEIVED: 11/12/81 JA: NY				
8206375	1153	3101312973	102-2	TCO-EDWARDS 620491	PANAMA	59.6	COLUMBIA GAS TRAN
8206378	1154	3101313552	102-2	TCO-FARRAR/SALISBURY 620602	PANAMA	36.5	COLUMBIA GAS TRAN
8206351	1170	3101313604	102-2	TCO-NY DEPT OF ENV CONSERV 620608	BOUTWELL HILL	63.0	COLUMBIA GAS TRAN
8206369	1151	3101313694	102-2	TCO-OPALECKY UNIT 620597	PANAMA	31.3	COLUMBIA GAS TRAN
8206377	1156	3101313695	102-2	TCO-STURGES 620598	PANAMA	20.1	COLUMBIA GAS TRAN
8206342	1152	3101312982	102-2	TCO-STURGES-STURGES-GLEASON 620492	PANAMA	51.5	COLUMBIA GAS TRAN
8206379	1155	3101313729	102-2	TCO-WELLS 620600	PANAMA	29.8	COLUMBIA GAS TRAN
-COLUMBIA GAS TRANSMISSION CORP			RECEIVED: 11/17/81 JA: NY				
8206391	1160	3101310915	102-4	TCO CORUTIS 620106	STEBBINS CORNER	42.1	COLUMBIA GAS TRAN
8206386	1164	3100911479	102-4	TCO-ALFRED L CARROLL 620226	DUBLIN HOLLOW	16.5	COLUMBIA GAS TRAN
8206392	1163	3101310872	102-4	TCO-BUTTON 620109	PANAMA	102.8	COLUMBIA GAS TRAN
8206387	1165	3100911478	102-4	TCO-EDMUND 620221	PIGEON HILL	10.5	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D	SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206389	1167	3100911099		102-4	TCO-HERSHBURGER 620166	SNOW HILL	26.3	COLUMBIA GAS TRAN
8206388	1166	3105111403		102-4	TCO-KENNITH L MCBRIDE 620218	SILVER LAKE	42.1	COLUMBIA GAS TRAN
8206385	1161	3101310931		102-4	TCO-KERSHAW 620105	SUMMERDALE	63.1	COLUMBIA GAS TRAN
8206395	1157	3100911100		102-4	TCO-MILLER 620165	MILL CREEK	42.1	COLUMBIA GAS TRAN
8206390	1162	3101310874		102-4	TCO-REYDA 620104	STEBBINS CORNER WEST	31.6	COLUMBIA GAS TRAN
8206393	1158	3101310916		102-4	TCO-SLEASMAN 620108	HARTSON SWAMP	63.1	COLUMBIA GAS TRAN
8206394	1159	3101310873		102-4	TCO-WARN 620107	HARTSON SWAMP	37.9	COLUMBIA GAS TRAN
-ENVIROGAS INC					RECEIVED: 11/12/81 JA: NY			
8206380	1332	3101315446		103	R KUKLA #1	LAKESHORE	18.0	COLUMBIA GAS TRAN
-ENVIROGAS INC					RECEIVED: 11/18/81 JA: NY			
8206447	1569	3101315952		103	W GILL #1	SUMMERDALE	18.0	COLUMBIA GAS TRAN
-FLINT OIL & GAS INC					RECEIVED: 11/12/81 JA: NY			
8206361	1517	3102915761		102-2	(1324) J & L BENZ #1		0.0	NATIONAL FUEL GAS
8206358	1515	3102915742		102-2	(1392) N BARRIER #1		0.0	NATIONAL FUEL GAS
8206371	1516	3102915808		102-2	(1394) L RUMFOLA #1		0.0	NATIONAL FUEL GAS
8206349	1472	3101315540		102-2	1290 STATE REFORESTATION #3		0.0	COLUMBIA GAS TRAN
8206348	1471	3101315536		102-2	1291 STATE REFORESTATION #4		0.0	COLUMBIA GAS TRAN
8206350	1470	3101315537		102-2	1294 STATE REFORESTATION #5		0.0	COLUMBIA GAS TRAN
8206347	1474	3101315539		102-2	1295 STATE REFORESTATION #6		0.0	COLUMBIA GAS TRAN
8206346	1473	3101315538		102-2	1296 STATE REFORESTATION #7		0.0	COLUMBIA GAS TRAN
-GRIMSBY & CO					RECEIVED: 11/12/81 JA: NY			
8206369	20	3101311613		108	MANLY II - 12	LAKESHORE	7.2	NATIONAL FUEL GAS
-J G & A CO-VENTURE					RECEIVED: 11/18/81 JA: NY			
8206457	1923	3100315980		103	FORD-WOOD FARM #1	FULMER VALLEY FIELD	80.0	NATIONAL FUEL GAS
-JOSEPH MIKULA					RECEIVED: 11/18/81 JA: NY			
8206458	1508	3101312658		108	SEYBOLD #1	LAKESHORE	9.9	NATIONAL FUEL GAS
-K & G GAS CORPORATION					RECEIVED: 11/18/81 JA: NY			
8206453	1844	3102960300		103	MARGARET MOORE #201	BUFFALO CREEK	30.0	NATIONAL FUEL GAS
-OXFORD EXPLORATION COMPANY					RECEIVED: 11/18/81 JA: NY			
8206448	1267	3112115461		103	GUSTAV T BERTRAND #1	PERRY	58.0	COLUMBIA GAS TRAN
8206439	1268	3112115570		103	GUSTAV T BERTRAND #2	PERRY	146.0	COLUMBIA GAS TRAN
-P & S DRILLING INC					RECEIVED: 11/12/81 JA: NY			
8206354	1400	3102914434		102-2	REBILAS #1	BUFFALO CREEK	2.1	NATIONAL FUEL GAS
8206344	1120	3102915045		102-2	STODDARD #1	BUFFALO CREEK	11.9	NATIONAL FUEL GAS
-P & S DRILLING INC					RECEIVED: 11/18/81 JA: NY			
8206456	1815	3100914448		108	CORBETT #1B	SKINNER HOLLOW	9.0	NATIONAL FUEL SUP
8206455	1816	3100914619		108	FITZPATRICK & WELLER #1	SKINNER HOLLOW	25.8	NATIONAL FUEL SUP
8206454	1817	3100913724		108	PANIGUTTI #1A	SKINNER HOLLOW	30.0	NATIONAL FUEL SUP
-PARAGON RESOURCES INC					RECEIVED: 11/12/81 JA: NY			
8206382	2257	3101314497		102-2	C CRANDALL UNIT #568	LAKESHORE	75.0	COLUMBIA GAS TRAN
8206365	2258	3101314496		102-2	C GRISWOLD UNIT NO 567	LAKESHORE	25.0	COLUMBIA GAS TRAN
8206367	2261	3101313769		102-2	G ZENNS UNIT NO 561	LAKESHORE	85.0	COLUMBIA GAS TRAN
8206364	2256	3101314545		102-2	JOHN BECK UNIT NO 569	LAKESHORE	15.0	COLUMBIA GAS TRAN
8206366	2260	3101314544		102-2	N DUDLEY UNIT NO 562	LAKESHORE	65.0	COLUMBIA GAS TRAN
8206368	2254	3101313780		102-2	P BECK UNIT NO 578	LAKESHORE	185.0	COLUMBIA GAS TRAN
8206359	2255	3101313773		102-2	P SMITH UNIT NO 571	LAKESHORE	42.0	COLUMBIA GAS TRAN
8206383	2259	3101313772		102-2	W HANNUM UNIT #565	LAKESHORE	30.0	COLUMBIA GAS TRAN
-RAMCO DRILLING INC					RECEIVED: 11/18/81 JA: NY			
8206442	1526	3101315561		103	P SMITH #2	LAKESHORE	26.0	COLUMBIA GAS TRAN
-ROBERT D CHARLEBOIS					RECEIVED: 11/18/81 JA: NY			
8206444	1961	3101315038		103	WESTFIELD WATERSHED #20	LAKESHORE	60.0	COLUMBIA GAS TRAN
8206464	1962	3101315266		103	WESTFIELD WATERSHED #21	LAKESHORE	44.0	COLUMBIA GAS TRAN
8206462	1938	3101314899		103	WESTFIELD WATERSHED #5	LAKESHORE	44.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206463	1953	3101315247		103		WESTFIELD WATERSHED #6	LAKESHORE	44.0	COLUMBIA GAS TRAN
8206465	1960	3101315193		103		WESTFIELD WATERSHED #8	LAKESHORE	44.0	COLUMBIA GAS TRAN
-SINCLAIRVILLE PETROLEUM CORP				RECEIVED: 11/18/81 JA: NY					
8206450	1925	3102916048		103		PINKER #1	EVANS	16.0	NATIONAL FUEL COR
8206451	1924	3102916013		103		SICURELLA #1	EVANS	15.0	NATIONAL FUEL SUP
8206449	1937	3102916041		103		SICURELLA #2	EVANS	20.0	NATIONAL FUEL SUP
-TEEPEE PETROLEUMS INC				RECEIVED: 11/18/81 JA: NY					
8206441	0056	3101315476		103		KENNETH KEULH #1	LAKESHORE	60.0	COLUMBIA GAS TRAN
8206440	706	3101314569		103		WM PARKER #2	LAKESHORE	60.0	COLUMBIA GAS TRAN
-TRAHAN PETROLEUM INC				RECEIVED: 11/12/81 JA: NY					
8206357	1319	3101314819		102-2		M M & DORIS LENT - NY 17	CHERRY CREEK	36.0	COLUMBIA GAS TRAN
8206356	1318	3101312535		102-2		N M & DORIS LENT - NY 18	CHERRY CREEK (ELLINGTON	36.0	COLUMBIA GAS TRAN
8206355	903	3101312525		102-2		VRUWINK-N Y 15	PANAMA	36.0	COLUMBIA GAS TRAN
-TRAHAN PETROLEUM INC				RECEIVED: 11/18/81 JA: NY					
8206443	1577	3101315212		108		B RENDELL - N Y 8	PANAMA	15.0	COLUMBIA GAS TRAN
8206433	1581	3101314302		108		GAIL JOHNSON - NY 60	PANAMA	6.0	COLUMBIA GAS TRAN
8206431	1579	3101314176		108		GEORGE PETERSON-CRONER #4	PANAMA	12.0	COLUMBIA GAS TRAN
8206432	1580	3101312523		108		J J MEREDITH - NY 10	PANAMA	10.5	COLUMBIA GAS TRAN
8206430	1578	3101314499		108		KLINE - NY 61	PANAMA	6.0	COLUMBIA GAS TRAN
8206434	1582	3101314820		108		P E KLINE - NY 71	PANAMA	4.0	COLUMBIA GAS TRAN
8206435	1583	3101314796		108		WIDRIG - NY 67	PANAMA	8.0	COLUMBIA GAS TRAN
8206436	1584	3101314284		108		WIDRIG - NY 68	PANAMA	4.0	COLUMBIA GAS TRAN
-UNIVERSAL RESOURCES HOLDINGS INC				RECEIVED: 11/18/81 JA: NY					
8206466	1841	3101315414		103		E BARMORE NO 1	GERRY	20.0	COLUMBIA GAS TRAN
8206461	1838	3101315413		103		E BARMORE NO 2	GERRY	20.0	COLUMBIA GAS TRAN
8206460	1839	3101314829		103		R BARMORE NO 1	GERRY	20.0	COLUMBIA GAS TRAN
8206459	1840	3101315416		103		R BARMORE NO 2	GERRY	20.0	COLUMBIA GAS TRAN
-US ENERGY DEVELOPMENT CORP				RECEIVED: 11/12/81 JA: NY					
8206341	1550	3101315498		102-2		DANIELSON #1	BUSTI	20.0	NATIONAL FUEL GAS
8206384	1551	3101315499		102-2		DANIELSON #2	BUSTI	20.0	NATIONAL FUEL GAS
-US ENERGY DEVELOPMENT CORP				RECEIVED: 11/18/81 JA: NY					
8206437	1175	3101314465		103		WESTFIELD FISH & GAME #2	LAKESHORE	37.0	COLUMBIA GAS TRAN
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OKLAHOMA CORPORATION COMMISSION									
**********									
-AMERICAN PETROFINA COMPANY OF TEXAS				RECEIVED: 11/13/81 JA: OK					
8206422	11386	3500722017		103		BARRY HENNIGH NO 1	MISCELLANEOUS 18	300.0	MICHIGAN WISCONSI
8206405	11387	3500722025		103		HENNIGH-LIND #1	MISCELLANEOUS 18	300.0	MICHIGAN WISCONSI
8206421	11385	3500722059		103		NELSON-HENNIGH NO 1	MISCELLANEOUS 18	0.0	MICHIGAN WISCONSI
-ANDOVER OIL COMPANY				RECEIVED: 11/13/81 JA: OK					
8206397	10463	3507322634		103		LOOSEN #27-1		100.0	WARREN PETROLEUM
-APACHE CORPORATION				RECEIVED: 11/13/81 JA: OK					
8206427	14934	3500920397		107-DP		J C POTTER #1-1		828.0	MICHIGAN WISCONSI
8206426	14933	3500920398		107-DP		WEBB 2-16		39.0	EL PASO NATURAL G
-B M C OIL & GAS INC				RECEIVED: 11/13/81 JA: OK					
8206398	14577	3509120437		102-2		ALBIN 1-32	UNKNOWN	163.1	WELLHEAD ENTERPRI
-BOATMAN & HARDGRAVES				RECEIVED: 11/13/81 JA: OK					
8206423	12215	3514320841		103		MCKEE #1	SOUTH WEKIWA	0.0	COLORADO GAS COMP
-CHAMPLIN PETROLEUM COMPANY				RECEIVED: 11/13/81 JA: OK					
8206417	11224	3509322148		103		CLAUDE LEIERER NO 2	E CHANEY DELL	0.0	CHAMPLIN PETROLEU
8206418	11225	3507322978		103		E BOLLENBACH NO 2	SOONER TREND	245.0	PHILLIPS PETROLEU
-EASON OIL COMPANY				RECEIVED: 11/13/81 JA: OK					
8206411	11270	3508720538		103		ISABEL SMITH NO 1	NORTH BLANCHARD	109.0	SUN GAS CO

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JD NO	JA DKT	API NO	T SEC CAT WELL NAME	FIELD NAME	PROD	PURCHASER
-F F MORGAN			RECEIVED: 11/13/81 JA: OK			
8206481	11469	3500700000	108 BLAKEMORE A-1	MOCANE MORROW AREA	18.0	PANHANDLE EASTERN
-FUNK EXPLORATION INC			RECEIVED: 11/13/81 JA: OK			
8206408	12672	3505921055	102-4 HIERONYMUS #1	NW LOVEDALE	120.0	TRANSWESTERN PIPE
8206408	12672	3505921055	103 HIERONYMUS #1	NW LOVEDALE	120.0	TRANSWESTERN PIPE
8206429	673	3515100000	102-4 KORN #1	N E CAMP HOUSTAN	400.0	
8206429	673	3515100000	103 KORN #1	N E CAMP HOUSTAN	400.0	
-GMC OIL AND GAS CORP			RECEIVED: 11/13/81 JA: OK			
8206407	11378	3510321134	103 HENTGES #1	UNNAMED	100.0	AMINOIL USA INC
8206406	11379	3510321308	103 HENTGES A-1	UNNAMED	100.0	AMINOIL USA INC
-HOME PETROLEUM CORPORATION			RECEIVED: 11/13/81 JA: OK			
8206404	11424	3500722006	103 GABLER #18-3	BOYD	292.3	KANSAS-NEBRASKA N
-JAMES Q MAGUIRE INC			RECEIVED: 11/13/81 JA: OK			
8206425	14641	3510700000	107-PE RATTERREE NO 1		91.3	TRANSOK PIPELINE
-KAISER-FRANCIS OIL COMPANY			RECEIVED: 11/13/81 JA: OK			
8206408	11281	3507322044	103 STATE B #1	SOONER TREND	2.0	CITIES SERVICE GA
8206409	11283	3507322573	103 STATE C #1	SOONER TREND	80.0	CITIES SERVICE GA
8206410	11279	3507322574	103 STATE D #1	SOONER TREND	100.0	CITIES SERVICE GA
-LOUIS DAVIS OIL CO			RECEIVED: 11/13/81 JA: OK			
8206426	11631	3504921200	103 CLARK #1	CLARK	182.5	WELLHEAD ENTERPRI
-MACK OIL CO			RECEIVED: 11/13/81 JA: OK			
8206420	11329	3501900000	103 LANE-PEARL UNIT #3		40.0	AMINOIL USA INC
-PUBLIC SERVICE CO OF OKLAHOMA			RECEIVED: 11/13/81 JA: OK			
8206396	9615	3512120743	103 FREDDIE BROWNE #2-2	FEATHERSTON	160.0	SOUTHEAST TRANSMI
-RATLIFF EXPLORATION CO			RECEIVED: 11/13/81 JA: OK			
8206416	11197	3509300000	103 ALICE #1	NW RINGWOOD	36.0	UNION TEXAS PETRO
-SAMEDAN OIL CORPORATION			RECEIVED: 11/13/81 JA: OK			
8206419	11282	3501721884	103 HENRY JO #1	NO NAME	255.0	PHILLIPS PETROLEU
-SERVICE DRILLING CO			RECEIVED: 11/13/81 JA: OK			
8206414	10838	3511921383	102-4 THOMASON #2-20		0.0	CITIES SERVICE GA
-STANTON PETROLEUM CO			RECEIVED: 11/13/81 JA: OK			
8206415	11153	3511921400	103 DOLL #2		10.0	COLORADO GAS COMP
-STAR RESOURCES INC			RECEIVED: 11/13/81 JA: OK			
8206402	11429	3506321147	103 HAMMOND 2-9	WELEETKA	73.0	PUBLIC SERVICE CO
8206403	11428	3510720876	103 SANDLIN 1-33	WELEETKA	55.0	PUBLIC SERVICE CO
-TEXACO INC			RECEIVED: 11/13/81 JA: OK			
8206412	11263	3508520468	103 LENA B GREEN #4	ENVILLE SW	265.0	CIMARRON TRANSMIS
-THE WIL-MC OIL CORP			RECEIVED: 11/13/81 JA: OK			
8206413	11261	3508320791	103 MAUD MILLS #1	SOUTH MULHALL	15.0	EASON OIL CO
-THOMAS N BERRY & CO			RECEIVED: 11/13/81 JA: OK			
8206399	14285	3511921660	102-4 BERRY FEE #8	MEHAN	36.0	CITIES SERVICE GA
-TRI-STATE PETROLEUM CO			RECEIVED: 11/13/81 JA: OK			
8206424	14400	3511921378	102-4 LORETT NO 1	S MARKHAM	1.0	PARKS ENERGY INVE

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35390 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-C

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: December 7, 1

JD NO	JA DKT	API NO	D SEC CAT WELL NAME	FIELD NAME	PROD	PURCHASER
OHIO DEPARTMENT OF NATURAL RESOURCES						
-A & R COMPANY		RECEIVED: 11/17/81 JA: OH				
8206468		3416724923	107-DV ELLEN S MUELLER #1 OH 24 2301	NEWPORT	10.0	COLUMBIA GAS TRAN
-ARAPAHO VENTURES OF NEW YORK INC		RECEIVED: 11/17/81 JA: OH				
8206469		3416725968	103 GOLDIE HAAS #6	AURELIUS	6.0	
-B T SIMPSON JR		RECEIVED: 11/17/81 JA: OH				
8206680		3407522481	103 W C BIRD & MADELLIN BOWER #2	WELCOME	100.0	COLUMBIA GAS TRAN
-BANDS COMPANY INC		RECEIVED: 11/17/81 JA: OH				
8206470		3407523327	103 CASTLE NURSING HOLMES #3	HARDY	3.0	COLUMBIA GAS TRAN
-BARTLO OIL AND GAS COMPANY		RECEIVED: 11/17/81 JA: OH				
8206471		3410322571	103 TOTTS UNIT #1	SHARON	25.0	
8206471		3410322571	107-TF TOTTS UNIT #1	SHARON	25.0	
-BAY STATE EXPLORATION CO		RECEIVED: 11/17/81 JA: OH				
8206472		3416320488	103 A & D BROADSTON #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206472		3416320488	107-TF A & D BROADSTON #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206474		3416320491	103 C E & R FOUT #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206474		3416320491	107-TF C E & R FOUT #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206475		3416320496	103 DESSIE M BARNETT #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206475		3416320496	107-TF DESSIE M BARNETT #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206478		3416320637	103 EMORY COX #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206478		3416320637	107-TF EMORY COX #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206477		3416320629	103 FREDA ANKROM #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206477		3416320629	107-TF FREDA ANKROM #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206476		3416305630	103 GOLDIE HART #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206476		3416305633	107-TF GOLDIE HART #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206473		3416320489	103 T & L SCANLAN #1	JACKSON	36.0	COLUMBIA GAS TRAN
8206473		3416320489	107-TF T & L SCANLAN #1	JACKSON	36.0	COLUMBIA GAS TRAN
-BEREA OIL AND GAS CORPORATION		RECEIVED: 11/17/81 JA: OH				
8206480		3411925664	103 K EVANS #2	UNION	0.0	COLUMBIA GAS TRAN
8206480		3411925664	107-TF K EVANS #2	UNION	0.0	COLUMBIA GAS TRAN
8206481		3415521762	103 WOOFTER UNIT #1	HARTFORD	0.0	COLUMBIA GAS TRAN
8206481		3415521762	107-TF WOOFTER UNIT #1	HARTFORD	0.0	COLUMBIA GAS TRAN
-BUCKEYE OIL PRODUCING CO		RECEIVED: 11/17/81 JA: OH				
8206484		3411122175	103 ARTHUR DALE HELLINGER #1	MALAGA	8.0	NATIONAL PETROLEU
8206490		3411122468	103 AUSTIN WHEELER #1	MALAGA	12.0	NATIONAL PETROLEU
8206489		3411122452	103 CLEMENTINE ANKROM #1	CENTER	9.0	NATIONAL PETROLEU
8206487		3411122390	103 DONALD & DALE WALTERS #1	MALEGA	9.0	NATIONAL PETROLEU
8206486		3411122389	103 GARY DAVIS #1	MALAGA	9.0	NATIONAL PETROLEU
8206485		3411122372	103 HAROLD CHRISTMAN #1	MALAGA	14.0	NATIONAL PETROLEU
8206488		3411122412	103 PAUL LANDEFELD #1	MALAGA	11.0	NATIONAL PETROLEU
8206483		3411121899	107-DV REICH #1	MALAGA	5.0	COLUMBIA GAS TRAN
-CARL M POSTON		RECEIVED: 11/17/81 JA: OH				

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206647		3400922134		107-DV		SUGAR CREEK COAL & MINING CO NO 8	DOVER	11.0	
-CARLTON OIL CORP				RECEIVED: 11/17/81 JA: OH					
8206491		3416725221		107-DP		BUTLER #1	GRANDVIEW	36.5	
8206492		3416725266		107-DP		HENDRICKS #1	LIBERTY	36.5	
-CLINTON OIL CO				RECEIVED: 11/17/81 JA: OH					
8206493		3411922552		103		O BRUGMANN SAND & GRAVEL INC #3566	SHALERSVILLE	100.0	
8206493		3411922552		107-TF		O BRUGMANN SAND & GRAVEL INC #3566	SHALERSVILLE	100.0	
-COLLINS-MCGREGOR OPERATING COMPANY				RECEIVED: 11/17/81 JA: OH					
8206496		3405520308		103		KOTRLIK #1	BURTON	20.0	EAST OHIO GAS CO
8206496		3405520308		107-TF		KOTRLIK #1	BURTON	20.0	EAST OHIO GAS CO
8206497		3405520309		103		SLABAUGH #1	BURTON	20.0	EAST OHIO GAS CO
8206497		3405520309		107-TF		SLABAUGH #1	BURTON	20.0	EAST OHIO GAS CO
8206498		3405520311		103		TIMMONS #1	BURTON	20.0	EAST OHIO GAS CO
8206498		3405520311		107-TF		TIMMONS #1	BURTON	20.0	EAST OHIO GAS CO
8206494		3405520306		103		W P HERING #1	BURTON	20.0	EAST OHIO GAS CO
8206494		3405520306		107-DP		W P HERING #1	BURTON	20.0	EAST OHIO GAS CO
8206495		3405520307		103		W P HERING #2	BURTON	20.0	EAST OHIO GAS CO
8206495		3405520307		107-TF		W P HERING #2	BURTON	20.0	EAST OHIO GAS CO
-CONSOLIDATED RESOURCES OF AMERICA				RECEIVED: 11/17/81 JA: OH					
8206500		3405922491		103		HENRY AND LAURA SCHOTT #1	BELLE VALLEY	36.5	EAST OHIO GAS CO
8206500		3405922491		107-TF		HENRY AND LAURA SCHOTT #1	BELLE VALLEY	36.5	EAST OHIO GAS CO
8206502		3405922906		103		JOHN A JACKSON #1	CAMBRIDGE	164.2	COLUMBIA GAS TRAN
8206502		3405922906		107-TF		JOHN A JACKSON #1	CAMBRIDGE	164.2	COLUMBIA GAS TRAN
8206501		3405922855		103		JOHN W WIMER ET UX #1	CAMBRIDGE	73.0	COLUMBIA GAS TRAN
8206501		3405922855		107-TF		JOHN W WIMER ET UX #1	CAMBRIDGE	73.0	COLUMBIA GAS TRAN
8206499		3405921401		103		JOHN W WIMER ET UX #2	CAMBRIDGE	54.7	COLUMBIA GAS TRAN
8206499		3405921401		107-TF		JOHN W WIMER ET UX #2	CAMBRIDGE	54.7	COLUMBIA GAS TRAN
8206503		3405922907		103		VONDA JACKSON #1	CAMBRIDGE	36.5	COLUMBIA GAS TRAN
8206503		3405922907		107-TF		VONDA JACKSON #1	CAMBRIDGE	36.5	COLUMBIA GAS TRAN
-CRYSTAL ENERGY				RECEIVED: 11/17/81 JA: OH					
8206504		3410322268		103		CREEKSIDE DEVELOPING CO #1	BRUNSWICK HILLS	10.0	
8206504		3410322268		107-TF		CREEKSIDE DEVELOPING CO #1	BRUNSWICK HILLS	10.0	
8206506		3410322573		103		FLOYD & PAT MEERS #1	SPENCER	10.0	
8206506		3410322573		107-TF		FLOYD & PAT MEERS #1	SPENCER	10.0	
8206505		3410322572		103		ROMEO & GALBRAITH #1	SPENCER	10.0	
8206505		3410322572		107-TF		ROMEO & GALBRAITH #1	SPENCER	10.0	
-DIAMOND OIL CO				RECEIVED: 11/17/81 JA: OH					
8206507		3407322523		103		LEONARD NO 1	WASHINGTON TOWNSHIP	0.0	COLUMBIA GAS TRAN
-DORAN & ASSOCIATES INC				RECEIVED: 11/17/81 JA: OH					
8206508		3407522975		103		ABE MILLER #1	PAINT	12.0	COLUMBIA GAS TRAN
8206508		3407522975		107-TF		ABE MILLER #1	PAINT	12.0	COLUMBIA GAS TRAN
8206509		3407522977		103		DESSIE MCGOVERN #1	PRAIRIE	12.0	COLUMBIA GAS TRAN
8206509		3407522977		107-TF		DESSIE MCGOVERN #1	PRAIRIE	12.0	COLUMBIA GAS TRAN
8206511		3412725106		103		GEORGE CARR #1	PLEASANT	12.0	COLUMBIA GAS TRAN
8206511		3412725106		107-TF		GEORGE CARR #1	PLEASANT	12.0	COLUMBIA GAS TRAN
8206510		3411925800		103		ZANE MAUK #1	NEWTON	12.0	COLUMBIA GAS TRAN
8206510		3411925800		107-TF		ZANE MAUK #1	NEWTON	12.0	COLUMBIA GAS TRAN
-ENERGY DEVELOPMENT CORP				RECEIVED: 11/17/81 JA: OH					
8206515		3416922559		103		POWER UNIT WELL #1	PLAIN	16.0	COLUMBIA GAS TRAN
8206515		3416922559		107-TF		POWER UNIT WELL #1	PLAIN	16.0	COLUMBIA GAS TRAN
8206513		3416922506		103		GARVER WELL #1	WOOSTER	16.0	COLUMBIA GAS TRAN
8206513		3416922506		107-TF		GARVER WELL #1	WOOSTER	16.0	COLUMBIA GAS TRAN
8206514		3416922551		103		GINDLESBERGER #1	PLAIN	16.0	COLUMBIA GAS TRAN
8206514		3416922551		107-TF		GINDLESBERGER #1	PLAIN	16.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	T	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206512		3410322386		103		WOODLING WELL #2	GRANGER	12.0	COLUMBIA GAS TRAN
8206512		3410322386		107	TF	WOODLING WELL #2	GRANGER	12.0	COLUMBIA GAS TRAN
-ENNEY OILFIELD RENTAL CO		RECEIVED: 11/17/81 JA: OH							
8206518		3408922995	D	103		HARLEY ROMINE #2	HANOVER	0.0	
8206517		3408922986	D	103		HARLEY ROMINE #4	HANOVER	0.0	
8206516		3408922985	D	103		RALPH FELUMLEE #2	HANOVER	0.0	
-ENTERPRISE ENERGY CORP		RECEIVED: 11/17/81 JA: OH							
8206519		3405922856		103		RAY #1	RICHLAND	36.5	COLUMBIA GAS TRAN
8206519		3405922856		107	TF	RAY #1	RICHLAND	36.5	COLUMBIA GAS TRAN
-FLOYD E KIMBLE DBA RED HILL DEV		RECEIVED: 11/17/81 JA: OH							
8206596		3415723446		107	TF	A BROWN #2	AUBURN	20.0	
8206584		3406720393		107	TF	A CROSIER #1	FREEPORT	12.0	
8206569		3406720266		107	TF	A GROVES #1	WASHINGTON	15.0	
8206591		3415723401		107	TF	B BROWN #1	AUBURN	27.0	
8206594		3415723404		107	TF	C NEWTON #1	FRANKLIN	30.0	
8206588		3415723369		107	TF	CAP #2	BUCKS	19.0	
8206601		3415723551		103		D HAWK #1	JEFFERSON	21.0	
8206601		3415723551		107	TF	D HAWK #1	JEFFERSON	21.0	
8206586		3415723328		107	TF	D MUEHLHOFFER #1	JEFFERSON	19.0	
8206572		3406720368		107	TF	F MCGILL #1	FRANKLIN	18.0	
8206575		3406720371		107	TF	F MCGILL #2	FRANKLIN	15.0	
8206597		3415723467		103		F PUTT #1	SUGARCREEK	9.0	
8206597		3415723467		107	TF	F PUTT #1	SUGARCREEK	9.0	
8206582		3406720386		107	TF	F STEWART #1	FREEPORT	16.0	
8206593		3415723403		107	TF	G BURKY UNIT #1	SUGARCREEK	20.0	
8206595		3415723418		107	TF	H THOMAS #1	FRANKLIN	21.0	
8206583		3406720392		107	TF	HOLMES LIMESTONE #1	FREEPORT	19.0	
8206592		3415723402		107	TF	J BOGER #1	FRANKLIN	33.0	
8206589		3415723382		107	TF	J STAUFFER #1	AUBURN	30.0	
8206576		3406720378		103		L BROWN #1	MONROE	18.0	
8206576		3406720378		107	TF	L BROWN #1	MONROE	18.0	
8206571		3406720365		107	TF	M MCKINNEY #1	FRANKLIN	28.0	
8206598		3415723481		103		MYERS UNIT #2	FRANKLIN	36.0	
8206598		3415723481		107	TF	MYERS UNIT #2	FRANKLIN	36.0	
8206579		3406720381		103		N SEHLINGER #1	FRANKLIN	24.0	
8206579		3406720381		107	TF	N SEHLINGER #1	FRANKLIN	24.0	
8206574		3406720370		107	TF	O BIRNEY #1	FRANKLIN	36.0	
8206577		3406720379		103		O BIRNEY #2	WASHINGTON	17.0	
8206577		3406720379		107	TF	O BIRNEY #2	WASHINGTON	17.0	
8206578		3406720380		103		P TIKVA #1	FRANKLIN	36.0	
8206578		3406720380		107	TF	P TIKVA #1	FRANKLIN	36.0	
8206581		3406720385		107	TF	R ALDEN MOORE #1	FREEPORT	18.0	
8206599		3415723486		103		R BRENISER #2	BUCKS	10.0	
8206599		3415723486		107	TF	R BRENISER #2	BUCKS	10.0	
8206580		3406720384		107	TF	R CLARK #1	FREEPORT	14.0	
8206573		3406720366		107	TF	R MEIL #1	FRANKLIN	30.0	
8206570		3406720350		103		R PALMER #1	MONROE	14.0	
8206570		3406720350		107	TF	R PALMER #1	MONROE	14.0	
8206587		3415723346		107	TF	SWIHART-ANDREWS #1	SUGARCREEK	14.0	
8206585		3415723043		103		W KYLER #1	GOSHEN	30.0	
8206585		3415723043		107	TF	W KYLER #1	GOSHEN	30.0	
8206600		3415723534		103		W MYERS #3	FRANKLIN	19.0	
8206600		3415723534		107	TF	W MYERS #3	FRANKLIN	19.0	

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206590		3415723384			107-TF	WALTER SWIHART #1	SUGARCREEK	20.0	
8206567		3405922703			107-TF	WM HAUETER #1	WASHINGTON	18.0	
8206568		3406720259			107-TF	WM MCCLINTOCK #1	FREEPORT	12.0	
-FORAKER PRODUCING COMPANY INC						RECEIVED: 11/17/81 JA: OH			
8206521		3411925177			107-TF	D WILLIAMS	NEWTON	10.0	TEXAS EASTERN TRA
8206523		3412725005			107-TF	MARLOW #4	HARRISON	20.0	TEXAS EASTERN TRA
8206522		3411925258			103	OHIO POWER-B B SWINEHART #5	NEWTON	7.0	
8206522		3411925258			107-TF	OHIO POWER-B B SWINEHART #5	NEWTON	7.0	
8206520		3411924965			107-TF	OHIO POWER-SWINEHART #1	NEWTON	15.0	TEXAS EASTERN TRA
-GASEARCH INC						RECEIVED: 11/17/81 JA: OH			
8206541		3409921318			103	GABANYIC #1	MILTON	20.0	COLUMBIA GAS TRAN
8206541		3409921318			107-TF	GABANYIC #1	MILTON	20.0	COLUMBIA GAS TRAN
8206542		3409913210			103	GABANYIC #2	MILTON	20.0	COLUMBIA GAS TRAN
8206542		3409913210			107-TF	GABANYIC #2	MILTON	20.0	COLUMBIA GAS TRAN
-GEN MOTORS CORP						RECEIVED: 11/17/81 JA: OH			
8206544		3409921246			107-TF	LEHOTSKY #1	JACKSON	4.0	EAST OHIO GAS CO
8206545		3415521489			107-TF	MOSS #1	LORDSTOWN	32.0	EAST OHIO GAS CO
8206543		3409920797			107-TF	PIRKO "B" UNIT #1	JACKSON	36.0	EAST OHIO GAS CO
8206546		3415521490			107-TF	RUSCHAK #1	LORDSTOWN	54.0	EAST OHIO GAS CO
-GREAT NATIONAL CORP						RECEIVED: 11/17/81 JA: OH			
8206524		3411522112			103	BYLER NO 3	MALTA	15.0	
8206533		3411522195			103	CHRISTIE NO 1	MALTA	15.0	
8206534		3411522196			103	CHRISTIE NO 2	MALTA	15.0	
8206535		3411522197			103	CHRISTIE NO 3	MALTA	15.0	
8206529		3411522135			103	D SOUTHALL NO 1	MALTA	15.0	
8206527		3411522122			103	D SOUTHALL NO 4	MALTA	15.0	
8206528		3411522133			103	J CLEMENS NO 1	MALTA	15.0	
8206540		3411522529			103	J MILLER NO 1	MALTA	15.0	
8206525		3411522120			103	K MORIN NO 3	MALTA	15.0	
8206539		3411522480			103	MILLER NO 2	MALTA	150.0	
8206536		3411522391			103	MURPHY NO 1	MALTA	150.0	
8206538		3411522459			103	W CLARK NO 1	YORK	150.0	
8206532		3411522193			103	W RAY NO 1	MALTA	15.0	
8206526		3411522121			103	W RAY NO 4	MALTA	15.0	
8206530		3411522143			103	W WRIGHT NO 1	MALTA	15.0	
8206531		3411522144			103	W WRIGHT NO 4	MALTA	15.0	
8206537		3411522429			103	ZAROS NO 1	MALTA	150.0	
-HOPCO RESOURCES INC						RECEIVED: 11/17/81 JA: OH			
8206549		3403124102			103	BEACH #1	KEENE	12.0	COLUMBIA GAS TRAN
8206549		3403124102			107-TF	BEACH #1	KEENE	12.0	COLUMBIA GAS TRAN
8206551		3411925491			103	LAWLER #1	MUSKINGUM	12.0	COLUMBIA GAS TRAN
8206551		3411925491			107-TF	LAWLER #1	MUSKINGUM	12.0	COLUMBIA GAS TRAN
8206548		3403124101			103	PEW #1	KEENE	12.0	COLUMBIA GAS TRAN
8206548		3403124101			107-TF	PEW #1	KEENE	12.0	COLUMBIA GAS TRAN
8206550		3403124111			103	S LEPI #1	WASHINGTON	12.0	COLUMBIA GAS TRAN
8206550		3403124111			107-TF	S LEPI #1	WASHINGTON	12.0	COLUMBIA GAS TRAN
-HOPEWELL OIL & GAS						RECEIVED: 11/17/81 JA: OH			
8206553		3412725178			103	CLYDE AULT #1	PLEASANT	12.0	COLUMBIA GAS TRAN
8206552		3411925612			103	RAYMOND RUCKER #4	NEWTON	12.0	NATIONAL GAS & OI
8206554		3412725186			103	WILLIAM DURST #1	PLEASANT	12.0	COLUMBIA GAS TRAN
-HORTIN & HUFFMAN						RECEIVED: 11/17/81 JA: OH			
8206556		3408924163	D		107-TF	CANFIELD #2	HANOVER	1.0	NATIONAL GAS CORP
8206555A		3407523155			103	VAUGHN #1	HARDY	1.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206556		3407523155	D	107-	TF	VAUGHN #1	HARDY	1.0	COLUMBIA GAS TRAN
-INTEGRATED PETROLEUM COMPANY INC		RECEIVED: 11/17/81 JA: OH							
8206563		3415521476		103		C FISHER #1	MESOPOTAMIA	100.0	
8206563		3415521476		107-	TF	C FISHER #1	MESOPOTAMIA	100.0	
8206558		3409921188		107-	TF	DOGWOOD GOLF COURSE #1	MILTON	50.0	
8206557		3409921187		107-	TF	DOGWOOD GOLF COURSE #2	MILTON	40.0	
8206559		3409921220		107-	TF	DOGWOOD/KOBYLANSKI #1	MILTON	50.0	
8206564		3415521511		103		HERSHBERGER #1	MESOPOTAMIA	100.0	
8206564		3415521511		107-	TF	HERSHBERGER #1	MESOPOTAMIA	100.0	
8206560		3413321784		107-	TF	REYNOLDS #1	HIRAM	30.0	
8206562		3413322209		107-	TF	ST JOSEPH UNIT #1	MANTUA	50.0	
8206561		3413322196		107-	TF	ST JOSEPH UNIT #3	MANTUA	60.0	
-JAMES R BERNHARDT		RECEIVED: 11/17/81 JA: OH							
8206482		3410322618		103		JELEN WELL #1	GRANGER	7.0	COLUMBIA GAS TRAN
8206482		3410322618		107-	TF	JELEN WELL #1	GRANGER	7.0	COLUMBIA GAS TRAN
-JANCO WELL OPERATIONS		RECEIVED: 11/17/81 JA: OH							
8206565		3415521174		107-	TF	#1 DAN K MILLER	FARMINGTON	1250.0	COLUMBIA GAS TRAN
8206566		3415521849		107-	TF	#1 ELWYN SATTERLEE UNIT	FARMINGTON	950.0	COLUMBIA GAS TRAN
-KING DRILLING CO		RECEIVED: 11/17/81 JA: OH							
8206602		3416922772		103		ROBERT HOUMARD #1	GREEN	10.0	COLUMBIA GAS TRAN
8206602		3416922772		107-	TF	ROBERT HOUMARD #1	GREEN	10.0	COLUMBIA GAS TRAN
-L & M PETROLEUM INC		RECEIVED: 11/17/81 JA: OH							
8206604		3416724953		107-	TF	WILBUR HOFF #1	LAWRENCE	12.8	COLUMBIA GAS TRAN
-LBJ DRILLING DBA JEFF MORAN		RECEIVED: 11/17/81 JA: OH							
8206603		3408924177		103		CARL & BARBARA BAKER #3	EDEN	0.0	
-LOMAK PETROLEUM INC		RECEIVED: 11/17/81 JA: OH							
8206606		3415123861		107-	TF	D ROHR #1	TUSCARAWAS	50.0	COLUMBIA GAS TRAN
8206605		3411924622		107-	TF	FINNEY #1	BLUE ROCK	25.0	WILLISTON PIPELIN
-MARK OIL & GAS LTD		RECEIVED: 11/17/81 JA: OH							
8206607		3411521824		107-	TF	SNODGRASS #1	MALTA	21.6	COLUMBIA GAS TRAN
-MOHAWK OIL & GAS CORP		RECEIVED: 11/17/81 JA: OH							
8206609		3412122412		107-	DV	CHRISTMAN #1	HARRIETTSVILLE	0.0	COLUMBIA GAS TRAN
8206608		3411122393		107-	DV	ROHRER #1	HARRIETTSVILLE	0.0	COLUMBIA GAS TRAN
8206611		3412122416		107-	DV	ROMAN SMITHBERGER #1A	HARRIETTSVILLE	0.0	COLUMBIA GAS TRAN
8206610		3412122415		107-	DV	WALKER #1	HARRIETTSVILLE	0.0	COLUMBIA GAS TRAN
-OHIO OIL & GAS CO		RECEIVED: 11/17/81 JA: OH							
8206614		3415521764		102-2		BARKER #1	FOWLER	20.0	COLUMBIA GAS TRAN
8206614		3415521764		107-	TF	BARKER #1	FOWLER	20.0	COLUMBIA GAS TRAN
8206617		3415521799		102-2		MASTERS #1	JOHNSTON	20.0	COLUMBIA GAS TRAN
8206617		3415521799		107-	TF	MASTERS #1	JOHNSTON	20.0	COLUMBIA GAS TRAN
8206616		3415521778		102-2		MUIR #1	JOHNSTON	20.0	COLUMBIA GAS TRAN
8206616		3415521778		107-	TF	MUIR #1	JOHNSTON	20.0	COLUMBIA GAS TRAN
8206613		3415521399		107-	TF	NORWICH #1	FOWLER	10.0	COLUMBIA GAS TRAN
8206615		3415521765		102-2		RILEY #1	FOWLER	20.0	COLUMBIA GAS TRAN
8206615		3415521765		107-	TF	RILEY #1	FOWLER	20.0	COLUMBIA GAS TRAN
-OHIO PARTNERS OIL CO		RECEIVED: 11/17/81 JA: OH							
8206618		3400721556		103		CONEL #1	DENMARK	20.0	
8206618		3400721556		107-	TF	CONEL #1	DENMARK	20.0	
-OILTECH INC		RECEIVED: 11/17/81 JA: OH							
8206619		3407522388		107-	TF	CAMPBELL UNIT #1	MECHANIC	0.0	COLUMBIA GAS TRAN
8206620		3407523054		107-	TF	DUTTON UNIT #1 - BORNTRIGGER	MECHANIC	0.0	COLUMBIA GAS TRAN
-ONEAL PETROLEUM INC		RECEIVED: 11/17/81 JA: OH							
8206621		3405922523		103		MACONOBURN #1	RICHLAND	5.0	COLUMBIA GAS TRAN
8206621		3405922523		107-	TF	MACONOBURN #1	RICHLAND	5.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-OXFORD OIL CO						RECEIVED: 11/17/81 JA: OH			
8206623		3411122493		107	DV	IOLA KUHN #1	BETHEL	12.0	
8206622	3348	3411122331		107	DV	MARTHA BURKHART #1	BETHEL	12.0	
-PETROLEUM SECURITIES FUND - 80						RECEIVED: 11/17/81 JA: OH			
8206641		3407322455		103		HORN #2	WASHINGTON	30.0	
8206642		3407322456		103		HORN #4	WASHINGTON	28.0	
8206643		3407322457		103		HORN #5	WASHINGTON	2.0	
-PIONEER OIL COMPANY INC						RECEIVED: 11/17/81 JA: OH			
8206644		3412725135		103		#1 F MUMFORD	HARRISON	10.0	COLUMBIA GAS TRAN
8206644		3412725135		107	TF	#1 F MUMFORD	HARRISON	10.0	COLUMBIA GAS TRAN
-POI ENERGY INC						RECEIVED: 11/17/81 JA: OH			
8206628A		3407523105		103		BLUM #1		9.0	COLUMBIA GAS TRAN
8206628B		3407523105	D	107	TF	BLUM #1		9.0	COLUMBIA GAS TRAN
8206629		3407523115		103		CROSKEY #1	RICHLAND	20.0	COLUMBIA GAS TRAN
8206631A		3407523149		103		GLISSON #1	RICHLAND	5.0	COLUMBIA GAS TRAN
8206631B		3407523149	D	107	TF	GLISSON #1	RICHLAND	9.0	COLUMBIA GAS TRAN
8206625		3400721732		103		HRABAL #2	ANDOVER	50.0	
8206625		3400721732		107	TF	HRABAL #2	ANDOVER	50.0	
8206626		3400721733		103		HRABAL #3	ANDOVER	18.0	
8206626		3400721733		107	TF	HRABAL #3	ANDOVER	18.0	
8206635		3413322091		107	TF	LEAR-KUTINSKY #1	STREETSBORO	5.0	
8206633		3407523240		103		LONDON #1	RICHLAND	12.0	COLUMBIA GAS TRAN
8206639		3413322297		107	TF	LOWER #1	STREETSBORO	40.0	
8206638		3413322296		107	TF	LOWER #2	STREETSBORO	20.0	
8206637		3413322233		107	TF	LOWER ET AL #1	STREETSBORO	40.0	
8206627		3407523104		103		MARTUCH #1	RICHLAND	16.0	COLUMBIA GAS TRAN
8206634		3413322074		107	TF	MILLER-KREIERHOFF-TIPTON #1	STREETSBORO	5.0	
8206632		3407523151		103		PYERS #1	KILLBUCK	15.0	COLUMBIA GAS TRAN
8206636		3413322215		107	TF	REESE #1	AURORA	16.0	
8206640		3415320706		107	TF	SULENTICH-KILFOYLE #1	HUDSON	50.0	
8206630		3407523116		103		WATTS #2	RICHLAND	25.0	COLUMBIA GAS TRAN
8206624		3400721587		103		ZUPANIC #1	HARTSGROVE	15.0	
8206624		3400721587		107	TF	ZUPANIC #1	HARTSGROVE	15.0	
-PONDEROSA OIL COMPANY						RECEIVED: 11/17/81 JA: OH			
8206646		3416922359		103		SAMUEL STEINER WELL #2	SUGAR CREEK	11.0	COLUMBIA GAS TRAN
8206646		3416922359		107	TF	SAMUEL STEINER WELL #2	SUGAR CREEK	11.0	COLUMBIA GAS TRAN
-PREMIER ENERGY CORP						RECEIVED: 11/17/81 JA: OH			
8206648		3407522759		103		ALMA M LOWER #2	MECHANIC	0.0	COLUMBIA GAS TRAN
8206648		3407522759		107	TF	ALMA M LOWER #2	MECHANIC	0.0	COLUMBIA GAS TRAN
-QUAKER STATE OIL REFINING CORP						RECEIVED: 11/17/81 JA: OH			
8206649		3407322418		103		O FUNK #2	WASHINGTON	36.5	COLUMBIA GAS TRAN
8206649		3407322418		107	TF	O FUNK #2	WASHINGTON	36.5	COLUMBIA GAS TRAN
-RELIANCE ENERGY						RECEIVED: 11/17/81 JA: OH			
8206651		3416922809		103		ATLEE TROYER #1	SALT CREEK	18.0	COLUMBIA GAS TRAN
8206651		3416922809		107	TF	ATLEE TROYER #1	SALT CREEK	18.0	COLUMBIA GAS TRAN
8206650		3411924981		107	TF	J K STEVENSON #2	MUSKINGUM	20.0	COLUMBIA GAS TRAN
-RICHARD C POLING						RECEIVED: 11/17/81 JA: OH			
8206645		3403924013		103		WRIGHT #2	PERRY	5.0	
-RIMCO OPERATING INC						RECEIVED: 11/17/81 JA: OH			
8206663		3416922659		107	TF	CORBETT #10	CHESTER	12.0	COLUMBIA GAS TRAN
8206664		3416922662		107	TF	CORBETT #13	CHESTER	12.0	COLUMBIA GAS TRAN
8206661		3416922651		107	TF	CORBETT #2	CHESTER	12.0	COLUMBIA GAS TRAN
8206662		3416922652		107	TF	CORBETT #3	CHESTER	12.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206656		3416922544		107	TF	DILLON #1	PLAIN	12.0	COLUMBIA GAS TRAN
8206658		3416922645		107	TF	M MARTIN #1	CHESTER	12.0	COLUMBIA GAS TRAN
8206659		3416922647		107	TF	M MARTIN #2	CHESTER	12.0	COLUMBIA GAS TRAN
8206660		3416922648		107	TF	M MARTIN #3	CHESTER	12.0	COLUMBIA GAS TRAN
8206655		3416922543		107	TF	MAIRS #1	PLAIN	12.0	COLUMBIA GAS TRAN
8206671		3416922746		107	TF	MCMILLEN #1	PLAIN	12.0	COLUMBIA GAS TRAN
8206670		3416922745		107	TF	REED #1	CHESTER	12.0	COLUMBIA GAS TRAN
8206657		3416922603		107	TF	RICHARDS #2	CHESTER	12.0	COLUMBIA GAS TRAN
8206652		3416922521		107	TF	RICHARDS #3	CHESTER	12.0	COLUMBIA GAS TRAN
8206653		3416922522		107	TF	RICHARDS #4	CHESTER	12.0	COLUMBIA GAS TRAN
8206654		3416922523		107	TF	RICHARDS #5	CHESTER	12.0	COLUMBIA GAS TRAN
8206665		3416922672		107	TF	TEGTMEIER #1	CONGRESS	12.0	COLUMBIA GAS TRAN
8206669		3416922700		107	TF	TEGTMEIER #10	CONGRESS	12.0	COLUMBIA GAS TRAN
8206666		3416922676		107	TF	TEGTMEIER #5	CONGRESS	12.0	COLUMBIA GAS TRAN
8206667		3416922678		107	TF	TEGTMEIER #7	CONGRESS	12.0	COLUMBIA GAS TRAN
8206668		3416922699		107	TF	TEGTMEIER #8	CONGRESS	12.0	COLUMBIA GAS TRAN
-ROYAL PETROLEUM PROGRAM LTD 81-1.				RECEIVED: 11/17/81 JA: OH					
8206672		3410522133		103		ROSS WELL #1	BEDFORD	5.0	COLUMBIA GAS TRAN
8206673		3410522134		103		ROSS WELL #2	BEDFORD	5.0	COLUMBIA GAS TRAN
-SCHRIMSHER OIL & GAS EXPLORATION				RECEIVED: 11/17/81 JA: OH					
8206674		3415320914		103		FARINA-ROLLER UNIT #1	HUDSON	20.0	
8206674		3415320914		107	TF	FARINA-ROLLER UNIT #1	HUDSON	20.0	
8206675		3415320924		103		HOTT-AHRENS #1	HUDSON	20.0	
8206675		3415320924		107	TF	HOTT-AHRENS #1	HUDSON	20.0	
-SENECA ENERGY CORP				RECEIVED: 11/17/81 JA: OH					
8206677		3403124415		107	TF	CONKLE #1	MILLCREEK	25.0	COLUMBIA GAS TRAN
8206676		3403124414		107	TF	JACK GUTHRIE #1	MILLCREEK	0.0	COLUMBIA GAS TRAN
-SHIELD DRILLING CO				RECEIVED: 11/17/81 JA: OH					
8206678		3416725579		103		REED HANNA #1	LAWRENCE	20.0	
-STOCKER&SITLER INC				RECEIVED: 11/17/81 JA: OH					
8206681		3401921542		103		NO 1-SS PETRIME-YARGER UNIT	ROSE	1.0	
-TATUM PETROLEUM OHIO INC				RECEIVED: 11/17/81 JA: OH					
8206693		3407523125		107	TF	ALBERT A RABER #2	MECHANIC	1250.0	COLUMBIA GAS TRAN
8206689		3407523095		107	TF	DAVID SCHLABACH #2	MECHANIC	1000.0	COLUMBIA GAS TRAN
8206691		3407523097		107	TF	FERDINAND STUTZMAN #2	MECHANIC	975.0	COLUMBIA GAS TRAN
8206683		3407522793		107	TF	JACOB O KAMM #1	MECHANIC	500.0	COLUMBIA GAS TRAN
8206685		3407522879		107	TF	JOHN HERSHBERGER #1 MAST UNIT	CLARK	975.0	COLUMBIA GAS TRAN
8206692		3407523098		107	TF	LEVI A YODER #2	MECHANIC	950.0	COLUMBIA GAS TRAN
8206686		3407522880		107	TF	MARCILLE SHUTT #1	CLARK	1500.0	COLUMBIA GAS TRAN
8206688		3407523040		107	TF	MOSE RABER #1 DAN YODER UNIT	MECHANIC	2500.0	COLUMBIA GAS TRAN
8206682		3403124407		107	TF	RICHARD W BARTHEL #1	BEDFORD	100.0	COLUMBIA GAS TRAN
8206687		3407522895		107	TF	SYLVANUS RABER #1	MECHANIC	1250.0	COLUMBIA GAS TRAN
8206684		3407522874		107	TF	THOMAS WISE #1 SHUTT UNIT	CLARK	1500.0	COLUMBIA GAS TRAN
8206696		3407523096		107	TF	WAYNE RABER #2	MECHANIC	950.0	COLUMBIA GAS TRAN
-THE BENATTY CORPORATION				RECEIVED: 11/17/81 JA: OH					
8206479		3411925636		103		HUTCHISON PITTMAN #1	UNION	30.0	EAST OHIO GAS CO
8206479		3411925636		107	TF	HUTCHISON PITTMAN #1	UNION	30.0	EAST OHIO GAS CO
-THE MUTUAL OIL & GAS COMPANY				RECEIVED: 11/17/81 JA: OH					
8206612		3413321692		103		BERG #3	NELSON	10.0	EAST OHIO GAS CO
8206612		3413321692		107	TF	BERG #3	NELSON	10.0	EAST OHIO GAS CO
-TITAN ENERGY CORP				RECEIVED: 11/17/81 JA: OH					
8206694		3405922822		107	TF	BETTY SELDERS #1	WESTLAND	20.0	
8206705		3415521831		103		BROOKFIELD TRI-CO CONS CLUB #1	BROOKFIELD	20.0	COLUMBIA GAS TRAN
8206705		3415521831		107	TF	BROOKFIELD TRI-CO CONS CLUB #1	BROOKFIELD	20.0	COLUMBIA GAS TRAN

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JO NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8206703		3415521677		103		BROOKFIELD TRI-CO CONS CLUB #3	BROOKFIELD	20.0	
8206703		3415521677		107	TF	BROOKFIELD TRI-CO CONS CLUB #3	BROOKFIELD	20.0	
8206695		3405922834		107	TF	GEORGE & EVELYN DICKSON-UNIT-WELL 1	WESTLAND	20.0	
8206696		3411522238		107	TF	GEORGE PONCHAK #1	MEIGSVILLE	20.0	
8206697		3411522239		107	TF	GEORGE PONCHAK #2	MEIGSVILLE	20.0	
8206698		3411522240		107	TF	GEORGE PONCHAK #3	MEIGSVILLE	20.0	
8206699		3411522532		103		GEORGE PONCHAK #4	MEIGSVILLE	20.0	COLUMBIA GAS TRAN
8206699		3411522532		107	TF	GEORGE PONCHAK #4	MEIGSVILLE	20.0	COLUMBIA GAS TRAN
8206702		3415521669		103		P & V JURKO - WELL #1	BROOKFIELD	20.0	
8206702		3415521669		107	TF	P & V JURKO - WELL #1	BROOKFIELD	20.0	
8206704		3415521702		103		P & V JURKO - WELL #4	BROOKFIELD	20.0	
8206704		3415521702		107	TF	P & V JURKO - WELL #4	BROOKFIELD	20.0	
8206701		3412122426		107	TF	ROY & MARGARET CLARK #1	BUFFALO	20.0	
8206700		3412122425		107	TF	ROY & MARGARET CLARK #2	BUFFALO	20.0	
-TORO OIL & GAS CO				RECEIVED: 11/17/81 JA: OH					
8206706		3415521769		107	TF	MOHAN UNIT #1	NEWTON FALLS	25.0	COLUMBIA GAS TRAN
-TOWNER PETROLEUM CO				RECEIVED: 11/17/81 JA: OH					
8206708		3405923018		107	TF	COMBS #2	GUERNSEY	0.0	
8206707		3405923003		107	TF	KRUEGER #2	GUERNSEY	0.0	
-TRI-CITY DRILLING CO INC				RECEIVED: 11/17/81 JA: OH					
8206710		3416725748		103		JAMES WOODRUFF #3	BARLOW	0.5	RIVER GAS CO
8206709		3416725746		103		SILAS WOODRUFF #3	BARLOW	0.5	RIVER GAS CO
-VICTOR PETROLEUM CORP				RECEIVED: 11/17/81 JA: OH					
8206711		3407523288		103		EYSTER-WAGNER-HARMAN #1	KILLBUCK FIELD	10.0	COLUMBIA GAS TRAN
8206712		3407523314		103		KEMPEL #1	KILLBUCK FIELD	10.0	COLUMBIA GAS TRAN
-VIKING RESOURCES CORP				RECEIVED: 11/17/81 JA: OH					
8206719		3415123443		103		ARRASMITH UNIT #2	PARIS	30.0	
8206719		3415123443		107	TF	ARRASMITH UNIT #2	PARIS	30.0	
8206721		3415123560		103		BATES #3	PARIS	30.0	
8206721		3415123560		107	TF	BATES #3	PARIS	30.0	
8206725		3415123593		103		BRUTTO #1	OSNABURG	30.0	
8206725		3415123593		107	TF	BRUTTO #1	OSNABURG	30.0	
8206723		3415123583		103		LEDBETTER UNIT #1	PARIS	30.0	
8206723		3415123583		107	TF	LEDBETTER UNIT #1	PARIS	30.0	
8206724		3415123584		103		LEDBETTER UNIT #2	PARIS	30.0	
8206724		3415123584		107	TF	LEDBETTER UNIT #2	PARIS	30.0	
8206715		3409921253		107	TF	RABUZZI UNIT #1	SMITH	30.0	AMERICAN STEEL FO
8206713		3409921251		107	TF	REPKO UNIT #1	SMITH	30.0	AMERICAN STEEL FO
8206714		3409921252		107	TF	REPKO UNIT #2	SMITH	30.0	AMERICAN STEEL FO
8206722		3415123580		103		SEABURN #1	PARIS	30.0	
8206722		3415123580		107	TF	SEABURN #1	PARIS	30.0	
8206716		3409921352		103		SKYLINE LAND CO #2	BERLIN	30.0	
8206716		3409921352		107	TF	SKYLINE LAND CO #2	BERLIN	30.0	
8206718		3409921354		103		SKYLINE LAND CO #5	BERLIN	30.0	
8206718		3409921354		107	TF	SKYLINE LAND CO #5	BERLIN	30.0	
8206717		3409921353		103		SKYLINE LAND COMPANY UNIT #3	BERLIN	30.0	
8206717		3409921353		107	TF	SKYLINE LAND COMPANY UNIT #3	BERLIN	30.0	
8206720		3415123511		103		TOMPULIS UNIT #3	PARIS	30.0	
8206720		3415123511		107	TF	TOMPULIS UNIT #3	PARIS	30.0	
-W E SHRIDER CO				RECEIVED: 11/17/81 JA: OH					
8206679		3408924122		103		ALFRED SFORZA #2	HANOVER	3.0	NEWZANE GAS CO
-WENNER PETROLEUM CORPORATION				RECEIVED: 11/17/81 JA: OH					
8206726		3416922378		107	TF	JAMES E SAAL #1	MILTON-WAYNE POOL	11.0	COLUMBIA GAS TRAN
-WILLIAM F HILL									
8206547		3407523275		103		ERVIN F FELIX #1	RICHLAND	7.0	

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission on or before December 29, 1981.

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-35591 Filed 12-11-81; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-51365; TSH FRL 2005-3]

Certain Chemicals; Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in EPA statements of interim policy published in the **Federal Register** of May 15, 1979 (44 FR 28558) and November 7, 1980 (45 FR 74378). This notice announces receipt of five PMNs and provides a summary of each.

DATES: Written comments by: PMN 81–617, 81–618, 81–619 and 81–620—February 1, 1982. PMN 81–621—February 2, 1982.

ADDRESS: Written comments, identified by the document control number "[OPTS–51365]" and the specific PMN number should be sent to: Document Control Officer (TS–793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E–409, 401 M St., SW., Washington, D.C. 20460 (202–755–5687).

FOR FURTHER INFORMATION CONTACT: David Dull, Acting Chief, Notice Review Branch, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Rm. E–216, 401 M St., SW., Washington, D.C. 20460 (202–426–2601).

SUPPLEMENTARY INFORMATION: The following are summaries of information provided by the manufacturer on the PMNs received by EPA:

PMN 81–617

Close of Review Period. March 3, 1982.

Manufacturer's Identity. Claimed confidential business information.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Substituted benzene sulfonic acid derivative.

Use. Claimed confidential business information. Generic use information provided: The manufacturer states that the PMN substance will be used as a site-limited intermediate.

PRODUCTION ESTIMATES

	Kilograms per year (maximum)
1st year	3,000
2d year	4,000
3d year	5,000

Physical/Chemical Properties

Melting point—36–37° C.

Solubility: water—0.1–1.0%.

Toxicity Data. No data were submitted.

Exposure. The manufacturer states that during manufacture and use up to 10 workers may experience dermal exposure up to 1 hr/day, up to 2 days/yr during manual transfer operations.

Environmental Release/Disposal. The manufacturer states that release to the environment will be negligible. Disposal is by incineration and biological treatment system.

PMN 81–618

Close of Review Period. March 3, 1982.

Manufacturer's Identity. Claimed confidential business information.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Trisubstitutedcellulose.

Use. Claimed confidential business information. Generic use information provided: The manufacturer states that the PMN substance will be used as a site-limited intermediate.

PRODUCTION ESTIMATES

	Kilograms per year (maximum)
1st year	200
2d year	200
3d year	200

Physical/Chemical Properties

Solubility: water—<0.1%; octanol—<0.1%.

Decomposition temperature—Above 200° C.

Intrinsic viscosity—0.98.

Toxicity Data

Acute oral toxicity LD_{50} (rat)—>3,000 mg/kg.

Acute dermal toxicity LD_{50} (rat)—>1,000 mg/kg.

Skin irritation (rabbit)—Slight.

Eye irritation (rabbit)—Slight.

Exposure. The manufacturer states that during manufacture and use up to 10 workers may experience dermal and inhalation exposure up to 0.5 hr/day, up to 10 days/yr during manual transfer operations.

Environmental Release/Disposal. The manufacturer states that release to the environment will be negligible. Disposal is by incineration and biological treatment system.

PMN 81–619

Close of Review Period. March 3, 1982.

Manufacturer's Identity. Claimed confidential business information.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Trisubstitutedcellulose salt.

Use. Claimed confidential business information. Generic use information provided: The manufacturer states that the PMN substance will be used as a minor constituent of an article for commercial use.

PRODUCTION ESTIMATES

	Kilograms per year (maximum)
1st year	250
2d year	250
3d year	250

Physical/Chemical Properties. No data were submitted.

Toxicity Data

Acute oral toxicity LD_{50} (rat)—>3,000 mg/kg.

Acute dermal toxicity LD_{50} (rat)—>20 ml/kg.

Skin irritation (rabbit)—Slight.

Eye irritation (rabbit)—Not an irritant.

Exposure. The manufacturer states that during manufacture and use up to 10 workers may experience dermal exposure up to 0.5 hr/day, up to 5 days/yr during manual transfer operations.

Environmental Release/Disposal. The manufacturer states that release to the environment will be negligible. Disposal is by incineration and biological treatment system.

PMN 81-620

Close of Review Period. March 3, 1982.

Manufacturer's Identity. Dow Corning Corporation, P.O. Box 1592, S. Saginaw Road, Midland, MI 48640.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Silicon substituted organic amine.

Use. Claimed confidential business information. Generic use information provided: The manufacturer states that the PMN substance will be used as a chemical intermediate.

Production Estimates. Claimed confidential business information.

Physical/Chemical Properties

Appearance—Liquid.

Specific gravity—0.97.

Flash point, closed cup—280° F.

Viscosity—11 cs.

Color—Water white to amber.

Toxicity Data

Acute oral toxicity LD_{50} (rat)—653 mg/kg.

Acute dermal toxicity LD_{50} (rabbit)—>2,000 mg/kg.

Acute skin irritation (rabbit)—Severely irritating.

Eye irritation (rabbit)—Very slightly irritating.

Ames salmonella—Non-mutagenic.

Exposure. The manufacturer states that during manufacture and processing a maximum of 1 worker may experience exposure during the drumming off process.

Environmental Release/Disposal. The manufacturer states that there will be no release to the environment.

PMN 81-621

Close of Review Period. March 4, 1982.

Manufacturer's Identity. Claimed confidential business information. Organization information provided:

Annual sales—Between $100 million and $499,999,999.

Manufacturing site—Northeastern region.

Standard Industrial Classification Code—285.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Polyester of propanediol, adipic acid, phthalic anhydride, aromatic aliphatic ester.

Use. The manufacturer states that the PMN substance will be used as an industrial resin for industrial paints.

PRODUCTION ESTIMATES

	Kilograms per year	
	Minimum	Maximum
1st year	6,000	150,000
2nd year	25,000	300,000
3rd year	25,000	300,000

Physical/Chemical Properties

Viscosity—80,000-300,000 cps.

Solubility: water (24 hr. extraction)—1.97%.

Acid value—5-15.

% solvent—Zero.

Vapor pressure @ 169° F—55.4 mm Hg.

184° F—63.4 mm Hg.

204° F—73.4 mm Hg.

249° F—103.4 mm Hg.

287° F—137.4 mm Hg.

322° F—169.4 mm Hg.

Weight/gallon—10.2 lbs.

Toxicity Data. No data were submitted.

Exposure. The manufacturer states that during manufacture and processing a total of 23 workers may experience dermal exposure up to 8 hrs/day, up to 200 days/yr during sample removal, filling, and cleaning.

Environmental Release/Disposal. The manufacturer states that less than 10 kg/yr will be released to air and water and 100-10,000 kg/yr to land. Disposal is to a publicly owned treatment works (POTW), an approved landfill and incineration.

Dated: December 17, 1981.

Woodson W. Bercaw,

Acting Director, Management Support Division.

[FR Doc. 81-35642 Filed 12-11-81; 8:45 am]

BILLING CODE 6560-31-M

FEDERAL HOME LOAN BANK BOARD

Palos Savings and Loan Association, Palos Heights, Illinois; Appointment of Receiver

Notice is hereby given that pursuant to the authority contained in section 406(c)(2) of the National Housing Act, as amended (12 U.S.C. 1729(c)(2) (1976)), the Federal Home Loan Bank Board appointed the Federal Savings and Loan Insurance Corporation as receiver for Palos Savings and Loan Association, Palos Heights, Illinois, effective December 5, 1981.

Dated: December 7, 1981.

Gregory B. Smith,

Acting Secretary.

[FR Doc. 81-35469 Filed 12-11-81; 8:45 am]

BILLING CODE 6720-01-M

FEDERAL MARITIME COMMISSION

Security for the Protection of the Public; Indemnification of Passengers for Nonperformance of Transportation; Issuance of Certificate (Performance)

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Pub. L. 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540): Home Lines Inc., Panama and Home Lines Inc., Monrovia, c/o Home Lines Cruises Inc., One World Trade Center, Suite 3969, New York, New York 10048.

Dated: December 8, 1981.

Francis C. Hurney,

Secretary.

[FR Doc. 81-35529 Filed 12-11-81; 8:45 am]

BILLING CODE 6730-01-M

Security for the Protection of the Public; Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages; Issuance of Certificate (Casualty)

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility to Meet

Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages pursuant to the provisions of section 2, Pub. L. 89–777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR 540: Home Lines Inc., Panama and Home Lines Inc., Monrovia, c/o Home Lines Cruises Inc., One World Trade Center, Suite 3969, New York, New York 10048.

Dated: December 8, 1981.

Francis C. Hurney,

Secretary.

[FR Doc. 81-35630 Filed 12-11-81; 8:45 am]

BILLING CODE 6730-01-M

[Docket No. 81-73]

Arthur J. Fritz & Co., Inc. v. U.S. Atlantic & Gulf/Ecuador Freight Conference and U.S. Florida/Ecuador Steamship Conference, et al.; Filing of Complaint and Assignment

Notice is given that a complaint filed by Arthur J. Fritz & Co., Inc. against U.S. Atlantic & Gulf/Ecuador Freight Conference and U.S. Florida/Ecuador Steamship Conference, et al. was served December 3, 1981. Complainant alleges that respondents have established tariff rule freight payment and credit provisions which are violative of sections 15, 16 First and 17 of the Shipping Act, 1916.

This proceeding has been assigned to Administrative Law Judge John E. Cograve. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record.

Francis C. Hurney,

Secretary.

[FR Doc. 81-35625 Filed 12-11-81; 8:45 am]

BILLING CODE 6730-01-M

Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street NW., Room 10327; or may inspect the agreements at the Field Offices located at New York, N.Y.; New Orleans, Louisiana; San Francisco, California; Chicago, Illinois; and San Juan, Puerto Rico. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 4, 1982. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularity allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or operates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

Agreement No. T–2206.

Filing party: Winston F. Tyler, Chairman, Law and Legislation Committee, Port of Los Angeles, P.O. Box 151, San Pedro, California 90733.

Summary: Agreement No. T–2206, between the members of the California Association of Port Authorities (FMC Agreement No. 7345) and the members of the Northwest Marine Terminal Association (FMC Agreement No. 9335), provides for the formation of an organization known as the Joint Pacific Coast Port Committee, whereby members discuss and make recommendations concerning rates, charges, practices, and other tariff matters and matters of concern to the marine terminal industry. Actions taken pursuant to the agreement are not binding upon the members. The agreement was originally approved by the Commission by order issued January 15, 1969 for a three-year term and subsequently extended for two successive five-year terms by Commission orders of January 13, 1972 and January 18, 1977. The parties to the agreement have now requested Commission approval of an extension of the agreement to January 18, 1987.

Agreement No. T–3425–1.

Filing party: Mr. H. H. Wittren, Associate Director of Real Estate, Port of Seattle, P.O. Box 1209, Seattle, Washington 98111.

Summary: Agreement No. T–3425–1 modifies the basic agreement between the Port of Seattle (Port) and Puget Sound Tug & Barge Co. (Puget Sound) which provides for the Port's term lease to Puget sound of certain premises at Pier 16, Seattle, Washington. The purpose of the modification is to reinstate a certain portion of the premises, which had previously been deleted, as part of the leased area and to adjust the rental accordingly.

Agreement No. T–3740–1.

Filing party: Mr. Robert W. Goether, Assistant Executive Director, Georgia Ports Authority, P.O. Box 2406, Savannah, Georgia 31402.

Summary: Agreement No. T–3740–1, between the Georgia Ports Authority (Port) and United States Lines, Inc. (USL), modifies the basic agreement between the parties which provides for the Port's 5-year lease to USL (with renewal options) of a portion of container berth No. 60 storage area, Garden City Terminal, Chatham County, Georgia, to be used for the storage and handling of containers, including trailers and chassis used to transport containers. The purpose of the modification is to provide for the assignment of additional container slots, as future needs warrant, at an annual rental of $190 per slot.

Agreement No. 9474–7.

Filing party: Charles F. Warren, Esquire, Warren & Associates, P.C., 1100 Connecticut Avenue N.W., Washington, D.C. 20036.

Summary: Agreement No. 9474–7 would amend the Thailand/Pacific Freight Conference Agreement for the purpose of decreasing from 60 to 20 days, the waiting period necessary for a member line to exercise independent action after its independent action proposal is rejected by the conference at a regular or special meeting thereof.

Agreement No. 9615–35.

Filing party: Jeffrey F. Lawrence, Esquire, Billig, Sher & Jones, P.C., 2033 K Street NW., Suite 300, Washington, D.C. 20006.

Summary: Agreement No. 9615–35 amends the basic agreement of the Iberian/U.S. North Atlantic Freight Conference by changing the current "substituted service" provision to "alternate port service" and providing for the maintenance of Conference voting records.

Agreement No. 10433.

Filing party: Richard H. Saltsman, Esquire, Bowman, Conner, Touhey & Thornton P.C., 2828 Pennsylvania Ave., NW., Washington, D.C. 20007.

Summary: Agreement No. 10433 sets forth terms and conditions for the

charter by Societé Ivoirienne de Transport Maritime of space on vessels of Delta Steamship Lines moving in the westbound trade from the Ivory Coast to the U.S. Gulf.

By Order of the Federal Maritime Commission.

Dated: December 9, 1981.

Francis C. Hurney,

Secretary.

[FR Doc. 81-35624 Filed 12-11-81; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Privacy Act of 1974; Amendments to Systems of Records

AGENCY: The Board of Governors of the Federal Reserve System.

ACTION: Proposed amendments to systems of records.

SUMMARY: The Board of Governors of the Federal Reserve System hereby gives notice of amendments to its systems of records as required under the Privacy Act of 1974 (5 U.S.C. 552a).

DATE: This action shall be effective as proposed without further notice on February 1, 1982, unless comments are received on or before that date which would result in a contrary determination.

ADDRESS: Address comments to the Secretary of the Board, the Board of Governors of the Federal Reserve System, 20th and Constitution Avenue, N.W., Washington, D.C. 20551.

FOR FURTHER INFORMATION CONTACT: MaryEllen A. Brown, Assistant to the General Counsel of Veryl V. Miles, Attorney, Legal Division, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, at (202) 452-3608 or (202) 452-3611.

SUPPLEMENTARY INFORMATION: An annual notice of the Board's systems of records was published on January 2, 1981, 46 FR 159, and a complete compilation of all systems of records maintained by the Board of Governors of the Federal Reserve System was published on December 31, 1979 (44 FR 77460).

I. This notice proposes three substantive amendments to the Board's systems of records: first, to delete existing system BGFRS-18, FRB—Change in Bank Control Records; second, to add new systems BGFRS-18, FRB—Consumer Complaint Information System; and third, to add new system BGFRS-19, FRB—Financial Disclosure Reports and Outside Business Interest Applications. The changes in Board systems of records required to implement these substantive amendments are discussed below.

1. BGFRS-18, FRB—Changes in Bank Control Records should be deleted from the Board's systems of records. The purpose of this system was to enable the Board to evaluate each proposed change in control of bank holding companies or State member banks in accordance with the standards prescribed under the Change in Bank Control Act of 1978 (12 U.S.C. 1817(j)). The information to be contained in this system would have included any biographical data of individuals involved in changes in control regarding the business competence, experience and integrity of such individuals.

The Board's Division of Banking Supervision and Regulation, the initiating unit of this system, has not developed any records for this system and has indicated that no such records will be developed. Consequently, it is appropriate to remove this system from the Board's designated systems of records.

2. Proposed new System of Records BGFRS-18, FRB—Consumer Complaint Information System, will be a consumer complaint information system and will be used to record all consumer complaints received by the Board concerning member banks.

Complaints will be logged in on pre-numbered control forms (form FR-1182). These forms will contain pertinent information relating to each complaint and will be stored in computer readable format. The consumer complaint information system will enable Board staff to handle complaints more efficiently. Processing time and other information relating to complaint status can be monitored with this system, and the system will also enable staff to reply promptly to congressional inquiries regarding complaints.

This new system of records will be maintained by the Board's Division of Consumer and Community Affairs, pursuant to section 11 of the Federal Reserve Act (12 U.S.C. 248), which authorizes the Board to make rules and regulations necessary to perform its duties effectively. Maintenance of the systems of records is expected to have a minimal impact on individual privacy, other rights, or the constitution principles of federalism and separation of powers. The records will be stored in computer readable format computer printouts, and on control forms and microfiche in locked files at the Board. Access to these records will be restricted to authorized personnel only.

3. Proposed new system of records BGFRS-19, FRB—Financial Disclosure Reports and Outside Business Interest Applications will be maintained by the Board's Ethics Official. This system will include records covering financial disclosure statements of Board members, officials and key employees, and outside business interest applications submitted by Board employees. Related records were formerly maintained by the Director of Personnel. Recently, however, pursuant to the Ethics in Government Act, Pub. L. 95-51, the Board appointed an Ethics Official to advise Board employees on matters concerning ethics and conflicts of interest, including financial disclosure reports and outside business interests. As a result of this appointment, all Board records concerning these matters are now in the custody of the Ethics Official.

This system will be maintained by the Board as required under the Ethics in Government Act, Pub. L. 95-521, and as authorized by sections 10 and 11 of the Federal Reserve Act, 12 U.S.C. 241 and 248. Maintenance of the system of records is expected to have a minimal impact on individual privacy, other rights, or the constitutional principle of federalism and separation of powers. The records will be stored in locked files in a secured room at the Board. Access to those records will be restricted to authorized personnel only.

II. This notice also proposes additional amendments which provide for *de minimis* technical changes to Board systems of records and describe more accurately the records maintained by the Board. The following changes are proposed to implement these technical amendments.

1. BGFRS-3, FRB—Medical Records, should be amended to designate the Board's Physician as the individual with authority to release records under this system. Currently, the records maintained under FRB—Medical Records are released at the discretion of the Board's Personnel Director. It would be more appropriate to designate the Board Physician as the sole authority to determine whether disclosure is appropriate and to provide greater safeguards for sensitive medical information maintained about Board employees. This notice proposes to accomplish this purpose by designating the Board Physician as the System Manager. All other record data elements will remain the same.

2. BGFRS-4, FRB—General Personnel Records, should be amended to reflect the addition of medical disability designators to the categories of records maintained in the system. The Board's EEO Council has recently initiated a new program to identify various types of

physical disabilities among Board staff to assist the Board in determining the representation of handicapped individuals at the Board so that any existing physical barriers at the Board can be removed, and to develop a Board recruitment and awareness program. Relevant information will be obtained from staff on a voluntary basis. This change will be achieved by adding the term "medical disability designators" to the record data element entitled "Categories of records in the system." All other data element will remain the same.

3. BGFRS–6, FRB—Adverse Information and Action, Disciplinary, Outside Business Activity and Financial Responsibility Records, should be amended by deleting references to financial responsibility statements and outside business activity applications in the system name and in record data elements entitled "Categories of individuals covered by the system" and "Categories of records in the system"; and by deleting paragraphs "i" and "j" from the record data element entitled "Routine uses of records maintained in the system, including categories of users and the purposes of such uses." Maintenance of these records or related records was formerly in the custody of the Director of Personnel. Recently, however, the Board appointed an Ethics Official to handle all matters covering ethics and conflicts of interest. Consequently, all Board employee financial disclosure statements and outside business activity applications are now in the custody of the Ethics Official.

(This notice also proposes a new system of records, BGFRS–19, FRB–Financial Disclosure Records and Outside Business Interest Applications, to reflect the Ethics Official's maintenance of these records.)

4. BGFRS–9, FRB—Consultant File, should be amended to reflect a recent employee classification change implemented by the Board's Director of Personnel that separates persons previously classified as consultants into two categories: "consultants" and "staff associates." The Personnel Division has decided to retain custody of the records of "staff associates" and to transfer records pertaining to "consultants" to the Board's Office of the Controller. Accordingly, BGFRS–9 will be amended by: changing the system name to "FRB–Consultant and Staff Associate File;" amending the categories of individuals covered by the system to reflect the separate classifications; and amending the entry under "System manager(s) and address" to include the Controller. All on the other record data elements will remain the same.

5. BGFRS–11, FRB—Official General Files, should be amended to include participants in the Board's Fine Arts Program as a category of individuals covered by the system. All of the other record data elements under this system will remain the same.

6. Board systems of records BGFRS–1, BGFRS–2, BGFRS–3, BGFRS–4, BGFRS–5, BGFRS–6, BGFRS–12, BGFRS–16, and BGFRS–17 are proposed to be amended by adding to the record data element describing routine uses for records the following phrase: "To respond to a court order." This addition reflects statutory language under section 552a(b)(11) of the Privacy Act (5 U.S.C. 552a(b)(11)) requiring disclosure of records pursuant to a court order.

7. Technical amendments are also proposed for systems of records designated BGFRS–2, BGFRS–7, and BGFRS–9, to reflect reassignments of functional responsibilities and to correct typographical errors in the prior publication.

8. All references to the "Civil Service Commission" in Board systems fo records have been changed to the "Office of Personnel Management."

The proposed revised complete compilation of all systems fo records maintained by the Board of Governors of the Federal Reserve System, as amended to incorporate the above-described changes, follows.

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BGFRS–1, FRB—Recruiting and Placement Records
BGFRS–2, FRB—Personnel Background Investigation Reports
BGFRS–3, FRB—Medical Records
BGFRS–4, FRB—General Personnel Records
BGFRS–5, FRB—EEO Discrimination Complaint File
BGFRS–6, FRB—Adverse Information and Action Records, Disciplinary Records
BGFRS–7, FRB—Payroll
BGFRS–8, FRB—Leave Records
BGFRS–9, FRB—Consultant and Staff Associate File
BGFRS–10, FRB—General File on Board Members
BGFRS–11, FRB—Official General Files
BGFRS–12, FRB—Biographical File of Federal Reserve Personnel
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BGFRS–16, FRB—Regulation G Reports
BGFRS–17, FRB—Municipal Securities Principal and Municipal Securities Representatives Records
BGFRS–18, FRB—Consumer Complaint Information System
BGFRS–19, FRB—Financial Disclosure Reports and Outside Business Interest Applications

BGFRS—1

SYSTEM NAME:

FRB—Recruiting and Placement Records

SYSTEM LOCATION:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who have applied for employment with or are employed by the Federal Reserve Board.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records may contain information relating to the education, training, employment history and earnings, appraisal of past performance, convictions for offenses against the law; results of tests, appraisal of potential, honors, awards of fellowships; military service; veteran status, school transcripts, work samples; birth date; social security number; sipping authorizations; travel vouchers, offer letters and correspondence, reference checks, and home address of persons who have applied for Board employment or are employed by the Federal Reserve Board.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 10 and 11 of the Federal Reserve Act (12 U.S.C. 244, 248(i) and 248(1)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information in these records may be used:

a. To refer applicants for purposes of consideration for placement in positions for which an applicant has applied and is qualified. This includes various government organizations.

b. To refer current Board employees for consideration for reassignment and promotion within the Board.

c. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical

information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research of other personnel management functions.

d. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether federal, state or local, charged with the responsibility of investigating or prosecuting such violation or with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

e. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

f. To provide information or disclose to a Federal Agency, or any other employer or prospective employer in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

g. To respond to a court order.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained on magnetic tapes, punched cards, microfilm, cards, lists, forms, and in folders.

RETRIEVABILITY:

Records are indexed by name, combination of birth date, social security account number, and applicable identification number.

SAFEGUARDS:

Access to and use of these records are limited to those persons whose official duties require such access.

RETENTION AND DISPOSAL:

a. Files of eligibles. Retained for a minimum of one year after date of determination that no suitable position exists currently.

b. Index cards. Destroyed when no longer needed.

c. Cancelled and ineligible applications. Same as "a" above.

d. Inquires and replies regarding availability for appointment.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

NOTIFICATION PROCEDURE:

Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of position with which concerned to the System Manager, address above.

RECORD ACCESS PROCEDURES:

Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of position with which concerned to the System Manager, address above.

RECORD SOURCE CATEGORIES:

Information in this system of records either comes from the individual to whom it applies or is derived from information he or she supplies, except reports from medical personnel on physical qualifications; and statements supplied by references.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatiory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment of the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—2

SYSTEM NAME:

FRB Personnel Background Investigation Reports

SYSTEM LOCATION:

Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former applicants for employment by the Board of Governors; Federal Reserve System employees considered for access to classified information or restricted areas; and/or security determinations as contractors, employees of contractors, experts, instructors, and consultants to the Board. Individuals who are neither applicants nor employees of the Board but are or were involved in Board programs under a cooperative assignment or similar agreement; individuals who are neither applicants nor employees of the Board but are or were involved in matters related to the operation of the Board

CATEGORIES OF RECORDS IN THE SYSTEM:

These records may contain investigative information regarding an individual's character, financial responsibility, conduct, behavior; arrests and convictions for any violations against the law; reports of interviews with former supervisors, co-workers, associates, educators, etc.; reports about the qualifications of an individual for a specific position; reports of inquiries with law enforcement agencies; former employers; education institutions attended; and other information developed from the above.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. §§ 248(i) and 248(1)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The contents of these records may be disclosed to and used as follows:

a. To assist in determining the suitability for access to classified information.

b. To designated officers and employees of other agencies and departments of the Federal Government, and the District of Columbia Government, having an interest in the individual for employment purposes, in connection with performance of a service to the Federal Government, under a contract or other agreement, including a security clearance or access determination, and a need to evaluate qualifications, suitability, and loyalty to the United States Government.

c. To the intelligence agencies of the Department of Defense, National Security Agency, Central Intelligence Agency, and the Federal Bureau of Investigation for use in intelligence activities.

d. To any source from which information is requested by the Board in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation

and to identify the type of information requested.

e. In the event of an indication of any violation or potential violation of the law, whether civil, criminal, or regulatory in nature, and whether arising by statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto; such referral shall also include, and be deemed to authorize any and all appropriate and necessary uses of such records in a court of law and before an administrative board or hearing.

f. As a data source for management information for production of descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

g. To respond to a court order.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Files are maintained in folders and index cards in steel file cabinets with manipulation proof combination lock.

RETRIEVABILITY:

Records are indexed by name in alphabetical order.

SAFEGUARDS:

Access to and use of these records are limited to those persons whose official duties require access and who have appropriate security clearance.

RETENTION AND DISPOSAL:

The indexing cards are retained indefinitely, while the reports of investigation are returned to the originating agency after separation of employment.

SYSTEM MANAGER(S) AND ADDRESS:

Assistant Director, Division of Support Services Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

NOTIFICATION PROCEDURE:

An individual may inquire as to whether or not the system contains a record pertaining to him or to her by addressing a written request to:

Director of Personnel, Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

The request should include the full name and date and place of birth of the individual, and any available information regarding the type of record involved, and the category of individual under which the inquirer feels he or she fits.

RECORD ACCESS PROCEDURE:

In response to a written request by an individual to determine whether or not the system contains a record pertaining to him or to her, the Director will set forth the procedure for gaining access to the record. If the individual desires to contest the contents of a record, he or she may do so by writing to the:

Director of Personnel, Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

RECORD SOURCE CATEGORIES:

Information contained in the system is obtained from the following:

1. Applications and other personnel and security forms furnished by the individual.

2. Investigative material furnished by other Federal agencies. Notices of personnel actions furnished by other Federal agencies.

3. By personal investigation or written inquiry from sources such as:

Employers
Schools
References
Neighbors
Associates
Police Departments
Courts
Credit Bureau
Medical Records
Probation Officials
Prison Officials

4. Newspapers, magazines, periodicals, and other publications.

5. Published hearings of Congressional Committees.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—3

SYSTEM NAME:

FRB—Medical Records

SYSTEM LOCATION:

Board Physician, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Applicants who have been medically examined for Board employment.

2. Applicants for disability retirement under the Civil Service Retirement Law or Federal Reserve System Retirement Plan.

3. Current and former Federal Reserve Board employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. Information relating to an individual's medical qualifications to hold a position with the Board.

2. Medical information relating to an individual's capability (physical and mental) to satisfactorily perform the duties of the position he or she holds or held.

3. Information relating to an employee's participation in an occupational health services program.

4. Information relating to pre-employment or periodic medical examinations to assure that the incumbent is qualified (physically and mentally) to satisfactorily perform the duties of the position.

5. Information attesting to an annuitant's state of health as required for "insurable interest" survivor annuity elections.

6. Information relating to handicaps.

7. Information relating to employee participation in the Federal Civilian Employee Alcoholism and Drug Abuse Programs.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. 248(i) and 248(l)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. Information in these records is used to:

a. determine veteran disability status

b. support applications for Disability Retirement

c. support "insurable interest" survivor annuity elections

d. determine suitability for employment or continued employment

e. assist in medical counseling

2. Information in these records may be provided to officials of other Federal agencies responsible for Federal benefit programs administered by:

a. Office of Workmen Compensation Programs

b. Retired Military Pay Centers

c. Veterans Administration

d. Social Security Administration

e. Specific private contractors engaged in providing benefits under Federal contracts.

f. Office of Personnel Management

3. Information in these records is used:

a. to refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, state, or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

b. to request information from a Federal, state or local agency maintaining civil, criminal or other relevant enforcement or other pertinent information, such as a license, if necessary to obtain relevant information to the Board's decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a grant or other benefit.

c. to provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract or issuance of a license, grant or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

d. as a data source for management information for production of descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuls for personnel research or other personnel management functions.

e. To respond to a court order.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are in folders.

RETRIEVABILITY:

Records are indexed by name, social security number, identification number, date of birth and/or claim number.

SAFEGUARDS:

Access to and use of these records are limited to those persons whose official duties require such access. Records are stored in lockable metal containers.

RETENTION AND DISPOSAL:

a. Medical certificates and other medical records of examination used to determine an employee's fitness for a job 6 years after separation.

b. Miscellaneous medical records, correspondence dispensary records and similar papers, 6 months after separation.

c. Applicant's medical records, 6 years after separation.

d. Disability retirement medical files, 6 years after separation.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Personnel, Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

NOTIFICATION PROCEDURE:

Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name of office or division in which currently or formerly employed, and annuity account number, if any has been assigned, to the System Manager, address above.

RECORD ACCESS PROCEDURES:

Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name of office or division in which currently or formerly employed, and annuity account number, if any has been assigned, to the System Manager, address above.

RECORD SOURCE CATEGORIES:

1. The individual to whom the record pertains.

2. Personal physicians.

3. Medical institutions.

4. Official records of other Federal agencies.

5. Federal Reserve Board Official Personnel Records.

6. Federal Reserve System Personnel Management Records Systems.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None; however, see special procedures provided at 12 CFR 261a.6.

BGFRS—4

SYSTEM NAME:

FRB—General Personnel Records

SYSTEM LOCATION:

Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of and consultants to the Federal Reserve Board and the surviving spouses, and children of former Board employees, if any.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records consist of a variety of documents relating to personnel actions of the Board and its determinations made about an individual for, and during the course of his employment by the Board. These records may contain information about employees and former employees relating to employment, placement, personnel actions, performance considerations and evaluations; training and development activities and plans, background investigations; reference checks; salary history and other personnel matters. It also includes minority group and medical disability designators; records relating to benefits and designation of beneficiary; emergency contact, documentation supporting personnel actions or decisions made about an individual; awards; employee parking and other information relating to the status of the individual either while considered for employment or while employed by the Board.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 10 and 11 of the Federal Reserve Act (12 U.S.C. 221 et seq.)

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information in these records is used:

a. For purposes of review in connection with appointments, transfers, promotions, reassignments, training and development needs, adverse actions, disciplinary actions,

and determination of qualifications of an individual, and in assisting the individual in locating other employment.

b. For purposes of making a decision when a Board employee or former Board employee is questioning the validity of a specific document in the individual's record.

c. To respond to a court order.

d. To provide information to a prospective employer of a current or former Board employee.

e. To provide data for the automated Personnel records.

f. To provide information to a Federal agency, or any other employer or prospective employer, in response to its request in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

g. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information or other pertinent information to a Board decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of contract, or the issuance of a grant or other benefit.

h. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

i. As a data source of management information for production of statistical and analytical studies and reports in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

j. Determine eligibility for coverage, benefits due, and payment of benefits under the various benefits programs available to the Board and its staff.

k. Transfer information necessary to support a claim for benefits under the various benefit programs in operation at the Federal Reserve Board.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders, magnetic tape, disc, punched cards, index cards and microfilm.

RETRIEVABILITY:

Records are indexed by any combination of name, date of birth, Social Security Number, or identification number.

SAFEGUARDS:

Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require it.

RETENTION AND DISPOSAL:

The General Personnel Record is retained until five years after death or an individual achieves age 75 where he or she does not separate employment by retirement.

SYSTEM MANAGER(S) AND ADDRESS:

For current and former Federal Reserve Board employees:

Director of Personnel, Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

NOTIFICATION PROCEDURE:

Inquiries, including name, date of birth, and Social Security Number should be addressed to the System Manager, address above.

RECORD ACCESS PROCEDURES:

Current and former Federal Reserve Board employees who wish to gain access to or contest their records should contact the System Manager, address above. Former Board employees should direct such a request in writing, including their name, date of birth, and Social Security Number.

RECORD SOURCE CATEGORIES:

Information in this system of records comes from the individual to whom it applies or is derived from the information the individual supplied, except information provided by Board officials. Information is also obtained from the following sources for administration of the benefits portion of the system:

1. OPM Personnel Management Records System
2. Personnel records of other Government agencies
3. Personnel Records of Federal Reserve Banks

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRB—3

SYSTEM NAME:

FRS—EEO Discrimination Complaint File

SYSTEM LOCATION:

Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants for Board employment, current and former Board employees, and annuitants who file a complaint of discrimination or appeal a determination made by an offical of the Board relating to equal employment opportunities.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records contains information or documents relating to a complaint, the decision or determination made by the Board affecting an individual under the Board's EEO regulations and procedures. The records consist of the initial complaint or appeal letters or notices to the individual, record of hearings when conducted materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, instructions to the Board and/or individual about action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. 248(i) and 248(1)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The information in the records may be used:

a. To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance.

b. To provide information to the public on the decision of an appeal, complaint, or grievance required by the Freedom of Information Act.

c. To respond to a court order.

d. To adjudicate an appeal, complaint, or grievance.

e. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

f. To refer, where there is an indication of a violation or potential violation of law, whether civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

g. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders, binders, and index cards.

RETRIEVABILITY:

These records are indexed by the names of the individuals on whom they are maintained.

SAFEGUARDS:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

RETENTION AND DISPOSAL:

The records are maintained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Personnel, Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

NOTIFICATION PROCEDURE:

Individuals who have filed appeals or grievances are aware of that fact and have been provided a copy of the records. They may, however, contact the System Manager, address above. Individuals should provide their name, date of birth, and the approximate date of employment or application, and the kind of action taken by the Board when making inquiries about records.

Record access procedures: Individuals who have appealed or filed a grievance about a decision or determination made by the Board or about conditions existing in the Board already have been provided a copy of the records. However, to gain access or contest the records in this system, individuals should contact the System Manager, address above. Individuals should provide their name, date of birth, approximate date of employment or application and the kind of action taken by the Board when requesting access to, or contest of records.

RECORD SOURCE CATEGORIES:

a. Individual to whom the record pertains

b. Board employees

c. Affidavits or statements from employee

d. Testimonies of witnesses

e. Official documents relating to the appeal, grievance, or complaints

f. Correspondence from specific organizations or persons.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsection (k)(2) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material complied for law enforcement purposes.

DGFRS—6

SYSTEM NAME:

FRB—Adverse Information and Action Records: Disciplinary Records.

SYSTEM LOCATION:

Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former Board employees, (including special employees) and annuitants who are involved in an Adverse Action; employees who suffer a withholding of a Progress Step Increase; and those employees who have creditors contacting the Board relative to credit problems.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system of records may contain information or documents relating to a determination made by the Board affecting an individual. The records consist of the letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, and related correspondence, opinions and recommendations. Letters from creditors are also contained in this system.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. 248(i) and 248(1)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The information in the records may be used:

a. To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance.

b. To provide information to the public on the decision of an appeal, complaint, or grievance required by the Freedom of Information Act.

c. To respond to a court order.

d. To adjudicate an appeal, complaint, or grievance.

e. As a data source for management information for production of descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel management functions.

f. To refer, where there is an indication of a violation or potential

violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

g. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to a Board decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a grant or other benefit.

h. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

i. To administer various aspects of established personnel management programs.

STORAGE:

These records are maintained in file folders, binders, index cards, magnetic tape and disk.

RETRIEVABILITY:

These records are indexed by the names of the individuals on whom they are maintained.

SAFEGUARDS:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

RETENTION AND DISPOSAL:

The records are maintained indefinitely after cessation of employment unless deemed unnecessary, and thus destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Personnel, Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

NOTIFICATION PROCEDURE:

Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of situation with which concerned to the System Manager, address above.

RECORD ACCESS PROCEDURES:

Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of situation with which concerned to the System manager, address above.

RECORD SOURCE CATEGORIES:

a. Individual to whom the record pertains

b. Board officials

c. Affidavits or statements from employees

d. Testimonies of witnesses

e. Official documents relating to an action, appeal, grievance, or complaints

f. Correspondence from specific organizations or persons.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

BGFRS—7

SYSTEM NAME:

FRB—Payroll

SYSTEM LOCATION:

Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Past and present employees and members of the Board.

CATEGORIES OF RECORDS IN THE SYSTEM:

Varied payroll records including payment vouchers, comprehensive listing of employees, requests for deductions, tax forms, W–2 forms, overtime requests, leave data, workmen's compensation data.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. 248(i) and 248(1)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES: USED IN THE PREPARATION OF BOARD PAYROLL, AS INPUT TO SEVERAL MANAGEMENT REPORTS AND, FROM TIME TO TIME, INPUT TO OTHER CONTRIBUTING PROGRAMS AND AS INPUT BOARDS TO STUDIES, ANALYSES, AND REPORTS.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

On tape, disk, punched cards, index cards, folders and document files.

RETRIEVABILITY:

Filed by name, social security number, and employee number.

SAFEGUARDS:

Access is restricted to authorized personnel only. Records are stored in cabinets and a safe. Access to computer records is restricted to authorized personnel.

RETENTION AND DISPOSAL:

Various; minimum of one year from date of annual audit; maximum of indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Personnel, Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

NOTIFICATION PROCEDURE:

Current and former employees who wish to gain access or contest their records should contact System Manager, address above. Individuals should provide name, date of birth, social security number, and identification number (if known).

RECORD ACCESS PROCEDURES:

Current and former emloyees who wish to gain access or contest their records should contact System Manager, address above. Individuals should provide name, date of birth, social security number, identification number (if known).

RECORD SOURCE CATEGORIES:

Internal personnel forms, Federal, state, and local tax forms, employee authorizations and directive forms, insurance forms, leave and overtime reports. Federal and state garnishment forms.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

BGFRS—8

SYSTEM NAME:

FRB—Leave Records

SYSTEM LOCATION:

Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Present employees, former employees for a period of three years following their separation from the Board.

CATEGORIES OF RECORDS IN THE SYSTEM:

Contains timekeeper records, leave cards, payroll notifications, supporting memorandum, periodic leave statements, and creditable service documentation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. 248(i) and 248(l)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used as a data source for management information and payment of leave, for production of statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions and manpower studies.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Punched card, tape, disk, index card, folder, and print out.

RETRIEVABILITY:

Filed by date, but may be filed by name or identifying number.

SAFEGUARDS:

Stored in locked metal file cabinets, other records stored in secured limited access computer facilities.

RETENTION AND DISPOSAL:

Detailed information destroyed after two years. Summary data is a part of permanent official personnel file.

SYSTEM MANAGER(S) AND ADDRESS:

Division of Personnel, Board of Governors, Federal Reserve System, 20th and Constitution, N.W., Washington, D.C. 20551.

NOTIFICATION PROCEDURE:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager above. Former Board employees should direct such a request in writing, including their name, date of birth, and Social Security number.

RECORD ACCESS PROCEDURES:

Individuals wishing to gain access or contest their records should contact the System Manager, address above. Former Board employees should direct such a request in writing, including their name, date of birth, and Social Security number.

RECORD SOURCE CATEGORIES:

Records, files and forms of the Board, information provided by the employee and previous Federal Government employers.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

BGFRS—9

SYSTEM NAME:

FRB—Consultant and Staff Associate File

SYSTEM LOCATION:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals retained by formal agreement, who (1) provide consulting services to the Board and (2) act as advisors to the Board, but do not maintain the independence of action necessary to meet the requirements for classification as an independent contractor.

CATEGORIES OF RECORDS IN THE SYSTEM:

Documents, letters, memorandum of understanding relating to agreement, rates of pay, payment, records, vouchers, invoicers, and selection; negotiation, implementation, scope and performance of work. Additional information may be found on reemployed annuitants in the FRB-General Personnel Records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. 248(i) and 248(l)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Routine uses include, but are not restricted to, selection, monitoring, evaluation and control, audit and analysis, routine management activity, and statistical use without individual indenification; verification and confirmation; and referral when used as a basis for prospective employment by employers other than the Board; to provide information or disclose to a Federal agency, or any other employer or prospective employer, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Folder, punched card, tape, disk and index card.

RETRIEVABILITY:

File by name, and cross index by voucher number and date, or identifying number.

SAFEGUARDS:

Stored in secured area.

RETENTION AND DISPOSAL:

Indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

For Staff Associates
For Consultants:
Office of Controller
Board of Governors
Federal Reserve System
20th and Constitution N.W
Washington, D.C. 20551
Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution N.W.
Washington, D.C. 20551

NOTIFICATION PROCEDURE:

Individuals who have filed appeals or grievances are aware of that fact and have been provided a copy of the records. They may, however, contract the System Manager, address above. Individuals should provide their name, date of birth, and the approximate date of employment or application, and the kind of action taken by the Board when making inquiries about records.

RECORD ACCESS PROCEDURE:

Individuals who have appealed or filed a grievance about a decision or determination made by the Board or about conditions existing in the Board already have been provided a copy of the records. However, to gain access or contest the records in this system, individuals should contact the System Manager, address above. Individuals should provide their name, date of birth, approximate date of employment or application, and the kind of action taken by the Board when requesting access to, or contest of records.

RECORD SOURCE CATEGORIES:

Information in this system of records is obtained from the individual to whom it applies or is derived from information supplied by the individual, except information provided by Board staff, and for reemployed annuitants where the inactive General Personnel File is activated.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this systems of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—10

SYSTEM NAME:

FRB—General File on Board Members

SYSTEM LOCATION:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Past and present members of the Board of Governors.

CATEGORIES OF RECORDS IN THE SYSTEM:

Biographies of past and present members of the Board, oaths of office, and miscellaneous correspondence relating to such Members.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 10 of the Federal Reserve Act (12 U.S.C. 241 et seq.)

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used for background information to determine qualifications for appointment, reappointments, for compiling information for news releases and other publications, and for recording correspondence concerning the Governors.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM.

STORAGE:

Paper records.

RETRIEVABILITY:

Indexed by name.

SAFEGUARDS:

Locked in Supreme power file. Access limited to Board staff on a restricted basis.

RETENTION AND DISPOSAL:

Indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

NOTIFICATION PROCEDURE:

Same as System Manager, address above.

RECORD ACCESS PROCEDURES:

Same as System Manager, address above.

RECORD SOURCE CATEGORIES:

Generated by individuals, incoming correspondence and staff response thereto.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsection (i)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BCFRS–11

SYSTEM NAME:

FRB—Official General Files

SYSTEM LOCATION:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Correspondents with the Board and System Personnel and Fine Arts Program participants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Incoming and outgoing correspondence concerning Board business. Records relating to System Personnel in official capacities such as instructors, consultants, and Board representatives to various committees, conferences, etc.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. 248(i)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used for reference purposes in preparing responses to inquiries from the pubic and used in recording official duties of System Personnel.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM.

STORAGE:

Paper records.

RETRIEVABILITY:

Indexed by name.

SAFEGUARDS:

Locked in Supreme power file. Access limited to Board staff on a restricted basis.

RETENTION AND DISPOSAL:

Indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

NOTIFICATION PROCEDURE:

System Manager, address above.

RECORD ACCESS PROCEDURE:

System Manager, address above.

RECORD SOURCE CATEGORIES:

Generated by individuals incoming correspondence and staff response thereto.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—12

SYSTEM NAME:

FRB—Biographical File of Federal Personnel

SYSTEM LOCATION:

Board of Governors
Federal Reserve System
20th and Consitution, N.W.

Washington, D.C. 20551

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former Federal Reserve System officers, and their staff.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed in the Federal Reserve System. These records contain information about an individual relating to birth date; education; veteran status; tenure; handicap; past and present salaries, grades, and position titles; personnel actions, including but not limited to appointment, reassignment, demotion, detail, promotion, transfer, and separation; photograph, awards; and other information relating to the status of the individual.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 4, 11 and 22 of the Federal Reserve Act (12 U.S.C. 221 et seq.).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES: INFORMATION IN THERE RECORDS MAY BE USED:

a. By Federal Reserve System officials for purposes of review in connection with appointments, transfers, promotion, reassignments, adverse actions, disciplinary actions, and determination of qualifications of an individual.

b. By the Board of Governors for purposes of making a decision when a listed employee or former listed employee is questioning the validity of a specific document in the individual's record.

c. To respond to a court order.

d. To publish name and title data for the Directory of officers of Federal Reserve Banks.

e. To provide reports to Congress, agencies, and the public on characteristics of the System work force.

f. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

g. As a data source for management information for production of summary descriptive statistic and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to repond to general requests for information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM.

STORAGE:

Records are maintained in file folders, magnetic tape, punched cards and disk.

RETRIEVABILITY:

Records are indexed by combination of name or identification number.

SAFEGUARDS:

Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

RETENTION AND DISPOSAL:

Retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551.

NOTIFICATION PROCEDURE:

Inquiries, including name, date of birth, and Social Security Numbers should be addressed to the System Manager, address above.

RECORD ACCESS PROCEDURE:

Current and former System employees who wish to gain access to and contest their records should direct such a request in writing, including their name, date of birth, and Social Security Number to the System Manager, address above.

RECORD SOURCE CATEGORIES:

Information in this system of records comes from either the individual to whom it applies, extracted from documents he supplied, or data provided by Federal Reserve System officials and employees.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

BGFRS—13

SYSTEM NAME:

FRB—General File of Examiners and Assistant Examiners at Federal Reserve Banks.

SYSTEM LOCATION:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Past and present examiners and assistant examiners at Federal Reserve Banks.

CATEGORIES OF RECORDS IN THE SYSTEM:

Brief biographies of past and present examiners and assistant examiners, oaths of office, and miscellaneous correspondence.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. 248(a) and 248(i)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used as background information for determining qualifications for appointment, reappointment, etc.; for compiling information for news releases and other publications, and recording correspondence concerning such persons.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records.

RETRIEVABILITY:

Indexed by name.

SAFEGUARDS:

Locked in Supreme power file. Access limited to Board staff on a restricted basis.

RETENTION AND DISPOSAL:

Indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

NOTIFICATION PROCEDURES:

System Manager, as indicated above.

RECORD ACCESS PROCEDURE:

Same as "Notification" above.

RECORD SOURCE CATEGORIES:

Individuals themselves, references such as "Who's Who" and miscellaneous correspondence from system personnel and others.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR Part 261a), certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—14

SYSTEM NAME:

FRB—General File of Federal Reserve Bank and Branch Directors.

SYSTEM LOCATION:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Past and present Federal Reserve Bank and Branch Directors.

CATEGORIES OF RECORDS IN THE SYSTEM:

Biographies of past and present Federal Reserve Bank and Branch Directors, oaths of office, resignations, and miscellaneous correspondence.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 3, 4 and 11 of the Federal Reserve Act (12 U.S.C. 221 et seq.).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used as background information for determining qualifications for appointment, reappointment, etc.; for compiling information for news releases and other publications and recording correspondence concerning such persons.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records.

RETRIEVABILITY:

Indexed by name.

SAFEGUARDS:

Locked in Supreme power file. Access limited to Board staff on a restricted basis.

RETENTION AND DISPOSAL:

Indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

NOTIFICATION PROCEDURE:

System Manager, as indicated above.

RECORD ACCESS PROCEDURE:

Same as "Notification" above.

RECORD SOURCE CATEGORIES:

Generated by individual's incoming correspondence and staff response thereto.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR Part 261a) certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

SYSTEM NAME:

FRB—General Files of Federal Reserve Agents, Alternates and Representatives at Federal Reserve Banks.

SYSTEM LOCATION:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Past and present Federal Reserve Agents, Alternates and Representatives at Federal Reserve Banks.

CATEGORIES OR RECORDS IN THE SYSTEM:

Biographies of past and present examiners, oath of office and miscellaneous correspondence relating to such persons.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 4 and 11 of the Federal Reserve Act (12 U.S.C. 248(i), (j) and 305).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used as background information for determining qualifications for appointment, reappointment etc.; for completing information for news releases and other correspondence; and recording correspondence concerning such persons.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM.

STORAGE:

Paper records.

RETRIEVABILITY:

Indexed by name.

SAFEGUARDS:

Locked in Supreme power file. Access limited to Board staff on a restricted basis.

RETENTION AND DISPOSAL:

Indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

NOTIFICATION PROCEDURE:

System Manager, as indicated above.

RECORD ACCESS PROCEDURES:

Same as "Notification" above.

RECORD SOURCE CATEGORIES:

Generated by individual's incoming correspondence and staff response thereto.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act: where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—16

SYSTEM NAME:

FRB—Regulation G Reports

SYSTEM LOCATION:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals other than banks, brokers and dealers who extend credit in specified amounts secured by margin securities.

CATEGORIES OF RECORDS IN THE SYSTEM:

Reports filed by persons registered pursuant to Regulation G.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 7, 17, and 23 of the Securities Exchange Act of 1934 and Regulation G (12 CFR 207).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Aid the Federal Reserve System in securing compliance with Regulation G, assist registraints regarding interpretation, and where this system indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. Relevant recordes in the system of records may also be disclosed in response to a court order.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper forms and files.

RETRIEVABILITY:

Indexed by name.

SAFEGUARDS:

Retained in locked metal file cabinets. Access to Board staff on restricted basis

RETENTION AND DISPOSAL:

Indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Banking Supervision and Regulation
Board of Governors
Federal Reserve System
Washington, D.C. 20551

NOTIFICATION PROCEDURE:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

RECORD ACCESS PROCEDURES:

System Manager, as indicated above.

RECORD SOURCE CATEGORIES:

Reports and forms filed by individuals to whom records pertain.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsections (k)(2) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this systems of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled for law enforcement purposes.

BGFRS—17

SYSTEM NAME:

FRB—Municipal Securities Principal and Municipal Securities Representative Records.

SYSTEM LOCATION:

Board of Governors of the Federal Reserve System, 20th and Constitution Avenue NW., Washington, D.C. 20551. Records stored in computerized files are maintained off Board premises at the National Association of Securities Dealers, 1735 K Street NW., Washington, D.C. 20036.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who are or seek to be municipal securities principals or municipal securities representatives associated with a municipal securities dealer which is a State member bank of the Federal Reserve System or a subsidiary or a department or division thereof.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records may contain identifying information as well as eductional, employment, and disciplinary information, and, where applicable, information regarding termination of employment of individuals covered by the system. Identifying information includes names, address, date and place of birth, and may include social security account number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 15B, 17, and 23 of the Securities Exchange Act of 1934 (15 U.S.C. Secs. 78o–4(c)(5), 78q, and 78w) and section 11 of the Federal Reserve Act (12 U.S.C. 248).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information in these records may be used:

a. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate governmental authority, whether Federal, State, local, or foreign, or self-regulatory organization, as defined in section 3(a)(26) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(a)(26)).

b. To refer, in the event of litigation, whether civil, criminal, or regulatory in nature, to the appropriate court, magistrate, or administrative law judge.

c. To assist in any proceeding in which the Federal securities or banking laws are in issue or in which the Federal Reserve Board or a past or present member of its staff is a party or otherwise involved in an official capacity.

d. To disclose to a Federal, State, local, or foreign governmental authority or a self-regulatory organization if necessary in order to obtain information relevant to a Federal Reserve Board inquiry concerning a person who is or seeks to be associated with a municipal securities dealer described in "Categories of individuals covered by the system" as a municipal securities principal or municipal securities representative.

e. To respond to a request from a Federal, State, local, or foreign governmental authority or a self-regulatory organization for information in connection with the issuance of a license or other benefit to the extent that such information is relevant and necessary.

f. To disclose to a Congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

g. To respond to a court order.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM.

STORAGE:

Records are maintained in file folders and on computer discs.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

File folders are stored in lockable metal cabinets and computer discs are accessed only by authorized personnel.

RETENTION AND DISPOSAL:

Records may be maintained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Secretary of the Board, Board of Governors:
Federal Reserve System,
20th and Constitution, NW.,
Washington, D.C. 20551.

NOTIFICATION PROCEDURE:

Inquiries, including name and date and place of birth, should be addressed to the System Manager, address above. Inquiries may be required to include a notarized statement attesting to identity.

RECORD ACCESS PROCEDURES:

Same as Notification above.

CONTESTING RECORD PROCEDURES:

Same as Notification above.

RECORD SOURCE CATEGORIES:

Individuals on whom the records are maintained as well as municipal securities dealers described in "Catagories of individuals covered by the system" and Federal, State, local, and foreign governmental authorities, and self-regulatory organizations, which regulate the securities industry.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

BGFRS—18

SYSTEM NAME:

FRB—Consumer Complaint Information System.

SYSTEM LOCATION:

Board of Governors of the Federal Reserve System, 20th & Constitution Avenue, N.W., Washington, D.C. 20551.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who have filed complaints with the Federal Reserve Board or the Federal Reserve Banks.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records may contain complaints regarding state-chartered member banks, as well as other financial institutions, individuals or organizations that are subject to federal banking regulations. Information included in these records are the complainant's name, a code symbol indicating the subject matter of the complaint, and information regarding the investigation and action taken on the complaint. Supporting records may include documents supplied by the complainant, intra-agency memoranda, as well as correspondence between the Federal Reserve System and the financial institution or other individual or organization in question.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11 of the Federal Reserve Act (12 U.S.C. 248(i)).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The information in these records may be used:

a. By Board staff in its consumer affairs program for the investigation and resolution of consumer complaints.

b. To provide the appropriate Reserve Bank with information when a complaint or inquiry is received by the Board involving a state-chartered member bank in that Reserve Bank's jurisdiction.

c. In the investigation and resolution of complaints by the Reserve Bank which may require the disclosure of information contained in the records pertaining to the subject individual or institution.

d. For the maintenance of all follow-up correspondence (i.e., information submitted by complainant and information gathered in the investigation process concerning the complainant's bank records and pertinent bank policies.

e. To respond to Congressional inquiries and referral of complaints made on behalf of constituents. Congressional inquiries are generally made for the purpose of assessing the implementation of Congressional legislation. Information identifying the complainant and the institution or individual subject to the complaint is generally deleted in these requests, unless the complainant consents to disclosure. Information provided in response to complaint referrals will be in the form of follow-up correspondence on the complaints.

f. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether federal, state or local, charged with the responsibility of investigating or prosecuting such violations or with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

g. To respond to a court order.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are stored in computer readable format, computer printouts, control forms, in file folders, and on microfiche.

RETRIEVABILITY:

File folders and microfiche are retrievable by subject code; control forms by control form number; computer printouts by state member bank name, consumer name, and control form number.

SAFEGUARDS:

Access to and use of these records is restricted to authorized personnel only.

RETENTION AND DISPOSAL:

a. File folders of complaints will be retained for two years.

b. Complaints on microfiche will be retained indefinitely.

c. Records stored in computer readable format will be retained indefinitely, with the following exceptions: records on control forms will be retained for a maximum of one year, with the exception of Reserve Bank referrals which, will be retained indefinitely; records on computer printouts of monthly and year-end reports will be retained for one year, then put on microfiche and retained indefinitely.

SYSTEM MANAGER AND ADDRESS:

Director
Division of Consumer and Community Affairs
Board of Governors
Federal Reserve System
20th and Constitution Ave., N.W.
Washington, D.C. 20051

NOTIFICATION PROCEDURE:

Inquiries should be directed to the System Manager at the address above. Inquirers may be required to file notarized statements attesting to their identity.

RECORD ACCESS PROCEDURES:

Inquiries should be directed to the System Manager at the address above. Inquirers may be required to file notarized statements attesting to their identity.

RECORD SOURCE CATEGORIES:

Person(s) who initiate complaints (or his or her representative, which may include a member of Congress or an attorney); appropriate federal, state or local regulatory and enforcement agencies; institutions or individuals that are the subject of a complaint.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to subsection (k)(2) and (k)(5) of the Privacy Act and the Board's

regulations relating thereto (12 CFR Part 261a), certain portions of this system of records may be exempted from certain provisions of the act where: (1) Such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—19

SYSTEM NAME:

FRB—Financial Disclosure Reports and Outside Business Interest Applications.

SYSTEM LOCATION:

Board of Governors of the Federal Reserve System, 20th and Constitution Avenue, N.W., Washington, D.C. 20551.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Board members, officials, and key Board employees who are required to file annual financial disclosure reports pursuant to Title II of the Ethics in Government Act, as amended, Pub. L. 95–521 (1978) and Pub. L. 96–19, and 96–28 (1979), or pursuant to Board regulation, 12 CFR Part 264; and Outside Business Interest Application forms, filed pursuant to 12 CFR Part 264.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records contain:

a. the annual Financial Disclosure reports filed on forms prescribed by the Office of Government Ethics, for those Board members and officials who are required by statute to file these reprots;

b. Confidential annual Financial Disclosure Reports filed annually by remaining Board officials and designated key Board employees who are required by Board regulations to file these reports; and

c. Outside Business Interest Application forms filed by employees pursuant to Board regulation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title II of Pub. L. 95–521 (1978) and sections 10 and 11 of the Federal Reserve Act (12 U.S.C. 221 et seq.).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The information in these records may be used:

a. To identify or determine conflict of interest situations or potential conflicts of interest.

b. To advise an employee of potential problems.

c. To provide information to the Office of Government Ethics.

d. To provide copies of those financial disclosure reports filed pursuant to the Ethics in Government Act to the public, upon request.

e. To respond to a request from a Member of Congress.

f. To respond to a request from the General Accounting Office made in the exercise of their official responsibilities.

g. To respond to a court order.

h. To respond to requests for nonidentified statistical information under the Freedom of Information Act.

i. To refer where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders, in locked steel file cabinets, in a secured room.

RETRIEVABILITY:

These records are indexed by the names of the individuals to whom they pertain.

SAFEGUARDS:

Access to and use of these records is restricted to those persons whose official duties require such access.

RETENTION AND DISPOSAL:

a. Financial Disclosure Reports filed pursuant to the Ethics in Government Act are retained for the statutorily required six-year period, after which they are destroyed, unless needed in an ongoing investigation.

b. Confidential Financial Disclosure Reports filed pursuant to Board regulation are maintained indefinitely.

c. Outside Business Interest Applications are maintained indefinitely.

SYSTEM MANAGER AND ADDRESS:

Board Ethics Official
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

NOTIFICATION PROCEDURE:

a. Requests for access to Financial Disclosure Reports filed pursuant to the Ethics in Government Act are to be submitted on the form provided by the Office of Government Ethics.

b. Individuals wishing to have access to their own Confidential Financial Disclosure reports or Outside Business Interest Applications should contact the System Manager above.

RECORD ACCESS PROCEDURES:

Individuals wishing to gain access to or to correct information maintained about them in this system of records should contact the System Manager above. Former Board employees should direct such a request in writing, including their name, date of birth and social security number.

RECORD SOURCE CATEGORIES:

Individual to whom the record pertains.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Board of Governors of the Federal Reserve System, December 8, 1981.

William W. Wiles,

Secretary of the Board.

[FR Doc. 81-35604 Filed 12-11-81; 8:45 am]

BILLING CODE 6210-01-M

FEDERAL TRADE COMMISSION

Early Termination of the Waiting Period of the Premerger Notification Rules; the Securities Group

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: The Securities Group is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain assets and voting securities of Jartran, Inc. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: November 19, 1981.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of

Competition, Room 301, Federal Trade Commission, Washington, D.C. 20580; (202) 523-3894.

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81-35741 Filed 12-11-81; 8:45 am]

BILLING CODE 6750-01-M

Early Termination of the Waiting Period of the Premerger Notification Rules; MGF Oil Corp.

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: MGF Oil Corp. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain voting securities of Griffin Petroleum Corp. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: November 19, 1981.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 301, Federal Trade Commission, Washington, D.C. 20580, (202) 523-3894.

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81-35742 Filed 12-11-81; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control

Mine Health Research Advisory Committee Respirator Research Subcommittee; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), the Centers for Disease Control announces the following National Instutute for Occupational Safety and Health (NIOSH) Committee meeting:

Name: Respirator Research Subcommittee of the Mine Health Research Advisory Committee
Date: January 4-5, 1982
Time: 8:30 a.m. to 4:30 p.m.
Place: Conference Room M, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857
Type of Meeting: Open
Contact Person: Jon R. May, Ph.D., Special Assistant to the Director (for Testing and Certification), National Institute for Occupational Safety and Health, Centers for Diesase Control, 5600 Fishers Lane, Room 8A-53, Rockville, MD 20857, Telephone: (301) 443-3580
Purpose: To discuss and obtain comments relevant to the advantages and disadvantages of in-house versus external testing of respirators.

The Mine Health Research Advisory Committee (MHRAC) was established by the Federal Mine Safety and Health Act of 1977. This legislation also provides the basis for the NIOSH/MSHA Respirator Certification Regulations under 30 CFR 11. The subcommittee, composed of members of the MHRAC, will provide a report to the full Committee that may contain a recommendation on NIOSH's role in testing and certification of respirators. Resource personnel from among the users of respirators will be invited to assist the subcommittee.

Viewpoints and suggestions from manufacturers and users of respirators, industry, organized labor, academia, other government agencies, and any other interested parties are invited. Interested parties wishing to participate in the meeting are requested to contact Dr. Jon May at the address above in order to be assured appropriate time for presentation. Four copies of the text of the presentation should be provided to the subcommittee chairperson, John B. Moran, Post Office Box 42, Boyds, MD 20841, prior to or at the subcommittee meeting.

The subcommittee will present its report on this subject to the MHRAC at their next meeting currently scheduled for February 1-2, 1982. The final subcommittee report, as approved by the MHRAC, will be available subsequent to the February meeting.

Dated: December 7, 1981.

William C. Watson, Jr.,

Acting Director, Centers for Disease Control.

[FR Doc. 81-35639 Filed 12-11-81; 8:45 am]

BILLING CODE 4160-19-M

Health Care Financing Administration

Medicare and Medicaid Programs; Omnibus Budget Reconciliation Act of 1981: Information Notice on Medicare and Medicaid Amendments

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: General notice.

SUMMARY: This notice describes briefly some of the provisions of Title XXI of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35, August 13, 1981) that affect eligibility, benefits, reimbursement, and administration of the Medicare and Medicaid programs.

We wish to bring to the attention of the public several provisions that are, in large part, self-explanatory and that are now or will soon become effective. Some of these provisions repeal or amend provisions contained in the Omnibus Reconciliation Act of 1980 (Pub. L. 96-499, December 5, 1980).

By this publication, we wish to serve notice that these provisions will be implemented, on the dates indicated, even though specific regulations have not been promulgated. We will incorporate these provisions in regulations, manual instructions, and other materials as appropriate.

DATE: The effective date of each statutory provision is given in the "Supplementary Information" section of this document.

Since this notice merely contains a brief description of statutory changes and does not contain policy interpretations, we are not providing a specified period for receipt of comments. However, we welcome comments on any of these provisions.

ADDRESSES: Address comments to: Administrator, Health Care Financing Administration, Department of Health

and Human Services, P.O. Box 17073, Baltimore, Maryland 21235. In commenting, please refer to BPP–177–GN. We will consider all comments received in future review of the need for departmental legislative initiatives, regulations, or administrative actions.

FOR FURTHER INFORMATION CONTACT:
Sharon Harris (301) 594–9774.

SUPPLEMENTARY INFORMATION:

Background

On December 5, 1980, the Omnibus Reconciliation Act of 1980 (Pub. L. 96–499) was enacted. This Act made numerous substantive and technical changes in the administration of the Medicare and Medicaid programs. Many of the provisions of Pub. L. 96–499 have already gone into effect. We have issued instructions and other materials to State agencies, contractors, providers, and others affected by the provisions.

On August 13, 1981, the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97–35) was enacted. Title XXI of this Act (the Medicare and Medicaid Amendments of 1981) repealed or amended some of the provisions contained in the Omnibus Reconciliation Act of 1980, added a variety of new provisions that expand efforts to control Federal expenditures in the Medicare and Medicaid programs, and increased State flexibility in administering State programs.

This notice describes briefly some of the provisions of the new legislation relating to the Medicare and Medicaid programs that are sufficiently complete and clear that we believe they can take effect without issuance of regulations. We believe it is advantageous to provide a brief summary of these provisions and give notice to program administrators, providers of services, beneficiaries, and the general public that they are being implemented. In each case, we will also incorporate these provisions in appropriate regulations or manual issuances, as appropriate, at a later date.

We have already published in the **Federal Register** regulations and notices on a number of other provisions of the 1981 Reconciliation Act. A listing of the subjects and the publication dates is included at the end of this notice for informational purposes. We will be issuing implementing materials (regulations, manual issuances, administrative instructions, etc.) on the remaining sections of the Act soon.

Summary of Specific Provisions

(The section numbers cited before each item refer to the provisions of the Omnibus Budget Reconciliation Act of 1981.)

1. Section 2106—Technical Corrections

This amendment restores a provision that was erroneously deleted by the Omnibus Reconciliation Act of 1980. As corrected, section 1833(a)(2) limits reimbursement for Medicare Part B services to the lower of the provider's customary charge or the reasonable cost of the covered services. Section 2106 also deletes a reference to section 1837(b) of the Social Security Act, which was repealed by the Omnibus Reconciliation Act of 1980, and corrects two other technical errors. (Section 1837(b) had prescribed a two-enrollment limitation for SMI beneficiaries.)

Amends: Sections 1833(a)(2), 1835(a)(2), 1838(b), and 1903(n) of the Social Security Act.

Effective: The restoration of section 1833(a)(2) and the technical corrections are effective retroactively to December 5, 1980, the date of enactment of the Omnibus Reconciliation Act of 1980. The deletion of the reference to section 1837(b) is effective April 1, 1981, the date that section was repealed.

2. Section 2121—Coverage of Alcohol Detoxification Facility Services

This amendment repeals the provision, added by the Omnibus Reconciliation Act of 1980, under which Medicare payment could be made for inpatient alcohol detoxification services furnished in free-standing facilities. It also deletes the requirement that we conduct a study of Medicare coverage of certain additional detoxification-related services.

Amends: Sections 1812(a), 1814(a)(2), 1861(u) and (bb), 1154(b), 1155, 1158, and section 931 of Pub. L. 96–499.

Effective: The statutory effective date of this provision is August 23, 1981. However, since no regulations or instructions were issued to implement the prior provision, no payments have been initiated or authorized.

3. Section 2122—Elimination of Occupational Therapy as a Basis for Initial Entitlement to Home Health Services

This amendment eliminates occupational therapy as a qualifying criterion for initial entitlement to home health services benefits. (The Omnibus Reconciliation Act of 1980 had added occupational therapy to the previously existing list of qualifying conditions—skilled nursing care and physical and speech therapy.) However, an individual who has otherwise qualified for home health benefits on the basis of his need for skilled nursing care, speech therapy, or physical therapy may have payment extended solely because of a continuing need for occupational therapy.

Amends: Sections 1814(a)(2)(D) and 1835(a)(2)(A) of the Social Security Act.

Effective: The amendment is effective with plans of treatment implemented for the first time on or after December 1, 1981. A benficiary receiving home health care under a continuous plan of care implemented before December 1 remains eligible for home health benefits after that date, subject to other applicable requirements, even if occupational therapy was the only qualifying condition for such plan of care.

4. Sections 2131 and 2132—Medicare Part A Deductible and Coinsurance

• Medicare Part A inpatient hospital coinsurance (the amount charged to a beneficiary for each day after the first 60 days of inpatient hospital care during a spell of illness) is, by statute, based on a fraction of the inpatient hospital deductible. The deductible itself is increased each calendar year. Prior to passage of the Omnibus Budget Reconciliation Act of 1981, the formula for coinsurance used the deductible that was in effect at the time the beneficiary's spell of illness began. Section 2131 changes this to base the coinsurance on the deductible in effect on the date inpatient hospital services or posthospital extended care services are furnished.

Amends: Section 1813(b)(2) of the Social Security Act.

Effective: The amendment is effective for Part A inpatient hospital services or posthospital extended care services furnished on or after January 1, 1982.

• Section 1813(b)(2) of the Social Security Act requires us to adjust the Medicare Part A inpatient hospital deductible each year to reflect changes in the average cost of hospital care. The amount of the adjustment is determined by multiplying a base figure of $40 by the ratio of the current average per diem rate for inpatient hospital services for the preceding calendar year to the average per diem rate for the inpatient hospital services for 1966. This results in the inpatient hospital deductible being increased each year by about the same percentage as the increase in the average Medicare daily hospital costs. Section 2132 of the new law increases the base figure of $40 to $45. The formula is otherwise unchanged. Under the amendment, the inpatient hospital deductible for 1982 will be $260.

Amends: Section 1813(b)(2) of the Social Security Act.

Effective: This amendment applies to inpatient hospital services furnished on or after January 1, 1982.

5. Section 2133—Carryover of Incurred Expenses in Meeting Medicare Part B Deductible

This amendment repeals the provision of current law that permits beneficiaries to count expenses incurred in the forth quarter of a calendar year in meeting the Medicare Part B deductible for the following year.

Amends: Section 1833(b) of the Social Security Act.

Effective: This amendment applies to the deductible for the calendar year 1982 with respect to expenses incurred on or after October 1, 1981.

6. Section 2134—Increase in Medicare Part B Deductible

This amendment increases the Medicare Part B annual deductible from $60 to $75.

Amends: Section 1833(b) of the Social Security Act.

Effective: January 1, 1982.

7. Section 2151—Elimination of Unlimited Open Enrollment

This amendment repeals the provision under the Omnibus Reconcilation Act of 1980 that provided for continuous open enrollment under Medicare Part B. It also reinstitutes the prior provision for an annual general enrollment period of January through March of each calendar year.

Amends: Section 1837(e) and (g)(3), 1838(a)(2)(E), and 1839(d) of the Social Security Act.

Effective: October 1, 1981.

8. Section 2152—Utilization Guidelines for Home Health Services

This amendment provides for the establishment of utilization guidelines for determining whether or not payment may be made for home health services under Medicare Parts A and B. (There is authority under existing HCFA regulations to implement this provision. We will issue manual instructions to the Medicare intermediaries for a program of post-payment coverage review of submitted claims on a sample basis.)

Amends: Section 1862 of the Social Security Act by adding a new paragraph (f).

Effective: October 1, 1981.

9. Section 2153—Repeal of Statutory Time Limitation on Provider Agreement With Skilled Nursing Facilities

This amendment eliminates the requirement that an agreement between the Secretary and a skilled nursing facility cannot exceed 12 months. In addition, by implication, this eliminates the need to conduct annual surveys of these facilities for recertification.

Amends: Section 1866(a)(1) of the Social Security Act.

Effective: The statutory effective date is August 13, 1981. Current agreements are not affected. When a facility's current agreement expires, we will decide whether to extend the agreement on an indefinite basis or on a time-limited basis.

10. Section 2155—Elimination of Periodic Interim Payment Delay

This amendment repeals the provision of the Omnibus Reconciliation Act of 1980 that provided for a temporary delay in periodic interim payments (PIP) to providers.

Amends: Section 959 of the Omnibus Reconciliation Act of 1880.

Effective: August 13, 1981.

Provisions For Which Regulations or Notices Have Already Been Published

We have already issued interim final regulations, propose rules, and notices in the **Federal Register** on the following provisions of the 1981 Reconciliation Act:

Federal Register, September 30, 1981, Vol. 46, No. 189 (All are interim final rules except where indicated.)

- Section 2143, Medicare: Schedule of Limits on Hospital Per Diem Inpatient General Routine Operating Costs (General Notice).
- Section 2144, Medicare: Schedule of Limits on Home Health Agency Costs Per Visit, Effective 10/1/81 (General Notice).
- Section 2161, Medicaid—Reduction in Federal Matching Payments to States for FY 1982–1984; and Offset Based on Third Party Liability Recoveries Against Reduction in Medicaid Payments (Notice of Proposed Rulemaking) (2 documents).
- Sections 2171 and 2172, Medicaid Eligibility and Coverage Criteria.
- Section 2173, Payment for Long-Term Care Facility Services and Inpatient Hospital Services.

Federal Register, October 1, 1981, Vol. 46, No. 190, Book 2 (All are interim final regulations.)

- Sections 2103 and 2164, Medicare and Medicaid—Less than Effective Drugs and Inpatient Hospital Tests.
- Sections 2111, 2112, and 2113, Professional Standards Review; Professional Standards Review Organizations.
- Section 2141, Medicare—Inpatient Routine Nursing Salary Cost Differential.
- Sections 2162, 2174, 2182, and 2183, Miscellanous Medicaid Provisions—Increased State Flexibility (Reimbusement for Services of Practitioners and for Noninstitutional Services, Collection of Third Party Payments, Recertifications by Physicians Assistants and Nurse Practitioners, and Addition of Northern Mariana Islands to the States and Territories Participating in Medicaid).
- Section 2175, Medicard—Freedom of Choice: Waiver of and Exception to State Plan Requirements.
- Section 2176, Medicaid—Coverage of Home and Community Based Services.

(Secs. 2106, 2121, 2122, 2131–2134, 2151, 2152, 2153, and 2155 of the Omnibus Budget Reconcilation Act of 1981, Pub. L. 97–35)

Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Programs; No. 13.773; Medicare—Hosppital Insurance Program; and No. 13.774, Medicare—Supplementary Medical Insurance Program.

Dated: November 12, 1981.

Carolyne K. Davis,

Administrator, Health Care Financing Administration.

Approved: December 7, 1981.

Richard S. Schweiker,

Secretary.

[FR Doc. 81-35583 Filed 12-11-81; 8:45 am]

BILLING CODE 4120-03-M

Health Resources Administration

National Advisory Council on Health Professions Education; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following National Advisory body scheduled to meet during the month of January 1982:

Name: National Advisory Council on Health Professions Education

Date and Time: January 18, 1982, 1:30 p.m.–5:00 p.m.; January 19–20, 1982, 8:30–5:00 p.m.

Place: Conference Room 10, Building 31, C Wing, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20205.

Open for entire meeting.

Purpose: The Council advises the Secretary with respect to the administration of programs of financial assistance for the health professions and makes recommendations based on its review of applications requesting such assistance. This also involves advice in the preparation of regulations with respect to policy matters.

Agenda: The meeting will cover: welcome and opening remarks; report of the Acting Administrator; budget update; legislative update; criteria for selection of ad hoc

reviewers; use of national board scores; institutional commitment to funding of projects; basic educational opportunity grants; and future agenda items.

Anyone wishing to obtain a roster of members, minutes of meetings, or other relevant information should write to or contact Mr. Robert L. Belsley, Executive Secretary, National Advisory Council on Health Professions Education, Bureau of Health Professions, Health Resources Administration, Room 4–27, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782, Telephone (301) 436–6560.

Agenda items are subject to change as priorities dictate.

Dated: December 8, 1981.

Jackie E. Nylen,

Advisory Committee Management Officer, Health Resources Administration.

[FR Doc. 81-35526 Filed 12-11-81; 8:45 am]

BILLING CODE 4160-15-M

Public Health Service

Health Maintenance Organizations; Continued Regulation; Reestablishment of Compliance

AGENCY: Public Health Service, HHS.

ACTION: Notice. Continued regulation of Health Maintenance Organizations: Reestablishment of Compliance.

SUMMARY: On November 13, 1981, the Office of Health Maintenance Organizations (OHMO) notified Community Health Care Center Plan, Inc., (CHCP), 150 Sargent Drive, New Haven, Connecticut 06511, a federally qualified health maintenance organization (HMO), that as of that date CHCP had successfully reestablished compliance with its assurance to the Secretary that it would maintain a fiscally sound operation.

FOR FURTHER INFORMATION CONTACT: Frank H. Seubold, Ph.D., Director, Office of Health Maintenance Organizations, Park Building, 3rd Floor, 12420 Parklawn Drive, Rockville, Maryland 20857, 301/443–4106.

SUPPLEMENTARY INFORMATION: Under section 1312(b)(1) of the Public Health Service Act (42 U.S.C. 300e–11(b)(1)), if the Secretary makes a determination under section 1312(a) that a qualified HMO is not organized or operated in the manner prescribed by section 1301(c), then the HMO shall be (1) notified in writing of the determination, and (2) directed to initiate corrective action to bring it into compliance with the assurances it provided to the Secretary under section 1310(d)(1). Section 1312(b)(1) also provides that the Secretary shall publish in the **Federal Register** notices of determinations made under that section.

On February 6, 1980, CHCP was officially notified that it was not in compliance with the assurance it had given the Secretary that it would maintain a fiscally sound operation as required by section 1301(c)(1)(A) of the Act. This determination, a notice of which was published at 45 FR 76798–9 on November 20, 1980, did not affect CHCP's status as a federally qualified HMO. Subsequently, CHCP implemented successfully corrective action to bring it into compliance with its assurances. On November 13, 1981, CHCP was notified by OHMO that, as of that date, it had reestablished compliance with its assurance to the Secretary that it would maintain a fiscally sound operation.

Dated: December 3, 1981.

Frank H. Seubold,

Director, Office of Health Maintenance Organizations.

[FR Doc. 81-35634 Filed 12-11-81; 8:45 am]

BILLING CODE 4160-09-M

Health Maintenance Organizations; Continued Regulation; Determination of Noncompliance and Revocation of Federal Qualification

AGENCY: Public Health Service, HHS.

ACTION: Notice. Continued regulation of Health Maintenance Organizations: Determination of Noncompliance and revocation of federal qualification.

SUMMARY: On August 6, 1980, the Office of Health Maintenance Organizations (OHMO) determined that Health Maintenance of Oregon, Inc., (HMO, Inc.), P.O. Box 8471, Portland, Oregon 97207, a federally qualified health maintenance organization (HMO), was not in compliance with the assurances it had provided to the Secretary that it would (1) maintain a fiscally sound operation, (2) maintain satisfactory administrative and managerial arrangements, (3) provide basic and supplemental health services in a manner which assures continuity of health care, (4) provide meaningful procedures for hearing and resolving grievances, and (5) establish an ongoing quality assurance program for its health services. On October 30, 1981, the Acting Director of OHMO notified HMO, Inc. that he was revoking their Federal qualification and this revocation became effective on November 17, 1981. Accordingly, HMO, Inc. is no longer a federally qualified HMO.

FOR FURTHER INFORMATION CONTACT: Frank H. Seubold, Ph.D., Director, Office of Health Maintenance Organizations, Park Building, 3rd Floor, 12420 Parklawn Drive, Rockville, Maryland 20857, 301/443–4106.

SUPPLEMENTARY INFORMATION: Under section 1312(b)(1) of the Public Health Service Act (the Act) (42 U.S.C. 300e-11(b)(1)), if the Secretary makes a determination under section 1312(a) that a qualified HMO is not organized or operated in the manner prescribed by section 1301(c), then the HMO shall be (1) notified in writing of the determination and (2) directed to initiate corrective action to bring it into compliance with the assurances it provided to the Secretary under section 1310(d)(1). The notice of August 6, 1980, gave HMO, Inc. an opportunity to initiate corrective action to bring it into compliance with the assurances that it would (1) maintain a fiscally sound operation, (2) maintain satisfactory administrative and managerial arrangements, (3) provide basic and supplemental health services in a manner which assures continuity of health care, (4) provide meaningful procedures for hearing and resolving grievances, and (5) establish an ongoing quality assurance program for its health services. The basis for the revocation of Federal qualification was OHMO's determination that HMO, Inc. had not carried out and would not carry out the corrective action necessary to return to compliance.

The effect of the revocation of the Federal qualification of HMO, Inc. is as follows: (1) HMO, Inc. may not seek inclusion in employees' health benefits plans under section 1310 of the Act; (2) with respect to employers including HMO, Inc. in the health benefits plan offered their employees, HMO, Inc. is not a qualified HMO for purposes of section 1310 of the Act; (3) the inclusion of HMO, Inc. in an employees' health benefits plan will be disregarded for purposes of determining whether, and to what extent, the employer is subject to 42 CFR Part 110, Subpart H, and will not constitute compliance with the requirements of that subpart; and (4) HMO, Inc. is not a qualified HMO for purposes of the financial assistance programs under 42 CFR Part 110.

Section 1312(b)(1) of the Act requires that a notice of the determination of noncompliance and of the revocation of Federal qualification of an HMO be published in the **Federal Register**

Dated: December 3, 1981.

Frank H. Seubold,

Director, Office of Health Maintenance Organizations.

[FR Doc. 81-35635 Filed 12-11-81; 8:45 am]

BILLING CODE 4160-09-M

Health Maintenance Organizations; Continued Regulation; Determination of Noncompliance and Revocation of Federal Qualification

AGENCY: Public Health Service, HHS.

ACTION: Notice. Continued regulation of Health Maintenance Organizations: Determination of noncompliance and revocation of federal qualification.

SUMMARY: On July 1, 1981, the Office of Health Maintenance Organizations (OHMO) determined that Southern Connecticut Community Health Plan, (SCCHP), 1010 Summer Street, Stamford, Connecticut 06905, a federally qualified health maintenance organization (HMO), was not incompliance with the assurances it had provided to the Secretary that it would maintain a fiscally sound operation. On November 9, 1981, the Acting Director of OHMO notified SCCHP that he was revoking SCCHP's Federal qualification and this revocation became effective on November 17, 1981. Accordingly, SCCHP is no longer a federally qualified HMO.

FOR FURTHER INFORMATION CONTACT: Frank H. Seubold, Ph.D., Director, Office of Health Maintenance Organizations, Park Building, 3rd Floor, 12420 Parklawn Drive, Rockville, Maryland 20857, 301/443-4106.

SUPPLEMENTARY INFORMATION: Under section 1312(b)(1) of the Public Health Service Act (the Act) (42 U.S.C. 300e-11(b)(1)), if the Secretary makes a determination under section 1312(a) that a qualified HMO is not organized or operated in the manner prescribed by section 1301(c), then the HMO shall be (1) notified in writing of the determination and (2) directed to initiate corrective action to bring it into compliance with the assurances it provided to the Secretary under section 1310(d)(1). The notice of July 1, 1981, gave SCCHP an opportunity to initiate corrective action to bring it into compliance with the assurances that it would maintain a fiscally sound operation. The basis for the revocation of Federal qualification was OHMO's determination that SCCHP had not carried out and would not carry out the corrective action necessary to return to compliance.

The effect of the revocation of SCCHP's Federal qualification is as follows: (1) SCCHP may not seek inclusion in employees' health benefits plans under section 1310 of the Act; (2) with respect to employers including SCCHP in the health benefits plan offered their employees, SCCHP is not a qualified HMO for purposes of section 1310 of the Act; (3) the inclusion of SCCHP in an employees' health benefits plan will be disregarded for purposes of determining whether, and to what extent, the employer is subject to 42 CFR Part 110, Subpart H, and will not constitute compliance with the requirements of that subpart; and (4) SCCHP is not a qualified HMO for purposes of the financial assistance programs under 42 CFR Part 110.

Section 1312(b)(1) of the Act requires that a notice of the determination of noncompliance and of the revocation of Federal qualification of an HMO be published in the **Federal Register.**

Dated: December 3, 1981.

Frank H. Seubold,

Director, Office of Health Maintenance Organizations.

[FR Doc. 81-35636 Filed 12-11-81; 8:45 am]

BILLING CODE 4160-09-M

Health Maintenance Organizations; Continued Regulation of Health Maintenance Organizations; Determination of Noncompliance and Revocation of Federal Qualification

AGENCY: Public Health Service, HHS.

ACTION: Notice. Continued regulation of Health Maintenance Organizations: Determination of noncompliance and revocation of Federal qualification.

SUMMARY: On September 23, 1981, the Office of Health Maintenance Organizations (OHMO) determined that Portland Metro Health, Inc., (PMHI), 8840 S.W. Canyon Road, Portland, Oregon 97225, a federally qualified health maintenance organization (HMO), was not in compliance with the assurances it had provided to the Secretary that it would (1) maintain a fiscally sound operation and (2) maintain satisfactory administrative and managerial arrangements. On November 13, 1981, the Acting Director of OHMO notified PMHI that he was revoking PMHI's Federal qualification and this revocation became effective on November 20, 1981. Accordingly, PMHI is no longer a federally qualified HMO.

FOR FURTHER INFORMATION CONTACT: Frank H. Seubold, Ph.D., Director, Office of Health Maintenance Organizations, Park Building, 3rd Floor, 12420 Parklawn Drive, Rockville, Maryland 20857, 301/443-4106.

SUPPLEMENTARY INFORMATION: Under section 1312(b)(1) of the Public Health Service Act (the Act) (42 U.S.C. 300e-11(b)(1)), if the Secretary makes a determination under section 1312(a) that a qualified HMO is not organized or operated in the manner prescribed by section 1301(c), then the HMO shall be (1) notified in writing of the determination and (2) directed to initiate corrective action to bring it into compliance with the assurances it provided to the Secretary under section 1310(d)(1). The notice of September 23, 1981, gave PMHI an opportunity to initiate corrective action to bring it into compliance with the assurances that it would (1) maintain a fiscally sound operation and (2) maintain satisfactory administrative and managerial arrangements. The basis for the revocation of Federal qualification was OHMO's determination that PMHI had not carried out and would not carry out the corrective action necessary to return to compliance. Portland Metro Health, Inc. is now in liquidation pursuant to Oregon State statute and has not provided health care services, as required by Title XIII of the Public Health Service Act, since November 14, 1981.

The effect of the revocation of PMHI's Federal qualification is as follows: (1) PMHI may not seek inclusion in employees' health benefits plans under section 1310 of the Act; (2) with respect to employers including PMHI in the health benefits plan offered their employees, PMHI is not a qualified HMO for purposes of section 1310 of the Act; (3) the inclusion of PMHI in an employees' health benefits plan will be disregarded for purposes of determining whether, and to what extent, the employer is subject to 42 CFR Part 110, Subpart H, and will not constitute compliance with the requirements of that subpart; and (4) PMHI is not a qualified HMO for purposes of the financial assistance programs under 42 CFR Part 110.

Section 1312(b)(1) of the Act requires that a notice of the determination of noncompliance and of the revocation of Federal qualification of an HMO be published in the **Federal Register.**

Dated: December 3, 1981.

Frank H. Seubold,

Director, Office of Health Maintenance Organizations.

[FR Doc. 81-35637 Filed 12-11-81; 8:45 am]

BILLING CODE 4160-09-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. N-81-1104]

President's Commission on Housing; Schedule of Meetings

The President's Commission on Housing announces a tentative schedule of meetings of the Commission and its Committees, through February 26, 1982 (Appendix A). A revised schedule will be published monthly but because of the possibility of changes between publications, persons interested in attending the meetings should call the Commission offices to confirm the date, location and time of each meeting. All Commission and Committee meetings are open to the public.

Further information may be obtained by calling Jean M. Freeze, President's Commission on Housing, 730 Jackson Place N.W., Washington, D.C. 20503, (202) 395-5832.

(Sec. 10(a)(2), Federal Advisory Committee Act, as amended (5 U.S.C. App. I))

Issued at Washington, D.C., December 9, 1981.

Samuel R. Pierce, Jr.,

Secretary, Department of Housing and Urban Development.

Appendix A—Tentative Schedule of Meetings Through Feb. 26, 1982

Date	Commission/committee	Place	Time
Monday, December 14 and Tuesday December 15.	Committee on Government Regulation and the Cost of Housing—Hearings.	Conf. Rm., fourth floor, City Hall Annex, 900 Bagby Street, Houston, Texas.	9:00 a.m.
Wednesday, December 16	Committee on Housing Programs—Assisted Housing Task Force—Hearings.	NEOB, Room 2008, Washington, D.C.	Do.
Thursday, January 7	Full commission meeting	do	Do.
Friday, January 29	do	do	Do.
Tuesday, February 16	do	do	Do.
Friday, February 26	do	do	Do.

[FR Doc. 81-35786 Filed 12-11-81; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before December 3, 1981. Waiver of the 15-day public commenting period following this publication is necessary for the Oregon nominations listed below in order for listing of eligible properties to be accomplished before December 31, 1981. Listing in the National Register by this date will enable property owners to take advantage of Oregon's Historic Property Tax Law of 1975 (ORS 358.475), which provides that owners of properties entered into the National Register of Historic Places, including those properties which have been designated as contributing features of historic districts, may apply for special assessment status—a freeze of the assessed valuation for a 15-year period. Waiver of the public commenting period will allow timely listing which is necessary to aid in the preservation of these properties.

Bruce MacDougal,

Acting Keeper of the National Register.

OREGON

Benton County

Corvallis, *Hadley-Locke House*, 704 NW. 9th St.

Jackson County

Ashland, *Carter-Fortmiller House*, 514 Siskiyou Blvd.

Medford, *West Side Feed and Sale Stable*, 29 S. Grape St.

Marion County

Salem, *Bush and Brey Block and Annex*, 179—197 Commercial St., NE.

Salem, *Cross, Curtis, House*, 1635 S. Fairmount Ave.

Salem, *Harding, Benjamin F., House*, 1043 High St., SE.

Salem, *Jones-Sherman House*, 835 D St., NE.

Salem, *Minto, John and Douglas, Houses*, 841, 835 and 821 S. Saginaw St.

Stayton, *Paris Woolen Mill*, 535 E. Florence St.

Multnomah County

Portland, *Dayton Apartment Building*, 2056—2058 NW. Flanders St.

[FR Doc. 81-35746 Filed 12-11-81; 8:45 am]

BILLING CODE 4310-70-M

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before December 4, 1981. Waiver of the 15-day public commenting period following this publication is necessary for the Alabama nomination(s) listed below in order for listing of eligible properties to be accomplished before December 31, 1981. Listing in the National Register by this date will enable property owners to take advantage of Alabama's Historic Preservation Authorities Act of 1979, (Act 79-441 and 80-366), which provides that owners of properties entered into the National Register of Historic Places be eligible for tax-exempt bond financing through locally established historic preservation authorities. Waiver of the public commenting period will allow timely listing which is necessary to aid in the preservation of these properties.

Bruce MacDougal,

Acting Keeper of the National Register.

ALABAMA

Madison County

Huntsville, Vaught House, 701 Ward Ave.

Montgomery County

Montgomery, *Bell Building*, 207 Montgomery St.

[FR Doc. 81-35747 Filed 12-11-81; 8:45 am]

BILLING CODE 4310-70-M

INTERNATIONAL COMMUNICATION AGENCY

Advisory Commission on Public Diplomacy; Meeting

The United States Advisory Commission on Public Diplomacy will meet in Washington, D.C. on Tuesday, December 15, and Wednesday, December 16 in order to attend to urgent matters. The meetings will be closed to the public because they will involve a discussion of sensitive security information (5 U.S.C. 552b(c)(1)). There also will be a discussion and preparation of the commission's pending report to the Congress, the President, the Secretary of State, and the Director of the International Communication Agency. Premature disclosure of this information is likely to significantly frustrate implementation of proposed Agency action (5 U.S.C. 552b(c)(9)(B)) because there will be a discussion of future Agency policy and programs.

Dated: December 9, 1981.

Charles Z. Wick,

Director.

[FR Doc. 81-35785 Filed 12-11-81; 8:45 am]

BILLING CODE 8230-01-M

INTERSTATE COMMERCE COMMISSION

Award of Bonuses to Senior Executives

The ICC announces that it plans to award bonuses to Senior Executive Service members on or about December 28, 1981.

For further information contact: J. Warren McFarland, Director, Office of Compliance and Consumer Protection, Interstate Commerce Commission, 12th and Constitution Ave., N.W., Washington, DC 20423, (202) 275-7849.

By the Commission, William R. Johnson, Managing Director

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-35594 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OPY-2-235A]

Motor Carriers; Finance Applications; Decision-Notice

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's rules of practice (49 CFR 1100.240). See Ex Parte 55 (Sub-No. 44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11344 and 11349*, 363 ICC 740 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the **Federal Register**. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00, in accordance with 49 CFR 1100.241(d).

Amendments to the request for authority will not be accepted after the date of this publication. However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

We find, with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absense of legally sufficient protests as to the finance application or to any application directly related thereto filed within 45 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

Decided: December 4, 1981.

By the Commission, Review Board Number 1. Members Parker, Chandler, and Fortier.

Agatha L. Mergenovich,

Secretary.

MC-F-14733, filed November 4, 1981. HAROLD E. ANTONSON AND MICHAEL E. KIBLER (Applicants) (both of 7336 W. 15th Ave., Gary, IN 46406)—continuance in control—Eastern Refrigerated Express, Inc. (Eastern), (same address as above). Representative: Bernard J. Kompare, Suite 1600, 10 S. LaSalle St., Chicago, IL 60603, (312) 263-1600. Applicants seek authority to continue in control of Eastern upon the institution by Eastern of operations, in interstate or foreign commerce, as a motor common carrier. Applicants, each own 45% of Eastern's stock, seek to acquire control of said rights and property through the transaction. Applicants, non-carriers, also control Enterprise Truck Line, Inc., which holds authority issued by the Commission in Docket No. MC-123194 and subs thereto, and Southern Refrigerated Transportation Co., which holds authority under Docket No. MC-119792 and subs thereto, and MC-145454 and subs thereto. Such common control was approved in MC-F-13676.

Note.—Eastern has filed as a directly related application its initial common carrier application, docketed MC-153703, published in this same **Federal Register** issue.

[FR Doc. 81-35600 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Long-and Short-Haul Application for Relief (Formerly Fourth Section Application)

December 9, 1981.

This application for long-and-short-haul relief has been filed with the ICC.

Protests are due at the ICC within 15 days from the date of publication of the notice.

No. 43946, Southwestern Freight Bureau, Agent (No. B-142), reduced rates on iron or steel pipe and related articles from Centaur, MO to stations in Arkansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas, in Supplement 309 to its tariff ICC SWFB 4853, effective December 28, 1981. Grounds for relief—Origin Rate Relationships.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-35599 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. OPY-2-235]

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following operating rights applications, filed on or after July 3, 1980, are filed in connection with pending finance applications under 49 U.S.C. 10926, 11343 or 11344. The applications are governed by Special

Rule 252 of the Commission's general rules of practice (49 CFR 1100.252).

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Persons submitting protests to applications filed in connection with pending finance applications are requested to indicate across the front page of all documents and letters submitted that the involved proceeding is directly related to a finance application and the finance docket number should be provided. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. However, the Commission may have modified the application to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests in the form of verified statements as to the finance application *or* to the following operating rights applications directly related thereto filed within 45 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except where the application involves duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice by effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Decided: December 4, 1981.

By the Commission, Review Board Number 1, Members Parker, Chandler, and Fortier.

Agatha L. Mergenovich,

Secretary.

MC 153703, filed November 4, 1981. Applicant: EASTERN REFRIGERATED EXPRESS, INC., 7336 W. 15th Ave., Gary, IN 46406. Representative: Bernard J. Kompare, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603, (312) 263–1600. Transporting *such commodities* as are dealt in or used by grocery stores, drugstores, food business houses, and department stores, between points in IL, IN, MI, OH, and WI, on the one hand, and, on the other, points in CT, DE, MA, MD, ME, NH, NJ, NY, OH, PA, RI, VA, VT, WV, and DC.

Note.—This application is directly related to MC–F–14733 published in the same Federal Register issue.

[FR Doc. 81-35601 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 207]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: December 8, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR 1137. Part 1137 was published in the Federal Register of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Ewing, and Shaffer.

Agatha L. Mergenovich,

Secretary.

MC 475 (Sub-7)X, filed November 24, 1981. Applicant: WYMORE TRANSFER CO., P.O. Box 448, Oregon City, OR 97045. Representative: Earle V. White, 2400 S.W. Fourth Avenue, Portland, OR 97201. Lead and Subs 1, 4F, and 6F: (1) broaden general commodities (with exceptions) to "general commodities (except classes A and B explosives, and commodities in bulk)", lead; (2) allow service at all intermediate points, lead and Sub 1; and (3) change one-way to radial authority, Subs 4F and 6F.

MC 6380 (Sub-11)X, filed November 20, 1981. Applicant: R. F. TRUESDELL, INC., 6515 Anno Ave., Orlando, FL 32809. Representative: Paul M. Daniell, Suite 1200, 235 Peachtree St., N.E., Atlanta, GA 30303. Subs 4, 6 and 10 permits: Broaden to (1) "such commodities as are used by or dealt in by manufacturers of paper and paper products" from pulpboard, fibreboard boxes, plain or woodcleated; paper and paper products, except printing or fine papers; and/or corrugated and solid fibre boxes or containers, plain or wood reinforced, and returned shipments, all Subs; and (2) "between points in the U.S., (except AK & HI)" under continuing contract(s) with a named shipper.

MC 19227 (Sub-257)X, filed November 25, 1981. Applicant: LEONARD BROS. TRUCKING CO., INC., 2515 N.W. 20th Street, Miami, FL 33152. Representative: Robert F. McCaughey (same as applicant). Lead and Subs 1, 43, 44, 54, 68, 75, 77, 78, 80, 82, 84, 86, 88, 90, 107, 109, 111, 112, 114, 116, 118, 119, 121, 122, 123, 124, 127, 133, 135, 148, 152, 154, 155, 160, 164, 165, 167, 168, 173, 176, 177, 190, 192, 194, 195, 196, 198, 200, 202G, 204, 205, 206, 222, 223, 227, 228, 231, 234, 235, 236, 238, 241F, 242F, 243F, 244F, 246F, 248F, 249F, 250F, 251F, and 252 certificates and E-letters E–1, E–2, E–3, E–4, and E–6 letter notices: (A) broaden the commodity description to: (1) "metal products, machinery, transportation equipment, and lumber and wood products" from structural steel, contractor's equipment, and machinery, concrete and metal culverts, tanks, farm equipment and machinery, pilings and poles, and road building equipment, lead (part 5); (2) "food and related products"

from vegetables and citrus fruits, lead (part 7) and fresh meats, poultry, canned meats, canned animal foods, butter, cheese, eggs, oleomargarine, lard, and vegetable oils or compounds, lead (part 8); (3) "mercer commodities, and those commodities which because of their size or weight require the use of special handling or equipment" from machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and such commodities as require specialized handling or rigging because of size or weight in Sub 75; (4) "machinery, and transportation equipment" from forklift trucks and parts and accessories therefor when moving in connection therewith, Sub 77, and forklift trucks, platform trucks and warehouse trucks and parts and accessories therefor when moving in connection therewith, Sub 78; (5) "machinery and parts, materials, and supplies" from concrete handling equipment, and parts, materials, and supplies used in the construction, maintenance, and servicing, Sub 200; (6) "lumber and wood products" from lumber, Subs 86 and 133, lumber and lumber products, Sub 111 (part 3), and posts, poles, and piling and lumber, Sub 111 (part 4); (7) "those commodities which because of their size or weight require the use of special handling or equipment" from communications and transmission towers, and parts thereof when moving in connection with such towers, Sub 90, refuse disposal equipment, Subs 121, 122, 123, and 124, therapy pools, Subs 194, 195, 196, and 198, power control rooms, and switchgear, when moving in mixed loads with power control rooms, Sub 223, and rock crusher equipment, Sub 231; (8) "building materials, and metal products" from wall partition panels, panel core, and aluminum extrusions used in the construction of wall partitions and parts moving therewith, Sub 109; (9) "building materials" from composition board and composition sheets, Sub 111 (part 1), and gypsum wallboard, gypsum lath, and gypsum wallboard products, Sub 111 (part 2); (10) "metal products" from iron and steel articles, Subs 116 and 222, pipe and pipe fittings, cast iron meter boxes, manhole frames and manhole covers, Sub 155, aluminum pipe and extrusions, Sub 176, iron and steel articles, and iron and steel scrap, Sub 204, aluminum, aluminum products, and supplies, materials, and equipment used in the manufacture of aluminum and aluminum products, and zinc and zinc alloys, Sub 227, iron and steel articles, Sub 238, metal roofing, metal siding, and fabricated metal products, materials, equipment, and supplies used in the manufacture and distribution of the commodities named, Subs 242F and 245F, and aluminum and aluminum products, and materials, equipment, and supplies used in the manufacture of the commodities named, Sub 243F; (11) "machinery, and those commodities which because of their size or weight require the use of special handling or equipment" from portable cement batching plants and related parts and supplies, Sub 148, and bronze propellers and accessories, and machinery, equipment, and parts used in the manufacture, assembly, and servicing of propellers, Sub 190; (12) "machinery" from machinery, equipment, and parts used in the construction, asembly, servicing, and operation of boats, ships, and submarines, and equipment, parts and supplies in Sub 152, material handling equipment and parts for material handling equipment, Sub 160, and air-conditioning machines, Sub 248F; (13) "rubber and plastic products" from plastic pipe, plastic tubing and plastic fittings, Subs 164, 165, and 167, and extruded or injection molded rubber and plastic products and materials, supplies, and equipment used in the manufacture, sale, and distribution of commodities named, Sub 241F; (14) "transportation equipment" from buses, Sub 205, and buses, weighing less than 15,000 pounds, Sub 206; and (15) "self-propelled articles" from self-propelled articles weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, lead (part 6), and Sub 202-G (part D) and E-1, E-2, E-3, E-4, and E-6; (B) remove plantsite restrictions, Subs 80, 82, 84, 111, 114, 118, 121, 122, 123, 124, 133, 134, 152, 160, 164, 167, 173, 177, 190, 194, 195, 196, 198, 200, 204, 222, 223, 227, 231, 235, 236, 238, 241F, 242F, 243F, 244F, 245F, 249F, and 251F; (C) change one-way to radial authority, lead and Subs 54, 77, 78, 80, 82, 84, 86, 90, 111, 112, 116, 121, 122, 123, 124, 133, 148, 154, 155, 160, 164, 165, 167, 168, 176, 177, 192, 194, 195, 196, 198, 200, 202G, 204, 205, 206, 222, 223, 231, 234, 236, 238, 241F, 242F, 244F, 245F, 246F, 248F, 249F, 250F, 251F; (D) replace city-wide with county-wide authority: Miami, FL and points within 10 miles thereof (Dade and Broward Counties), Fort Lauderdale, FL (Broward County), and Palm Beach and West Palm Beach, FL (Palm Beach County), lead; Miami, FL and points within 25 miles thereof (Dade and Broward Counties), Sub 1; Burbank, CA (Los Angeles County), Chula Vista, CA (San Diego County), and Marietta, GA (Cobb County), Sub 54; Patrick Air Force Base, Cape Canaveral, FL (Brevard County), Sub 68; Peoria, IL (Peoria County), and Danville, IL (Vermillian County), Sub 77; Cleveland, OH (Cuyahoga County), Sub 78; Culver City, CA (Los Angeles County), Sub 80; Louisville, KY (Jefferson County), Subs 82 and 84; Martell, CA (Amador County), and Standard, CA (Tuolumne County), Sub 86; Los Angeles, CA (Los Angeles County), Fullerton, CA (Orange County), Paramount, CA (Los Angeles County), and Charlotte, NC (Mecklenburg County), Sub 109; Newbury Park, CA (Ventura County), Chula Vista, CA (San Diego County), and Riverside, CA (Riverside County), Sub 112; Fort Worth, TX (Tarrant County), Sub 114; Corpus Christi, TX (Nueces County), Galveston, TX (Galveston County), and Houston, TX (Harris County), Sub 116; Bethpage, NY (Nassau County), Hicksville, and Syosset, NY (Nassau County), Calverton, Sag Harbor, and Wyandanch, NY (Suffolk County), and Stuart, FL (Martin County), Sub 118; Auburn, NY (Cayuga County), Sub 119; Sun Valley and Pico Rivera, CA (Los Angeles County), Subs 121, 122, 123 and 124; Yuma, AZ (Yuma County), Sub 127; Stockton, CA (San Joaquin County), Sub 133; Sunnyvale, CA (Santa Clara County), Los Angeles, CA (Los Angeles County), Amarillo, TX (Potter County), and Burlington, IA (Des Moines County), Sub 135; Pascagoula, MS (Jackson County), Sub 152; Swan, TX (Smith County), Sub 155; Fairfield, IA (Jefferson County), Sub 160; Houston, TX (Harris County), Subs 164, 165, and 167; Diboll, TX (Angelina County), and Pineland, TX (Sabine County), Sub 168; Los Angeles, CA (Los Angeles County), Louisville, KY (Jefferson County), Knoxville, TN (Knox County), and Arlington, TX (Tarrant County), Sub 173; El Campo, TX (Wharton County), Sub 176; Louisville, KY (Jefferson County), Sub 177; Pascagoula, MS (Jackson County), Sub 190; Springdale, AR (Washington County), Sub 192; Sun Valley, CA (Los Angeles County), Subs 194, 195, 196, and 198; Los Angeles, CA (Los Angeles County), Sub 200; Midlothian, TX (Ellis County), Sub 204; Downey, CA (Los Angeles County), Sub 205; Wilton, IA (Muscatine County), and Newport, MN (Washington County), Sub 222; Houston, TX (Harris County), Sub 223; Olathe, KS (Johnson County), Sub 235; Houston, TX (Harris County), Sub 236; Irving, TX (Dallas County), Sub 241; Lancaster, PA (Lancaster County), Gridley, IL (McLean County), and Jackson, GA (Butts County), Sub 242; Idabel, OK (McCurtain

County), Sub 245; Santa Fe Springs, CA (Los Angeles County), Sub 246; Salisbury, NC (Rowan County), Sub 248; Stockton, CA (San Joaquin County), Sub 249; Sacramento, CA (Sacramento County), Sub 251; Keyport, WA (Kitsap County), Seal Beach, CA (Orange County), Travis Air Force Base, CA (Solano County), New London, CT (New London County), Charleston, SC (Charleston and Berkeley Counties), and Yorktown, VA (York County), Sub 252; Decatur, AL (Morgan County), Casa Grande, AZ (Pinal County), Long Beach, CA (Los Angeles County), Riverside, CA (Riverside County), Visalia, CA (Tulare County), Perris Valley, CA (Riverside County), Woodland, CA (Yolo County), Loveland, CO (Larimer County), Ocala, FL (Marion County), Plant City, FL (Hillsborough County), Peachtree City, GA (Fayette County), Jonesboro, GA (Clayton County), Boise, ID (Ada County), Twin Falls, ID (Twin Falls County), Morris, IL (Grundy County), St. Charles, IL (Kane County), Franklin, IN (Johnson County), Bicknell, IN (Knox County), McPherson, KS (McPherson County), Montevideo, MN (Chippewa County), St. Louis, MO (St. Louis, MO and St. Louis County), Hernando, MS (DeSota County), Dunkirk, NY (Chautaugua County), Reidsville, NC (Rockingham County), Cleveland, OH (Cuyahoga County), Tulsa, OK (Tulsa and Osage Counties), Checotah, OK (McIntosh County), Slayton, OR (Marion County), Bloomsburg, PA (Columbia County), Denison, TX (Grayson County), Mansfield, TX (Tarrant County), Spokane, WA (Spokane County), Ferndale, WA (Whatcom County), Marshfield, WI (Wood County), Chicago, IL (Cook County), Sub 227; (F) remove the originating at and/or destined to restriction, Subs 111, 114, 133, 135, 148, 190, 200, 227, and 244F; and (G) remove the restriction limiting or prohibiting service to the transportation of specified commodities: (1) size and weight commodities, Subs 44, 54, 82, 84, 107, 109, 112, 135, 152, 155, 177, 202G, and 236; (2) commodities such as boats, oilfield equipment, airplanes and airplane parts, Mercer commodities, panelboard, and etc., lead and Subs 43, 80, 88, 127, 155, 202G, and E-1, E-2, E-3, E-4, and E-6; (3) commodities in bulk and/or in tank vehicles, Subs 127, 152, 227, 241F, 242F, 243F, and 245F; (4) in shipper or U.S. Government owned trailers, Sub 65; (5) in drive-away or towaway service, Subs 121, 122, 123, 124, and 228; and (6) on trailers, lead and Sub 202G and E-1, E-2, E-3, E-4, and E-6.

MC 56640 (Sub-60)X, filed November 17, 1981. Applicant: DELTA LINES, INC., 333 Hegenberger Road, Oakland, CA 94621. Representative: Kirk Wm. Horton (same as applicant). Subs 22, 24, 25, 27, 31, 32, 42F, 43F, 44F, 45F, 46F, 48F, 49F, 50F, 51F, 52, 55, and 58 and MC-F-12875, F-13099 and F-13906: (1) broaden commodity descriptions from general commodities, with exceptions to (a) "general commodities" in Subs-22, 25, 27, 31, and 52, and F-12875; and (b) "general commodities (except classes A and B explosives)" in Subs-24, 32, 42F, 55 and 58, and F-12875, F-13099, and F-13906; (3) authorize service to all intermediate points in Subs 42F, 52, and 55; and in F-12875 between Goshen, OR and Weed, CA; between Portland, OR and Sacramento, CA; between Portland, OR and Tacoma, WA; between Tenino, WA and Tacoma, WA; and between Tacoma, WA and Seattle, WA; (3) remove restrictions: (a) against service between Portland, OR and points north of Salem, OR in Sub 58, (b) against service to or from Ash Meadows or Pahrump, NV and points within 10 miles of Pahrump in Sub 32, and (c) against off-route point service at portions of CA Hwy 140 and 58, between Willits and Novato, and between Napa and Middletown in Sub 22; (4) broaden territorial descriptions: Sacramento to Sacramento County, CA in Subs 44F and 45F; Markham, Aberdeen and Hoquiam to Grays Harbor County, WA in Subs 46F and 48F; Fairfield and Oakland to Solano and Alameda Counties, CA in Sub-49; Salinas to Monterey County, CA in Sub-50; and Merced to Merced County, CA in Sub-51; (5) eliminate facilities limitations in Subs-44F, 45F, 46F, 50F and 51F; (6) expand one-way to radial authority in Subs 44F, 45F, 46F, 48F, 49F, 50F, and 51F; and (7) remove the following restrictions: ex-rail in Sub-43F; originating at in Sub 50F; except newsprint in Sub-48F; except in bulk in Subs 46F and 49; and except frozen in Subs 44F and 49F.

MC 57393 (Sub-12)X, originally published October 16, 1981, republished this issue as corrected. Filed September 14, 1981. Applicant: WINTERS TRUCK LINE, INC., 2620—McCormick, Wichita, KS 67213. Representative: Jack B. Wolfe, 1600 Sherman St., #665, Denver, CO 80203. Subs 9 and 10 and 7 (acquired in MC-F-13670): broadened (1) as previously noticed, and, in addition, (2) replace points within a nine mile radius of Cheney, KS, numerous missile sites and a named plantsite with Kingman, Reno, Sedgwick and Sumner Counties, KS, Sub 7, and (3) Liberal, KS to Texas and Beaver Counties, OK.

MC 113398 (Sub-17)X, filed November 24, 1981. Applicant: RUSSELL TRANSPORT, INC., P.O. Box 4, Ft. Collins, CO 80522. Representative: Charles M. Williams, 665 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. Lead and Subs 11 and 14 broaden (1) to: "instruments and photographic goods; printed matter; rubber and plastic products; and incidental advertising material and materials equipment and supplies used in the manufacture and distribution of the commodities named above"; from motion picture films and incidental advertising materials and newspapers, lead and Sub 11; from motion picture films, film, photographs, and related advertising materials and supplies, Sub 14; from film and photograph, Sub 14, (2) to service at all intermediate points, lead, Subs 11 and 14 (regular routes portion) (3) off-route points to county-wide authority (a) lead, Curtis, NE to Frontier County, Grant, Wallace and Wauneta, NE to Perkins, Lincoln and Chase Counties, (b) Sub 14, Glen Rock, Douglas, Laramie, and Torrington, WY to Converse, Albany, and Goshen Counties; Ogalalla and Sidney, NE to Keith and Cheyenne Counties, (4) lead, on regular-route service to remove restrictions against (a) service at Scottsbluff, NE, (b) transportation of newspapers between points in CO, and (c) against delivery of motion picture film at Cheyenne, WY, and (5) remove in bulk restriction, Sub 14.

MC 118806 (Sub-78)X, filed November 25, 1981. Applicant: ARNOLD BROS. TRANSPORT, LTD., 851 Lagimodiere Blvd., Winnipeg, Manitoba, Canada, R2J 3K4. Representative: Bernard J. Kompare, 10 South LaSalle Street, Suite 1600, Chicago, IL 60603. Sub Nos. 21, 22 and 35. Broaden: in Sub 21, paper and strawboard to "pulp, paper and related products" and wood pulp poles, posts and wood products and materials and supplies used in the manufacture of wood products (except commodities in bulk) to "lumber and wood products"; in Sub 22, fiberglass products to "clay, concrete, glass or stone products"; in Sub 35, sheet steel, castings, pipe and tubing, and wheels and hubs to "metal products", and recreational vehicles to "transportation equipment"; to radial service in all Subs; ports of entry at Noyes and Middleboro, MN, Pembina and Dunseith, ND to all ports of entry in MN and ND in Subs 21 and 22, and port of entry at Noyes, MN to all ports of entry in MN in Sub 35.

MC 134049 (Sub-1)X, filed November 27, 1981. Applicant: TRI-STATE TRANSIT, INC., Dress Regional Airport, Evansville, IN 47711. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Lead certificate:

(1) Broaden to city-wide and county-wide authority: Indianapolis, IN, and Vanderburgh County, IN (Weir Cook Airport-Indianapolis and Dress Memorial Airport-Evansville), and (2) Remove "prior or subsequent movement by air" restriction.

MC 139615 (Sub-39)X, filed November 24, 1981. Applicant: D.R.S. TRANSPORT, INC., P.O. Box 29, Oskaloosa, IA 52577. Representative: Larry D. Knox, 600 Hubbell Building, Des Moines, IA 50309. Sub-Nos. 6, 8, 10, 12F, 19F, 20F, 21F, 26F, 27F, 30F, 32F, 33F, and 35F to (1) eliminate all commodity in bulk and in bulk and in tank vehicles restrictions in Sub-Nos. 6, 10, 12F, 19F, 20F, 26F, 27F, 33, 30F; (2) eliminate the "facilities of" restrictions in Sub-Nos. 10, 12F, 19F, 20F, 21F, and 32F; (3) authorize radial authority in Sub-Nos. 8, 12F, 19F, 20F, 21F, 26F, 27F, 32F, and 33F; (4) broaden the commodity descriptions from fire hydrants, valves, and castings, and parts, accessories, materials, and supplies used in the manufacture, distribution & installation thereof, to "metal products and machinery" in Sub-No. 6; from plastic pipe in Sub-No. 8; and from plastic, plastic articles, plastic pipe tubing, fittings, connections and materials, supplies and accessories in Sub-No. 10; to "rubber and plastic products" from plastic pipe, fittings, valves, and hydrants, and materials and supplies used in the manufacture and installation of the foregoing commodities to "rubber and plastic products, metal products, and machinery" in Sub 12F; from pipe, pipe fittings, valves, and hydrants, and materials and supplies used in the installation thereof to "metal products, machinery, rubber and plastic products" in Sub-Nos. 19F, 20; from sewage treatment plants, aerators, and lift stations, and materials, supplies, and accessories used in the manufacture, distribution and installation thereof, to "machinery" in Sub-No. 21F; from trusses and materials and supplies used in the manufacture, construction & distribution of agricultural and commercial buildings, to "lumber and wood products and metal products" in Sub-No. 26F; from silica sand to "nonmetallic minerals" in Sub-No. 27F; from agricultural limestone and gypsum and materials and supplies used in the manufacture and distribution thereof, to "nonmetallic minerals and clay, concrete, glass and stone products" in Sub-No. 30F; from lumber, lumber products, wood products, and forest products, to "lumber and wood products and forest products" in Sub-No. 32F; from lumber and materials and supplies used in the manufacture and distribution of windows, sliding glass doors, folding doors and partitions to "lumber and wood products and furniture and fixtures" in Sub-No. 33F; and from agricultural equipment, and implements, industrial and construction equipment, drainage systems, stump cutter, log splitters, log choppers, and tree spades, parts, attachments, and accessories, and iron and steel articles and equipment, materials, and supplies used in the manufacture, sale and distribution thereof, to "metal products, machinery, lumber and wood products, and transportation equipment" in Sub-No. 35F; and (5) replace cities to country-wide authority, Mahaska County, Iowa, for Oskaloosa, Iowa, in Sub-Nos. 6 and 26F; Jefferson County, Iowa, for Fairfield, Iowa, in Sub-No. 8; Jasper and Poweshiek Counties, Iowa for Grinnell, Iowa, and Phelps County, Missouri, for Rolla, Missouri, in Sub-No. 10; Upshur County, WV, for Buckhannon, WV, in Sub-No. 12F; Jefferson, Shelby, and Saint Clair Counties, AL, for Birmingham, AL, in Sub-No. 19; Boone, County, MO for Columbia, MO in Sub-No. 20F; Boone County, KY, for Richwood, KY, in Sub-No. 21F; Ogle County, IL, for Oregon, IL, in Sub-No. 27F; Marion and Mahaska Counties, IA, for Pella, IA, in Sub-No. 35F; and (6) delete originating at or destined to restrictions in Sub-Nos. 8, 10, 32.

MC 145950 (Sub-97)X, filed November 17, 1981. Applicant: BAYWOOD TRANSPORT, INC., 2611 University Parks Drive, Waco, TX 76706. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. Subs 3F, 7F, 12F, 21F, 24F, 23F, 39F, 42F, 62F, 71F, 72F, 75F, 76F, 77F, 79F, 81F and 86F broaden (1) from (a) rubber articles, plastic articles, and rubber products, and plastic products, Sub 3, laminated sheet plastic, Sub 7 and tires, Sub 62 to "rubber and plastic products"; (b) chemicals, plastics, and plastic articles to "chemicals and related products", Sub 12F; (c) copper chemicals, Sub 21 chemicals and proprietary antifreeze, Sub 39 liquid plastic, Sub 36 synthetic lubricating oils, Sub 75 cleaning compounds, Sub 77 and titanium and titanium materials to "chemicals and related products," Sub 86, (d) glass products and clay and clay products to "clay, concrete, glass or stone products," metal products to "metal products," plastic products to "rubber and plastic products," feldspar and talc to"ores and minerals", and molds and machinery used in the manufacture of glass products, and bottle coating systems to "machinery", Subs 24F and 71F; (e) plastic articles and burlap articles to "rubber and plastic products and textile mill products", Sub 42F; (f) wheels and tires to "metal products and rubber and plastic products", Sub 79F; and (g) feldspar and talc products to "ores and minerals", Sub 81F (part E); (2) remove facilities limitation (a) in Sub 76, and replace (b) Irving, TX with Dallas and Tarrant Counties, Sub 3, (c) Temple, TX with Bell County, Sub 7, (d) Mankato, MN with Blue Earth County; Newark, OH with Licking County; Clinton, MA with Worcester County; Morris and Mapleton, IL with Grundy and Peoria Counties, Sub 12; (e) Flat River, MO with St. Francois County, Sub 24, (f) Austin, TX with Travis County, Sub 36, (g) Houston, TX with Harris, Brazoria, Galveston, Chambers, Liberty, Ft. Bend, and Montgomery Counties, Subs 21 and 29, (h) Austin, TX with Travis County; and Port Neuches, TX with Jefferson and Orange Counties, Sub 39, (i) Atlanta, GA with Fulton, Clayton, KeKalb, Cobb and Gwinnett Counties, Sub 42, (j) Waco, TX with the McLennan County, Sub 62, (k) Centralia, IL with Marion County, Sub 71, (l) Des Plaines, IL with Lake and Cook Counties, Sub 72, (m) Bayonne and Bayway, NJ with Hudson, Essex, Bergen and Union Counties, NJ and Richmond, New York and King Counties, NY; Baton Rouge, LA with East Baton Rouge, West Baton Rouge, Iberville, Ascension, and Livingston Parishes; Baytown, TX with Harris and Chambers Counties; Pittsburgh, PA with Allegheny and Washington Counties, Sub 75, (n) Glendale, CA with Los Angeles County, Sub 79, (o) Springfield, KY with Washington County, Sub 81, (3)(a) Sub 7, Seattle, WA to King, Snohmish and Piere Counties; San Francisco, CA to Marin, San Francisco, San Mateo and Alameda Counties; Los Angeles, CA to Los Angeles, Orange and Ventura Counties; Denver, CO to Denver, Arapahoe, Adams, Jefferson, Boulder and Douglas Counties; Detroit, MI to Wayne, Monroe, Oakland and Macomb Counties, Grand Rapids, MI to Kent and Ottawa Counties; Boston, MA to Suffolk, Essex, Middlesex, Norfolk and Plymouth Counties; Pennsauken, NJ to Camden County; Atlanta, GA to Fulton, Clayton, DeKalb, Cobb and Gwinnett Counties; Miami, FL to Dade and Broward Counties; Kenyon, MN to Goodhue County; Salt Lake City, UT to Salt Lake and Davis Counties; Phoenix, AZ to Maricopa and Pinal Counties, and (b) Sub 77, Union City, CA to Alameda County; (4) remove originating at and/or destined to, in bulk, and in tank vehicles restrictions in various subs, and (5) to radial authority in Subs 3, 7, 21, 36, 39, 42, 62, 77 and 79.

MC 147435)X, filed November 27, 1981. App CRONIN TRANSPORT 'ED, Post Office Box 54, Dublin, O Canada, NOK 1EO. Representativ n Guandolo, Thomas N. Willess, 10 eenth Street, NW., Suite 502, Sol ling, Washington, DC 20036. Le den: general commodities ceptions, in containers, to al commodities (except class d B explosives)"; remove in for mmerce traffic restriction; re orts-of-entry at Detroit and P n, MI and Buffalo, NY on the Ni ver with ports of entry in MI a nd Detroit with Wayne, Maco nroe, and Oakland Counties, MI ron with St. Clair County, MI ar lo with Erie and Niagara Coun

MC 150267)X, filed November 27, 1981. Appl ICARDLE TRANSPORT INC., Route 1, Hazel Green, 11. Representative: Richard A. W 4506 Regent Street, Suite 100, P.O 086, Madison, WI 53705. Lead ar s 1, 2, 5, 8, 9, and 11: (1) eliminate pl te restrictions, lead and Subs 1, 5, 8 nd 11; (2) change one-way to rad uthority, lead and Subs 1, 2, 5, 8, 9 d 11; (3) broaden the commodity desc ptions to "food and related product from (a) meats, meat products and m t by-products, and articles distributed by meat-packing houses (except hides and commodities in bulk), lead and Subs 2, 5, 8, 9, and 11 (Parts 4, 5 and 7) (b) bacon, Subs 1 and 11 (Part 3); (c) frozen donuts, Sub 11 (Part 1); (d) frozen foodstuffs, Sub 11 (Part 2); and (e) natural cheese, cheese products, and cheese packaging materials, Sub 11 (Part 5); (4) change cities to county-wide authority: (a) lead, Joslin, IL and Davenport, IA (Rock Island County, IL and Scott County, IA); (b) Subs 1 and 11 (Part 3), Bloomington, IL and Washington Court House and Dayton, OH (McLean County, IL and Fayette and Montgomery Counties, OH); (c) Sub 2, Worthington and Albert Lea, MN (Nobles and Freeborn Counties, MN), Clinton and St. Louis, MO (Henry and St. Louis Counties, MO and the city of St. Louis, MO; Kansas City, KS (Johnson, Leavenworth and Wyandotte Counties, KS and Jackson, Clay and Platte Counties, MO), and Omaha, NE (Douglas, Sarpy and Washington Counties, NE); (d) Sub 5, Dubuque, IA (Dubuque County, IA, Jo Daviess County, IL and Grant County, WI); (e) Sub 8, Madison, WI (Dane County, WI); (f) Sub 9, Dakota City, NE and Ft. Dodge, IA (Dakota County, NE and Webster County, IA); (g) Sub 11 (Part 1), Cincinnati, OH (Hamilton County, OH and Boone, Campbell and Kenton Counties, KY); (h) Sub 11 (Part 2), Omaha, NE (Douglas, Sarpy and Washington Counties, NE); (i) Sub 11 (Part 4), Green Bay, Eau Claire and Chippewa Falls, WI (Brown, Eau Claire and Chippewa Counties, WI); (j) Sub 11 (Part 5), Hyde Park, UT (Cache County, UT); (k) Sub 11 (Part 6), Albert Lea, MN (Freeborn County, MN), and Cedar Rapids, Cherokee and Des Moines, IA (Linn, Cherokee, Polk and Warren Counties, IA); and (l) Sub 11 (Part 7), Cherokee, IA (Cherokee County, IA); and (5) remove the "originating at and/or destined to" restriction, Subs 1, 5, 8, 9 and 11.

MC 150601 (Sub-4)X, filed November 27, 1981. Applicant: MCBURNEY TRANSPORT LIMITED, P.O. Box 427, Hagersville, Ontario, CD N0A 1H0. Representative: William J. Hirsch, 1125 Convention Tower, 43 Court St., Buffalo, NY 14202. Sub 1F permit: (1) Broaden to "ores and minerals; clay, concrete, glass or stone products; forest products; farm products; non-exempt horticultural products; ordnance and accessories and chemicals and related products" from peat moss, humus and soil; marble chips and decorative stone and kitty litter; bark; manure; horticultural products; explosives and explosive ingredients; and, (2) Broaden to "between points in the U.S. under contract(s) with unnamed shippers.

[FR Doc. 81-35602 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office 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" docked 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 ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. F-172

The following applications were filed in Region I: Send protests to: Interstate Commerce Commission, Regional Authority Center, 150 Causeway Street, Room 501, Boston, MA 02114.

MC 159561 (Sub-1-1TA), filed December 4, 1981. Applicant: D.R.C. TRUCKING, P.O. Box 592, Depot Road, Kingston, NH 58102. Representative: Mark S. Gearreald, Esq., Shute, Engel & Morse, P.A., P.O. Box 278, Exeter, NH 03833. *Lumber and lumber products,* between Kingston, NH, and all points in ME, VT, MA, RI, CT and NY under continuing contract(s) with Northland Forest Products, Inc., of Kingston, NH. Supporting shipper: Northland Forest Products, Inc., Box 369, Kingston, NH 03848.

MC 143480 (Sub-1-1TA), filed December 4, 1981. Applicant: R. BROWN & SONS, INC., 11 Canyon Estates Drive, Colchester, VT 05446. Representative: Robert B. Brown (same as applicant). *Contract carrier;* irregular routes: *Manufactured wood products,* from Fairfax, VT to Long Island, NY, New York City, NY and its Commercial Zone, under continuing contract(s) with Spartan Industries, Inc., of Fairfax, VT. Supporting shipper: Spartan Industries, Inc., Fletcher Road, Fairfax, VT 05454.

MC 159410 (Sub-1-1TA), filed December 4, 1981. Applicant: LEWISTON TRUCKING CO., INC., 4746 Model City Road, Model City, NY 14107. Representative: William J. Hirsch, P.C., 1125 Convention Tower, 43 Court Street, Buffalo, NY 14202. *Rutile and zircon sand,* between ports of entry on the International Boundary line between the US and CA, located on the Niagara River, on the one hand, and, on the other, points in Niagara Falls, NY. Supporting shipper: TAM Ceramics, Inc., 4511 Hyde Park Blvd., Niagara Falls, NY 14304.

MC 152420 (Sub-1–2TA), filed December 4, 1981. Applicant: LAND TRANSPORT CORPORATION, 24 Sabrina Road, Wellesley, MA 02181. Representative: James E. Mahoney, 148 State Street, Boston, MA 02109. *Such commodities as are sold in drug, chain, discount and department stores and materials, supplies and equipment related thereto* between points in ME, NH, MA, VT, RI and CT. Supporting Shipper(s): Libbey Glass Division of Owens-Illinois, P.O. Box 919, Toledo, OH 43693; Ferris Associates, 393 'D' Street, South Boston, MA 02210; Luxury Living Group, Inc.; 456 Medford Street, Charlestown, MA; Building #19, Inc., 319 Lincoln Street, Hingham, MA 02043; Touraine Paint, Inc., 1760 Revere Beach Parkway, Everett, MA 02149.

MC 145108 (Sub-1–20TA), filed December 4, 1981. Applicant: BULLET EXPRESS, INC., P.O. Box 289, Bay Ridge Station, Brooklyn, NY 11220. Representative: Robert L. Van Buren (same as applicant). *Contract carrier:* irregular routes: *Rubber and plastic products* between points in the U.S. (except AK and HI) under continuing contract(s) with Alpha Chemical and Plastic Corporation of Newark, NJ. Supporting Shipper: Alpha Chemical & Plastic Corp., One Jabez Street, Newark, NJ 07105.

MC 140950 (Sub/1–3TA), filed November 27, 1981. Applicant: BROOKVILLE TRANSPORT, LIMITED, 1170 Old Rothesay, P.O. Box 2332, Station C, St. John, New Brunswick, CD. Representative: John C. Lightbody, Esq., Murray, Plumb & Murray, 30 Exchange Street, Portland, ME 04101. *Contract carrier:* irregular routes: *Beer* from points on the US/CD border at Houlton and Calias, ME, Detroit, MI, and Buffalo, NY to Norwood, Fairhaven, Lawrence and Marlborough, MA, under continuing contract(s) with United Liquors, Ltd. of West Roxbury, MA. Supporting Shipper: United Liquors, Ltd., 99 Rivermoor Street, W. Roxbury, MA 02132.

MC 140950 (Sub-1–4TA), filed November 30, 1981. Applicant: BROOKVILLE TRANSPORT, LIMITED, 1170 Old Rothesay, P.O. Box 2332, Station C, St. John, New Brunswick, CD. Representative: John C. Lightbody, Esq., Murray, Plumb & Murray, 30 Exchange Street, Portland, ME 04101. *Contract carrier:* irregular routes: *Beer* from points on the US/CD border in Houlton and Calias, ME, Buffalo, NY, and Detroit, MI, to points in AL, AR, AZ, CA, CO, FL, GA, ID, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, MT, NE, NV, NM, NC, ND, OH, OK, OR, SC, SD, TN, TX, VT, VA, WA, and WI under continuing contract(s) with Alliance Shippers, Incorporated, Willow Springs, IL. Supporting Shipper: Alliance Shippers, Incorporated, 8440 Archer Avenue, Willow Springs, IL 60480.

MC 159500 (Sub-1–1TA), filed November 30, 1981. Applicant: THE BRIDGE MFG. CO., INC., Randolph Street, P.O. Box 2404, Enfield, CT 06082. Representative: Donald C. Bridge (same as applicant). *Contract carrier:* irregular routes: *Building materials, products and supplies* from Perth Amboy, NJ and Philadelphia, PA to various points in CT and MA under continuing contract(s) with B.M.D. Cooperative Inc. of Springfield, MA. Supporting Shipper: B.M.D. Cooperative Inc., P.O. Box 397, Highland Station, 54 Oakdale Street, Springfield, MA 01109.

MC 159456 (Sub-1–1TA), filed November 27, 1981. Applicant: D & J MOTOR COMPANY, INC., Logan Airport, Boston, MA 02128. Representative: Hughan R.H. Smith, 26 Kenwood Place, Lawrence, MA 01841. *Contract carrier:* irregular routes: *Steam, Generator, Turbine and Gear Products,* between points in the U.S. under continuing contract(s) with General Electric Company, Lynn, MA. Supporting shipper: General Electric Company, 1100 Western Avenue, Lynn, MA 01904.

MC 159532 (Sub-1–1TA), filed December 3, 1981. Applicant: M & M MOTOR FREIGHT CORP., River Road, P.O. Box 595, Utica, NY 13501. Representative: Herbert M. Canter, Esquire, Benjamin D. Levine, Esquire, 305 Montgomery Street, Syracuse, NY 13202. *(1) Such merchandise as is dealt in by department stores and mail order houses, and (2) Materials, equipment and supplies used in the conduct of such businesses* between Syracuse and Utica, NY, on the one hand, and, on the other, points in Clinton, Essex, Franklin, Fulton, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Oswego and St. Lawrence Counties, NY. Supporting shipper(s): Sears, Roebuck & Co., Eastern Territorial Traffic Department, 4640 Roosevelt Boulevard, Philadelphia, PA 19132.

The following applications were filed in Region 3. Send protests to ICC, Regional Authority Center, P.O. Box 7600, Atlanta, GA 30357.

MC 158410 (Sub-3–1TA), filed November 27, 1981. Applicant: KARE-TRANS SYSTEMS, 2300 E. 28th Street, P.O. Box 2515, Chattanooga, TN 37407. Representative: Jon Soderlund (same address as applicant). *(a) Paper and Paper Products. (b) Rubber and Plastic Products.* between points in AL, GA and TN, on the one hand, and, on the other points in AL, DE, GA, IL, IN, KY, LA, NC, MS, OH, PA, SC, TN and VA. Supporting shippers: Almira Products, 2300 E. 28th St., Chattanooga, TN 37407. Coastal Packaging and Supplies Co., Rt. 4, Box 4232, Dawsonville, GA 30534. GP Westcott and Co., P.O. Box 255, Signal Mountain, TN 37377.

MC 127122 (Sub-3–1TA), filed November 30, 1981. Applicant: SIMPSONVILLE WRECKER SERVICE, INC., 4504 Bishop Lane, Louisville, KY 40218. Representative: Mrs. Lynn Moss (same address as applicant). *Those commodities which because of size or weight require the use of special handling or equipment: Metal and metal products; Machinery; Building materials; Mercer commodities and Self propelled vehicles:* Between all points in IL, IN, KY, OH, WV, and TN and between all points in IL, IN, KY, OH, WV and TN on the one hand, and, on the other, points in and east of ND, SD, NE, KS, OK and TX. Supporting shippers: There are nine (9) statements of support to this application which may be examined in the Atlanta, Georgia Regional Office of the Interstate Commerce Commission.

MC 61264 (Sub-3–6TA), filed November 25,1981. Applicant: PILOT FREIGHT CARRIERS, INC., P.O. Box 615, Winston-Salem, NC 27102. Representative: (Mrs.) Pansy Beroth (same address as applicant). *General Commodities (except Classes A & B explosives, household goods as defined by the Commission, hazardous waste and commodities in bulk),* between all points in IL, IN, MI, NH and WI, serving all points in the Commercial Zones of points in the above states in connection with carrier's operations in these states. Applicant intends to tack with its existing authority. Applicant intends to interline with carriers and interline points may be examined at the ICC Regional Office in Atlanta. There are 98 statements of support which may be examined at the Atlanta Regional Office.

MC 136285 (Sub-3–3TA), filed November 25, 1981. Applicant: SOUTHERN INTERMODAL LOGISTICS, INC., Post Office Box 1375, Thomasville, GA 31792. Representative: William P. Jackson, Jr., Post Office Box 1240, Arlington, VA 22210. *Such commodities as are used, dealt in or distributed by a manufacturer or distributor of pharmaceuticals, in containers or in trailers, having an immediately prior or subsequent movement by water,* between the facilities of Ross Laboratories at or near

Sturgis, MI and Columbus, OH, on the one hand, and, on the other, Jacksonville, FL. Applicant intends to interline traffic with water carriers at Jacksonville, FL for through movements on a import-export basis. Supporting shipper: Ross Laboratories, 6480 Bush Boulevard, Columbus, OH 43229.

MC 146282 (Sub-3–3TA), filed November 25, 1981. Applicant: BILL HEAD TRUCKING, INC., P.O. Box 9632, Birmingham, AL 35215. Representative: John R. Frawley, Jr., Suite 200, 120 Summit Parkway, Birmingham, AL 35209. *Food products and related products,* between Gretna, LA on the one hand and on the other AL, GA, TN, MS and FL. Supporting shipper: National Marketing Company, Inc., P.O. Box 1554, Gretna, LA 70053.

MC 156100 (Sub-3–2TA), filed November 27, 1981. Applicant: CHARLES RAYMOND POWELL, d.b.a. GOLDEN TRIAD CARRIERS, P.O. Box 4145, Archdale, NC 27263. Representative: Archie W. Andrews, 617 F Lynrock Terrace, Eden, NC 27288. *Hosiery and material, supplies and equipment used in the manufacture and sell of hosiery,* between points in Granville County, NC and Suffolk County, NY, on the one hand, and, on the other, points in the U.S. Supporting shipper: Kayser-Roth Hosiery, Inc., 2303 West Meadowview Road, Greensboro, NC 27407.

MC 158420 (Sub-3–1TA), filed November 27, 1981. Applicant: EMPIRE TRANSPORTATION CO., INC., P.O. Box 767, Dobson, NC 27017. Representative: Marvin Rosenberg, 918 White Birch Lane, Wantagh, NY 11793. *Contract carrier;* irregular routes; *General commodities, except classes A and B explosives, household goods, and commodities in bulk,* Between points in the US under a continuing contract(s) with Inter State Express, Inc. Supporting shipper; Inter State Express, Inc., 120 Apollo Street, Brooklyn, NY 11222.

MC 146402 (Sub-3–23TA), filed November 27, 1981. Applicant: CONALCO CONTRACT CARRIER, INC., P.O. Box 968, Jackson, TN 38301. Representative: Charles W. Teske (address same as applicant). *Paper and plastic products and equipment, materials and supplies used in the manufacture, and distribution thereof,* between Shelbyville, IL on the one hand, and, on the other, points in the U.S. Supporting shipper: Continental Bondware, 1700 Golf Road, Rolling Meadows, IL 60008.

MC 133221 (Sub-3–11TA), filed November 27, 1981. Applicant: OVERLAND CO., INC., 1991 Buford Highway, Lawrenceville, GA 30245. Representative: W. D. Beaver (same as applicant). *General commodities* between points in the U.S. in and east of MT, WY, CO and NM, for the account of Dow Chemical USA. Supporting shipper: Dow Chemical USA, P.O. Box 36000, Strongsville, OH 44136.

MC 143786 (Sub-3–3TA), filed November 27, 1981. Applicant: HAL MAST TRUCKING COMPANY, INC., Route 1, Box 259, Sugar Grove, NC 28679. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204. *Contract:* irregular: *meat and meat products,* from Des Moines, IA to points in MS, AL, GA, NC, SC, VA, LA and TN, under continuing contract with Swift Independent Packing Company. Supporting shipper: Swift Independent Packing Company, 115 West Jackson Boulevard, Chicago, IL 60604.

MC 152265 (Sub-3–2TA), filed November 27, 1981. Applicant: STEVE BROWN PRODUCE CO., INC., Route 1, Box 112, Taylorsville, NC 28618. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204. *Canned vegetables,* from Lindale, TX, to points in NC, SC, VA, TN and GA. Supporting shipper: Woldert Canning, Inc., Post Office Box 1140, Tyler, TX 75710.

MC 150536 (Sub-3–4TA), filed November 27, 1981. Applicant: THE STACEY WILLIAMS CO., INC., P.O. Box 10884, Birmingham, AL 35202. Representative: Robert E. Tate, P.O. Box 517, Evergreen, AL 36401. *Sugar, corn syrup, and blends thereof (in bulk, in tank vehicles),* between points in Baldwin County, AL, on the one hand, and, on the other, points in AR, FL, GA, LA, MS and TN. Supporting shippers: Mid South Sweeteners, 1800 Morris Avenue, Birmingham, AL; Nutritive Sweeteners of Bay Minette, Railroad Boulevard, Bay Minette, Alabama; Corn Sweetener Division of Archer Daniels Midland Company, P.O. Box 1445, Cedar Rapids, IA 52406; Supreme Sugar Division of Archer Daniels Midland Company, P.O. Box 1445, Cedar Rapids, IA 52406.

MC 2934 (Sub-3–41TA), filed November 27, 1981. Applicant: AERO MAYFLOWER TRANSIT CO., INC., 9998 North Michigan Road, Carmel, IN 46032. Representative: W. G. Lowry (same as above). *Contract carrier:* irregular routes; *Telephone equipment, material and supplies used in the construction and maintenance of telephone systems;* between points within the U.S. under continuing contracts with Rolm Corporation, 4100 Old Ironside Drive, Santa Clara, CA 95050. Supporting shipper: Rolm Corporation, 4100 Old Ironside Drive, Santa Clara, CA 95050.

MC 154103 (Sub-3–22TA), filed November 30, 1981. Applicant: MID SOUTH FREIGHT, INC., P.O. Box 446, Hendersonville, TN 37075. Representative: Joe F. Powell (same address as applicant). *Occasional furniture,* from the facilities of Silver Mfg., Inc., at Knoxville, TN to points in the U.S. Supporting shipper: Silver Mfg., Inc., 2742 Hamcock Ave., N.E., Knoxville, TN 37917.

MC 150747 (Sub-3–3TA), filed November 30, 1981. Applicant: L & O TRUCKING COMPANY, INC., 2179 Freemont, Memphis, TN 38114. Representative: R. Connor Wiggins, Jr., 100 N. Main Bldg., Suite 909, Memphis, TN 38103. *Pre-cast concrete products and accessories therefor* from facilities of CPI Concrete Products, Inc., at Memphis, TN, to job sites at or near St. Charles, Hughes and Grapevine, AR. Supporting shipper: CPI Concrete Products, Inc., 1365 Harbor Ave., Memphis, TN 38113.

MC 156416 (Sub-3–1TA), filed November 30, 1981. Applicant: B & C TRUCKING, INC., 2425 Durby, Memphis, TN 38114. Representative: R. Connor Wiggins, Jr., 100 N. Main Bldg., Suite 909, Memphis, TN 38103. *Silica sand* from Guion, AR, to Memphis, TN, and its commerial zone. Supporting shipper: McConnell and Johnson, Inc., 282 E. Mallory, Memphis, TN 38109.

MC 149123 (Sub-3–4TA), filed November 30, 1981. Applicant: BOAZ PRODUCE COMPANY, INC., P.O. Box 635, Fort Payne, AL 35967. Representative: John W. Cooper, P.O. Box 56, Mentone, AL 35984. *Alcoholic Beverages* between points in MA, NY, NJ, PA, MD, and KY, on the one hand, and, on the other, points in GA and AL. Supporting Shipper: Alaplex, Inc., 2718 South 20th Street, Suite 104, Birmingham, AL 35209.

MC 128220 (Sub-3–3TA), filed November 30, 1981. Applicant: RALPH LATHAM, d.b.a. LATHAM TRUCKING COMPANY, P.O. Box 596, Burnside, KY 42519. Representative: Robert H. Kinker, 314 West Main Street, P.O. Box 464, Frankfort, KY 40602. *Contract carrier,* irregular, *general commodities (except classes A and B explosives),* between Quincy, IL, Bluffton, IN, and Cordele, GA, on the one hand, and, on the other, points in IN, OH, WV, KY, VA, TN, NC, SC, LA, MS, AL, GA, and FL, under continuing contract(s) with Moorman Mfg. Co., Quincy, IL. Supporting shipper: Moorman Mfg. Co., 1000 North 30th Street, Quincy, IL 62301

MC 147169 (Sub-3-3TA), filed November 30, 1981. Applicant: SERVICEWAY MOTOR FREIGHT, INC., P.O. Box 243, Alcoa, Tennessee 37701. Representative: J. Greg Hardeman, 618 United American Bank Building, Nashville, Tennessee 37219. *Concrete, clay, glass or stone products and machinery* between points in and east of MN, IA, MO, OK and TX. Supporting Shippers: Midland Glass Company, Cliffwood Avenue, Cliffwood, NJ 07721; Chattanooga Glass Company, 400 West 45th St., Chattanooga, TN 37410; A. O. Smith Corporation, P.O. Box 28, Kankakee, IL 60901.

MC 108676 (Sub-3-14TA), filed November 30, 1981. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Avenue, Knoxville, TN 37917. Representative: Michael S. Teets (same address as applicant). *Glass and Glass Products* between Chicago, IL; Detroit, MI; Toledo, OH; and Williamson CY, TN. Supporting shipper: Ford Motor Co., 300 Renaissance Center, Detroit, MI 48243.

MC 151622 (Sub-3-3TA), filed November 30, 1981. Applicant: SERVICE TRUCKING, INC., P.O. Box 158, Eustis, FL 32726. Representative: K. Edward Wolcott, 235 Peachtree St., N.E., Ste. 1200, Atlanta, GA 30303. *Contract carrier,* irregular routes; *Engines and parts and accessories* therefor, from Wayne and Detroit, MI, Cincinnati and Hudson, OH and Hartford, CT to Miami, FL under a continuing contract(s) with Southeast Diesel Corporation. Supporting shipper: Southeast Diesel Corporation, 8010 Northwest 60th St., Miami, FL 33166.

MC 158845 (Sub-3-1TA), filed November 30, 1981. Applicant: JERRY SMITH, d.b.a. JERRY SMITH TRANSFER, P.O. Box 69, Magnolia Street, Geneva, Georgia 31810. Representative: F. Lee Champion III, P.O. Box 2525, Columbus, Georgia 31902. *Contract,* carrier: irregular: *plastics, plastic products, and products related to the manufacture of plastics,* between Buck Plastics Company, Columbus, Muscogee County, GA., on the one hand, and, on the other, points in the U.S., under continuing contract with Buck Plastics Company of Columbus, GA. Supporting Shipper: Buck Plastics Company, No. 5 Clay Drive, Columbus, GA. 31903.

MC 159519 (Sub-3-1TA), filed November 30, 1981. Applicant: R. W. JOYCE TRUCKING COMPANY, INC., P.O. Box 1201, 237 Starlite Road, Mt. Airy, N.C. 27030. Representative: Brenda B. Joyce (same address as applicant). *Chemicals and related products, and materials and supplies used in the manufacture and distribution thereof* between Mt. Airy, NC on the one hand, and, on the other, points in AL, AZ, FL, IN, IL, KY, LA, MS, NC, NM, OH, PA, SC, TN, TX, VA, WV. Supporting shipper: Surry Chemicals, Inc., 631 West Street, P.O. Box 1447, Mt. Airy, NC 27030.

MC 142451 (Sub-3-2TA), filed December 2, 1981. Applicant: JAMES L. SMITH AND JERRY ATTKISSON, PARTNERS, d.b.a. SMITH & ATTKISSON TRUCKING CO., Route 2, Columbia, TN 38401. Representative: James N. Clay III, 222 E. Mallory Ave., Memphis, TN 38109. *Coal and coke,* in bulk, from Decatur and Davidson Counties, TN to Maury County, TN, having a prior movement by water. Supporting shipper: Stauffer Chemical Company, Nyala Farms Road, Westport, CT 06881.

MC 136123 (Sub-3-23TA), filed December 2, 1981. Applicant: MD TRANSPORT SYSTEMS, INC., P.O. Box 1058, Palmetto, FL 33561. Representative: David M. Kuehl (same as above). *Naturally carbonated mineral water* from Saratoga Springs, NY to points in FL. Supporting shipper: The Saratoga Springs Co., 200 W. 72nd St., New York, NY 10023.

MC 151173 (Sub-3-15TA), filed December 1, 1981. Applicant: HAR-BET, INC., 7209 Tara Blvd., Jonesboro, GA 30236. Representative: O. L. Godfrey, Jr. (same address as applicant). *Chemicals, Plastic film and Sheeting, Gloves, Materials, equipment and supplies used in the manufacture, sale and distribution thereof,* except commodities in bulk, between the facilities and warehouses utilized by Borden Chemical Division of Borden Inc., on the one hand, and, on the other, points in the U.S. Supporting shipper: Borden Chemical Division of Borden Inc., One Clark St., North Andover, MA 01845.

MC 159542 (Sub-3-1TA), filed December 3, 1981. Applicant: ADKINS CONSTRUCTION CO., INC., 1301 Portland Avenue, Louisville, KY 40203. Representative: Benjamin H. Adkins, Sr. (same address as applicant). *General commodities (except household goods, Classes A & B explosives, liquid and dry commodities in bulk)* between the commercial zone of Louisville, KY, Sumter, SC, on the one hand, and all points in the states of AL, AR, FL, GA, IL, IN, IA, KY, LA, MD, MI, MS, MO, NJ, NC, OH, PA, SC, TN, TX, VA, WV, & WI on the other hand. Supporting shippers: There are 12 statements in support of this application which may be examined at the Interstate Commerce Commission Regional Office in Atlanta, GA.

MC 146343 (Sub-3-5TA), filed December 3, 1981. Applicant: SOUTHERN EXPRESS CORPORATION, 505 South Ocean Boulevard, Pompano Beach, FL 33062. Representative: Southern Enterprises Incorporated, 2 Sawyer Drive, Coventry, RI 02816. *Contract Carrier:* irregular routes: *Motor Oil, Lubricants, Anti-Freeze, Related Materials, Equipment and Supplies, (except class A and B explosives, household goods as defined by the Commission, and commodities in bulk),* between points in the U.S. (except AK and HI), under continuing contract or contracts with National Wholesale Lubricants, Inc., of East Greenwich, RI.

MC 151916 (Sub-3-8TA), filed December 3, 1981. Applicant: BARON TRANSPORT, INC., One Perimeter Way, Suite 455, Atlanta, GA 30339. Representative: Eugene D. Anderson, 1001 Connecticut Avenue, Suite 838, Washington, DC 20036. *Frozen bakery products, supplies and materials* from Carrollton, GA to Birmingham, Geneva, Huntsville, Montgomery, Anniston, AL; Orlando, Tampa, Ocala, Miami, Sarasota, Quincy, Jacksonville, FL; Atlanta, Athens, Vidalia, GA; Bowling Green, KY; Jackson, Indianola, MS; Charlotte, Raleigh, Hickory, NC; Greenville, Charleston, SC; New Orleans, Baton Rouge, LA; Chattanooga, Nashville, Memphis, Johnson City, TN; Houston, Fort Worth, TX; and Salem, Shreveport, LA. Supporting shipper: Maplehurst Deli-Bake South, Inc., RR 5, Box 439H, Carrollton, GA 30117.

The following applications were filed in region 4. Send protests to: Interstate Commerce Commission, Complaint and Authority Branch, P.O. Box 2980, Chicago, IL 60604.

MC 117730 (Sub-4-15TA), filed December 1, 1981. Applicant: KOUBENEC MOTOR SERVICE, INC., Route #47, Huntley, IL 60142. Representative: Stephen H. Loeb, Suite 2027, 33 N. LaSalle St., Chicago, IL 60602. *Pulpboard,* from the facilities of Diamond International Corp., at Middletown and Lockland, OH to the facilities of Diamond International Corp., at Morris, IL. Supporting shipper: Diamond International Corp., 407 Charles Street, Middletown, OH 45052.

MC 129154 (Sub-4-1TA), filed December 1, 1981. Applicant: RICHARD McCURRIE TEAMING COMPANY, 1443 W. 41st Street, Chicago, IL 60609. Representative: Stephen H. Loeb, Suite 2027, 33 North LaSalle Street, Chicago, IL 60602. *Contract: Irregular: Fresh and frozen meats and meat products,* between the facilities of Trimen Packing Co. at Lansing and Chicago, IL, on the

one hand, and, on the other, points in IN, IA, MI, and WI, under continuing contract(s) with Trimen Packing Co. of Lansing, IL. Supporting shipper: Trimen Packing Co., P.O. Box 202, Lansing, IL 60438.

MC 140101 (Sub-4–3TA), filed November 30, 1981. Applicant: I.T.A. TRUCKING, INC., P.O. Box 219, Amherst, WI 54406. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703. *Contract carrier;* irregular routes; *General commodities* (except Classes A & B explosives) between points in IA, IL, IN, KY, MI, MO, OH, PA, TN, and WI under a continuing contract(s) with Alliance Shippers, Inc. for 270 days. Supporting shipper(s): Alliance Shippers, Inc., 8440 Archer Road, Willow Springs, IL 60480.

MC 146184 (Sub-4–1TA), filed November 13, 1981. Applicant: RUSS TAYLOR TRUCKING, INC., Route 6, Box 161, Watertown, WI 53094. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719. *Contract;* irregular; *malt beverages* between Cold Spring and the Minneapolis/St. Paul Commercial Zone, MN, Chicago and Peoria, IL, Detroit, MI, and Memphis, TN, on the one hand, and, on the other hand, Beaver Dam, Delavan, Oconomowoc and Watertown, WI. Restriction: restricted to transportation performed under continuing contracts with Blue Ribbon Sales, Inc., Otto and Patricia Blase, d.b.a. Blase Distributing Co., Osborn Distributing Co., Inc., R & S Distributing Co., Inc., and Wunrow Distributing Co., Inc. There are five supporting shippers.

MC 150168 (Sub-4–2), filed December 1, 1981. Applicant: AJ & COMPANY, 423 Amelia St., Plymouth, MI 48170. Representative: John Allman, 423 Amelia St., Plymouth, MI 48170. *Contract* irregular: *General commodities* (except Classes A & B explosives and household goods) between all points in the U.S. under continuing contract with Celex Corporation. Supporting shipper: Celex Corporation, 443 Amelia St., Plymouth, MI.

MC 150189 (Sub-4–4TA), filed November 27, 1981. Applicant: R. G. BERRY, an Individual, P.O. Box 8, Shawneetown, IL 62984. Representative: Edwin M. Snyder, P.O. Box 45538, Dallas, TX 75245. *Contract;* irregular; transporting *food and related products* between points in FL on the one hand, and on the other, points in the U.S. under continuing contracts with Rainbow Products, Inc. Supporting shipper(s): Rainbow Products, Inc., 12995 Automobile Blvd., Clearwater, FL 33520.

MC 150365 (Sub-4–2TA), filed November 30, 1981. Applicant: UNITED LIMO, INC., 12495 McKinley Hwy., Mishawaka, IN 46544. Representative: Robert W. Loser II, 1101 Chamber of Commerce Bldg., 320 N. Meridian St., Indianapolis, IN 46204. *Passengers and their baggage,* between St. Joseph County, IN and Berrien County, MI. Underlying ETA seeks 120 days authority. Supporting shippers: Amtrak Ticket Office, 598 Dey Street, Niles, MI 49120; 1st Source Travel, St. Mary's Office, St. Mary's College, Lemans Hall, Notre Dame, IN 46556; 1st Source Travel, Main Office, 133 S. Main Street, P.O. Box 1602, South Bend, IN 46601; Edgerton's Travel Service, P.O. Box 1955, 226 S. Main Street, South Bend, IN 46601; Howard Johnson's Motor Lodge, 52939 U.S. 31 & 33 North, South Bend, IN 46637.

MC 151404 (Sub-4–3TA), filed November 27, 1981. Applicant: NORTHLAND PRODUCE, INC., 4350 Lincoln Rd., Holland, MI 49423. Representative: Edward N. Button, 635 Oak Hill Ave., Hagerstown, MD 21740. *Contract;* irregular: *Foodstuffs,* between points in MI, NJ, KS, IL, OH, and PA. An underlying ETA seeks 120 days authority. Supporting Shipper: Seabrook Foods, Inc., Seabrook, NJ 08302.

MC 151404 (Sub-4–4TA), filed December 1, 1981. Applicant: NORTHLAND PRODUCE, INC., 4350 Lincoln Rd., Holland, MI 49423. Representative: Edward N. Button, 635 Oak Hill Ave., Hagerstown, MD 21740. *Contract;* irregular: *Frozen orange juice, lemonade, grape and apple concenterate and related bulk commodities,* from Chicago, IL to all points in the U.S. An underlying ETA seeks 120 days authority. Supporting shipper: Bodines, Inc., 5757 W. 59th St., Chicago, IL 60638.

MC 152353 (Sub-4–4TA), filed November 11, 1981. Applicant: WILLIAM TIMBLIN TRANSIT, INC., Route 1, Eden, WI 53019. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6333 Odana Rd., Madison, WI 53719. *Building materials and materials, equipment and supplies* used in the manufacture, sale and distribution of such commodites between Allenton, WI, and points in IA, IL, MI, MN, MO and WI. An underlying ETA seeks 120 days authority. Supporting shipper: Jack Walters & Sons, Corp., Box 388, Route 1, Allenton, WI 53002.

MC 154207 (Sub-4–1TA), filed December 1, 1981. Applicant: J. C. ELLIS TRANSPORTATION, INC., P.O. Box 1009, Washington Park, IL 62204. Representative: John M. Hessel, One Mercantile Center, Thirty-Second Floor, St. Louis, MO 63101. *Contract:* irregular, *petroleum products, lubricating oils, greases and related products* between Maryland Heights, MO and points in AR, CO, IA, KS, LA, MS, NE, NM, OK, TX. Supporting Shipper: Pennzoil Products Company, 2625 Wagner Place, Maryland Heights, MO 63043.

MC 154716 (Sub-4–3TA), filed December 2, 1981. Applicant: WALGREEN OSHKOSH, INC., 200 Wilmot Rd., Deerfield, IL 60015. Representative: John T. O'Connell, 521 S. LaGrange Rd., LaGrange, IL 60525. *Metal containers and container tops* from Chicago Commercial Zone, Danville, IL, St. Louis, MO, Columbus, OH, Montgomery, AL, Decatur, AL to Memphis, TN Commercial Zone under continuing contract with supporting shipper, IG–LO Products Corporation, 314 Robinson, Hernando, MS 38632. Supporting shipper: IG–LO Products Corporation, Hernando, MS, 38632.

MC 157457 (Sub-4–7TA), filed December 1, 1981. Applicant: CONGOLEUM CARTAGE CORPORATION, 2323 S. 17th St., Elkhart, IN 46516. Representative: H. Barney Firestone, Sullivan & Associates, Ltd., 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. *Transportation equipment and machinery,* between Elkhart County, IN on the one hand, and, on the other, points in the U.S. Supporting shipper: Godfrey Conveyor Company, Inc., 22787 County Road 14, Elkhart, IN 46516.

MC 157565 (Sub-4–2TA), filed November 27, 1981. Applicant: BUD MEYER TRUCK LINES, INC., P.O. Box 97, Theilman, MN 55987. Representative: John B. Van de North, Jr., Briggs and Morgan, 2200 First National Bank Bldg., St. Paul, MN 55101. *Contract* irregular: *Frozen potatoes,* between points in the U.S. under a continuing contract with Chef-Reddy Foods Corp. Midwest (Clark, SD) and Chef-Reddy Foods Corp. Minnesota (Park Rapids, MN). Supporting shipper: Chef-Reddy Foods Corp. Midwest, Clark, SD 57225.

MC 158813 (Sub-4–1TA), filed November 25, 1981. Applicant: KEN DUNKER, 2208 Braemar Drive, Sioux Falls, SD 57105. Representative: Thomas J. Simmons, P.O. Box 480, Sioux Falls, SD 57101. *Contract:* Irregular; *Beer and malt beverages, and related products* between points, in IL, MN, MO, SD, and WI for 270 days. Any underlying ETA seeks 120 days. Supporting shipper: Brewster Distributing Co., 174½ Maple, Watertown, SD.

MC 159215 (Sub-4–1TA), filed December 2, 1981. Applicant: WELLS BUS SERVICE, INC., 121 Terrace Drive, Jackson, MN 56143. Representative:

Steven C. Schoenebaum, 1200 Register & Tribune Bldg., Des Moines, IA 50309. *Passengers and their baggage, in the same vehicle as passengers, in charter operations and in special operations,* beginning and ending at points in the MN counties of Jackson, Nobles and Cottonwood, and the IA counties of Dickinson, Emmet, Clay, and Palo Alto and extending to points in the U.S. Supporting shippers: Karen Fury, Metz Travel Agency, 1026 4th Ave., P.O. Box 44, Worthington, MN 56187; Esther Williams, Worldwide Travel, Estherville, IA 51334; Forest Mariner, Farmers Cooperative Asso. P.O. Box 228, 105 Jackson St., Jackson, MN 56143; Mark Wedel, 301 Grand Ave., Spencer, IA 51301; Stanley Severance, 623 12th St., Windon, MN 56101.

MC 159318 (Sub-4–1TA), filed November 27, 1981. Applicant: L & D TRANSPORTATION, INC., 5046 West Angling Rd., Ludington, MI 49431. Representative: William B. Elmer, 615 E. Eighth St., Traverse City, MI 49684, (616) 941–5313. *Food and related products* between points in Grand Traverse County, MI and Scott County, MS on the one hand, and, on the other, points in and East of MN, IA, MO, AR and LA. Supporting shipper: Chef Pierre, Inc., P.O. Box 1009, Traverse City, MI 49684.

MC 159446 (Sub-4–1TA), filed November 25, 1981. Applicant: CALCUT SALES & SERVICE INC., 16061 Lauren, Taylor, MI 48180. Representative: John S. Barbour, 2711 E. Jefferson, Detroit, MI 48207. *Machinery, machine tools and parts* used in the manufacture, sale and distribution thereof, between points in MI, OH and TX on the one hand, and, on the other hand, points in FL, GA, IA, IL, IN, KY, MI, NH, NJ, NY, OH, PA, SC, TX, VA, WI and WV. Supporting Shippers: There are six (6).

MC 159508 (Sub-4–1TA), filed November 30, 1981. Applicant: MY LORD'S TRUCK LINE, INC., 1433 South Chestnut Street, Green Bay, WI 54304. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719. *Contract;* irregular; *metal products and materials, equipment and supplies used by mechanical contacting businesses* between points in Outagamie County, WI, on the one hand and, on the other hand, points in the U.S. Restricted to transporation performed under continuing contract(s) with Azco Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Azco Inc., P.O. Box 567, Highway 41 South, Appleton, WI 54912.

The following applications were filed in region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, Post Office Box 17150, Fort Worth, TX 76102.

MC 52460 (Sub-5–46TA), filed November 30, 1981. Applicant: Ellex Transportation, Inc., P.O. Box 9637, Tulsa, OK 74107. Representative: Don E. Kruizinga (same as above). *Transportation Equipment, materials and supplies used in the manufacture thereof between* Los Angeles, County, CA, Mercer County OH, and Kay County, OK, on the one hand, and on the other, points in the U.S. Supporting shipper: Huffy Corporation, 2500 Huffy Road, Ponca City, OK 74601.

MC 134286 (Sub-21TA), filed November 30, 1981. Applicant: ILLINI EXPRESS, INC., P.O.B. 1564, Sioux City, IA 51102. Representative: Jack B. Wolfe, 1600 Sherman, Suite 665, Denver, CO 80203. *Chemicals and Related Products,* from facilities of Franklin Chemical at Columbus, OH to pts in the U.S. (except AK and HI) Supporting shipper: Franklin Chemical, 2020 Bruck St., Columbus, OH 43207.

MC 142831 (Sub-5–2TA), filed November 30, 1981. Applicant: HAMRIC TRANSPORTATION, INC., P.O. Box 1124, Grand Prairie, TX 75051. Representative: Thomas L. Cook, Suite 301, 5801 Marvin D. Love Freeway, Dallas, TX 75116. *Iron and steel articles and materials and supplies and equipment used in or in connection with production and manufacture of iron and steel articles* between the facilities of Chaparral Steel Co., in Midlothian, TX, on the one hand, and, on the other, points in the U.S. Supporting shipper: Chaparral Steel Co., Midlothian, TX.

MC 147196 (Sub-5–39TA), filed December 1, 1981. Applicant: ECONOMY TRANSPORT, INC., P.O. Box 50262, New Orleans, LA 70150. Representative: Martin White, P.O. Box 5387, Richardson, TX 75080. *Contract,* Irregular; *Building Materials and Fireplaces* between Dallas County, TX on the one hand, and points in the U.S. on the other. Supporting shipper: Overhead Door Corp., Dallas, TX.

MC 150088 (Sub-5–16TA), filed November 30, 1981. Applicant: STERLING TRANSPORT DIVISION, INC., 2005 South Great Southwest Parkway, Grand Prairie, TX 75051. Representative: Robert K. Frisch, Walker & Frisch, 6606 LBJ Freeway, Suite 5135, Dallas, TX 75240. *General commodities* (except Classes A and B explosives and commodities in bulk) between points in Dallas County, TX on the one hand, and on the other, points in TX. Supporting shipper: Sterling Warehousing and Distribution, Inc., 2005 South Great Southwest Parkway, Grand Prairie, TX 75051.

Note.—Applicant intends to tack and interline.

MC 151753 (Sub-5–5TA), filed November 30, 1981. Applicant: M.W. CYCLE HAULER, INC., 11909 Santa Fe Drive, Lenexa, KS 66215. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. *General commodities (except those of unusual value, Class A & B explosives, Household Goods as defined by the Interstate Commerce Commission, Commodities in bulk, and those requiring special equipment),* from the railroad yards & facilities used by railroads in the Kansas City, KS-Kansas City, MO commercial zone to points in KS & MO. Supporting shipper: National Piggyback Service, Inc., 7700 Edgewater Drive, Suite 742, Oakland, CA 94621.

MC 154646 (Sub-5–8TA), filed November 30, 1981. Applicant: A & O ENTERPRISES, INC., d.b.a. GREATWEST TRANSPORTATION SYSTEMS, 2022 Kent Avenue, Grand Island, NE 68801. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501. *Contract;* irregular. *General commodities (except household goods and commodities in bulk),* between points in the U.S., under a continuing contract with Pole Barns, Inc. Supporting shipper: Pole Barns, Inc., Box 50A, Route 3, Airport Complex, Grand Island, NE 68801.

MC 155256 (Sub-5–4TA), filed November 30, 1981. Applicant: KASSEL TRANSFER, INC., Route 1, Letts, IA 52754. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309. *Sand and gravel* (except in bulk), from Muscatine County, IA, to points in AL, AR, CO, IL, IN, KS, KY, LA, MI, MN, MS, MO, NE, ND, OH, OK, SD, TN, TX and WI. Supporting shipper: Bos Sand Company, 20500 South LaGrange Road, Frankfort, IL 60423.

MC 159453 (Sub-5–1TA), filed November 30, 1981. Applicant: H. D. PERINE, d.b.a. PERINE ENTERPRISES, 1617 Celia, Wichita Falls, TX 76302. Representative: Lester C. Arvin, 814 Century Plaza Building, Wichita, KS 67202. *Meat, meat products and meat by-products and supplies used in packinghouse products as described in Sections A, B & C, Appendix 1 to the Report in Descriptions in Motor Carrier Certificates, 61 MCC 209 & 766;* between Sedgwick County, KS, on the one hand, and, on the other, AR, AZ, CA, CO, NM, OR, TX, UT & WA. Supporting shipper: DPM of Kansas, Inc., 800 East 37th Street North, Wichita, KS 67219.

MC 159478 (Sub-5–1TA), filed November 30, 1981. Applicant: GERALD POWELL, d.b.a. POWELL TRUCKING, Route 1, Imboden, AR 72434. Representative: James M. Duckett, 221 W. Second, Suite 411, Little Rock, AR 72201. *Fertilizer Ingredients, in dump vehicles,* from Granite City, IL to Walnut Ridge, AR. Supporting shipper: Frit Industries, Inc., Ozark, AL 36360.

MC 159479 (Sub-5–1TA), filed November 30, 1981. Applicant: ANDREWS AND WHITE TRUCKING CO., 132 Aspen Avenue, Hereford, TX 79045. Representative: Richard Hubert, Sims, Kidd, Hubbert & Wilson, P.O. Box 10236, Lubbock, TX 79408. *Construction machinery and equipment* between points in the U.S. under a continuing contract(s) with Jake Diel Construction Machinery, Inc., Hereford, TX.

MC 159513 (Sub-5–1TA), filed December 1, 1981. Applicant: LOK TRUCKING COMPANY, Box 44 B, Route #2, Frisco, TX 75034. Representative: L. S. Richey, 7601 Mapleleaf Drive, Fort Worth, TX 76180. *Automotive Equipment, Electrical Appliances and Metal Articles* between the facilities of Gould, Inc., on the one hand, and, on the other, points in the U.S.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-35603 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 387 (Sub-No. 69)]

Rail Carriers; the Alaska Railroad; Exemption for Contract Tariff

AGENCY: Interstate Commerce Commission.

ACTION: Notice of provision exemption.

SUMMARY: Petitioner is granted a provisional exemption under 49 U.S.C. 10505 from the notice requirement of 49 U.S.C. 10713(e). This contract tariff may become effective on one day's notice. This exemption may be revoked if protests are filed within 15 days of publication in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Jane F. Mackall (202) 275–765.

SUPPLEMENTARY INFORMATION: The Alaska Railroad filed a petition on November 27, 1981, seeking an exemption under 49 U.S.C. 10505 from the statutory notice provisions of 49 U.S.C. 10713(e), to advance the effective date of its contemporaneously filed contract tariff ICC–ARR–C–0003, now December 19, 1981. The contract covers the movement of building materials to Alaska from points in the continental United States.

Under 49 U.S.C. 10713(e), contracts must be filed on not less than 30 nor more than 60 days' notice. There is no provision for waiving this requirement. Cf. former section 10762(d)(1). However, the Commission has granted relief under our section 10505 exemption authority in exceptional situations.

The petition is granted. The shipper's need for immediately movement of supplies to Alaska to accommodate winter construction requirements and provide seasonal inventory create circumstances under which authorization of a provisional exemption is warranted. Alaska Railroad's contract tariff ICC–ARR–C–0003 may become effective on one day's notice. [1]

We will apply the following conditions which have been imposed in similar exemption proceedings:

> If the Commission permits the contract to become effective one day's notice, this fact neither shall be construed to mean that this is a Commission approved contract for purposes of 49 U.S.C. 10713(g) nor shall it serve to deprive the Commission of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to disapprove it.

Subject to compliance with these conditions, under 49 U.S.C. 10505(a) we find that the 30 day notice requirement in these instances is not necessary to carry out the transportation policy of 49 U.S.C. 10101a and is not needed to protect shippers from abuse of market power. Further, we will consider revoking these exemptions under 49 U.S.C. 10505(c) if protests are filed within 15 days of publication in the Federal Register.

This action will not significantly affect the quality of the human environment or the conservation of energy resources.

(49 U.S.C. 10505)

Dated: December 7, 1981.

By the Commission, Division 1, Commissioners Clapp, Gresham, and Taylor. Commissioner Taylor did not participate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-35598 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB–43 (Sub-No. 77F)]

Rail Carriers; Illinois Central Gulf Railroad Co.—Abandonment—Near Ackerman to Woodland, MS; Findings

The Commission has issued a certificate authorizing Illinois Central Gulf Railroad Company to abandon its New Albany District that extends from railroad milepost 239.5 near Ackerman, MS (excluding Ackerman) to milepost 274.0 at Woodland, MS (excluding Woodland, though the station designated as Woodland will only be used after abandonment to handle billing to and from a nearby Westvaco plant), a distance of 34.50 miles in Chickasaw, Choctaw, and Webster Counties, MS, subject to certain conditions. The abandonment certificate will become effective 30 days after this publication unless the Commission also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and served concurrently on the applicant, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this notice. Any offer previously made must be remade within this 10 day period.

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1121.38.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-35595 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

[Directed Service Order no. 1398]

Rail Carriers; Kansas City Terminal Railway Co. Directed to Operate Over—Chicago, Rock Island & Pacific Railroad Co., Debtor (William M. Gibbons, Trustee); Termination of Claim Settlement Operations

AGENCY: Interstate Commerce Commission.

ACTION: directed rail carrier ordered to terminate claim settlement operations.

SUMMARY: Kansas City Terminal Railway Company, as directed rail carrier (KCT–DRC), performed operations over the lines of the Chicago, Rock Island & Pacific Railroad Company, Debtor (William M. Gibbons, Trustee) (Rock Island or RI) from October 1979 through March 1980. KCT–DRC continues to maintain a staff at RI headquarters in Chicago settling claims arising from directed operations. We direct KCT–DRC to terminate claim settlement operations on March 31, 1983, contingent upon approval of a supplemental appropriation by Congress to fund such operations.

DATE: This decision is effective on December 9, 1981.

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[1] Insufficient time was available to grant petitioner's request for a December 1 effective date.

ADDRESS: For copies of the full decision write to: Interstate Commerce Commission, Room 2227, Washington, D.C. 20423 or call Toll Free 800–424–5403.

FOR FURTHER INFORMATION CONTACT: Joel Burns (202) 275–6887.

SUPPLEMENTARY INFORMATION: For further information, see the Commission's decision in directed Service Order No. 1398—Termination of Claim Settlement Operations.

Dated: December 2, 1981.

By the Commission, Chairman Taylor, Vice Chairman Clapp, Commissioners Gresham and Gilliam. Commissioner Gresham dissented with a separate expression.

Agatha L. Mergenovich,

Secretary.

Commissioner Gresham, dissenting.

I am not confident that supplemental appropriations will be provided to the Commission to fund the majority's plan. In that case, any possibility of an orderly termination will have been lost. Moreover, I do not believe that it is responsible for the Commission to spend in excess of $5 million in administrative costs alone to settle claims for 179 days of rail operations. Indeed, the Commission has an obligation to minimize the costs associated with directed service. I do not believe that we have adequately addressed other alternatives which might reduce costs.

[FR Doc. 81-35494 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 29774]

Rail Carriers; Louisville & Nashville Railroad Co.—Exemption—Abandonment in Jefferson County, AL

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the requirements of prior approval under 49 U.S.C. 10903 the abandonment by Louisville and Nashville Railroad Company of its 9,421 feet line segment between Bessemer and Readers, AL.

DATES: This exemption is effective 30 days after this publication. Petitions for reconsideration must be filed within 20 days.

ADDRESSES: Send petitions to:

(1) Interstate Commerce Commission, Section of Finance, Rm 5417, Washington, D.C. 20423
and
(2) R. Lyle Key, Jr., Asst. General Solicitor, Louisville and Nashville Railroad Company, 500 Water Street, Jacksonville, FL 32202.

For copies of the full decision write to: Interstate Commerce Commission, Room 2227, Washington, D.C. 20423 or call Toll Free (800) 424–5403.

Correspondence should refer to Finance Docket No. 29774.

FOR FURTHER INFORMATION CONTACT: Ellen D. Hanson, (202) 275–7245
or
Ernest B. Abbott, (202) 275–3002.

SUPPLEMENTARY INFORMATION: For further information, see the Commission's decision in Finance Docket No. 29774.

Decided: December 4, 1981.

By the Commission, Chairman Taylor, Vice-Chairman Clapp, Commissioners Gresham and Gilliam.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-35597 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 29736]

Rail Carriers; Mahoning Valley Railway Co. and the Cuyahoga Valley Railway Co.—Exemption

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the requirements of its prior review and approval under 49 U.S.C. 11343, the control of Mahoning Valley Railway Company by Cuyahoga Valley Railway Company and Jones & Laughlin Steel Corporation.

DATES: The exemption will be effective 30 days from the date of this publication. Petitions for reconsideration of this action must be filed within 20 days.

ADDRESSES: Send pleadings to:

(1) Interstate Commerce Commission, Section of Finance, Room 5414, 12th and Constitution Avenue NW., Washington, D.C. 20423
(2) Petitioner's representative: Donald A. Wall, Squire, Anders & Dempsey, 1800 Union Commerce Building, Cleveland, Ohio 44115.

For copies of the full decision write to: Interstate Commerce Commission, Room 2227, Washington, D.C. 20423
or
Call Toll Free (800) 424–5403.

Pleadings should refer to Finance Docket No. 29736.

FOR FURTHER INFORMATION CONTACT: Ellen D. Hanson, (202) 275–7245.

SUPPLEMENTARY INFORMATION: For further information, see the Commission's decision in Finance Docket No. 29736.

Decided: December 7, 1981.

By the Commission, Chairman Taylor, Vice-Chairman Clapp, Commissioners Gresham and Gilliam.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-35596 Filed 12-11-81; 8:45 am]

BILLING CODE 7035-01-M

LEGAL SERVICES CORPORATION

Private Attorney Involvement by Recipients of Funding

AGENCY: Legal Services Corporation.

ACTION: Instruction.

SUMMARY: The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93–355a 88 Stat. 378, 42 U.S.C. 2996–2996/, as amended, Pub. L. 95–222 (December 28, 1977). Section 1008(e) of the Legal Services Corporation Act provides:

The Corporation shall * * * publish in the **Federal Register** at least 30 days prior to their effective date all its rules, regulations, guidelines and instructions.

The Legal Services Corporation hereby publishes its instruction on private attorney involvement by recipients of Legal Services Corporation funding.

EFFECTIVE DATE: This instruction is effective January 14, 1982.

FOR FURTHER INFORMATION CONTACT: Theron P. O'Connor, Office of Field Services, Legal Services Corporation, 733 15th Street, NW., Washington, D.C. 20005, (202) 272–4080.

Dan J. Bradley,

President, Legal Services Corporation.

December 9, 1981.

Instruction

I. Purpose

The purpose of this Instruction is to provide direction to recipients of Legal Services Corporation funding in meeting the terms of the Special Condition on private attorney involvement placed upon 1982 grant awards. It is designated to ensure that recipients, through policies and plans adopted by their governing bodies, will provide such opportunities in the most effective and economical manner and consistent with the purposes and requirements of the Legal Services Corporation Act.

The Special Condition provides:

Consistent with an Instruction to be issued by the Corporation, the recipient shall allocate a substantial amount of its annualized Basic Field grant award to provide the opportunity for the involvement of private attorneys in the delivery of legal

assistance to eligible clients. As a guideline, a substantial amount shall be defined as ten percent of the recipient's annualized Basic Field grant award

Consistent with an Instruction to be issued by the Corporation, recipients of annualized Native American, Migrant and State Support grant awards shall analyze the feasibility of involving private attorneys in the activities undertaken pursuant to such grants.

II. General Policy

The Special Condition implements a policy and statement of Principles on Private Attorney Involvement that was adopted by the Board of Directors of the Corporation on October 2, 1981. That policy requires that a substantial amount of funds be made available to provide the opportunity for the involvement of private attorneys in the delivery of legal assistance to eligible clients.

The policy builds on local program experience, as well as formal research and experimentation undertaken by the Corporation, that has provided comprehensive information about the delivery of legal services to the poor. This information and experience demonstrate several things: the staff attorney system is an effective and economical structure to deliver publicly supported legal assistance to the poor; there are many private attorneys willing and able to provide high quality legal assistance to the poor; and, there are a variety of mechanisms for involving private attorneys, on either a voluntary or a partially-compensated basis, that can be adapted for effective local use.

The Corporation's policy is designed to enhance the participation of private attorneys, through established local programs, in localities where this has not yet occurred, in ways that make sense for those particular communities.

As a guideline, the term "substantial amount" has been defined as ten percent (10%) of the annualized Basic Field grants awarded to existing recipients. To achieve that goal the Corporation will direct that each recipient develop and implement a plan to allocate a substantial amount of its annualized Basic Field grant to activities consistent with this Instruction. In the case of joint efforts involving two or more recipients, the ten percent guideline shall be applied to the aggregate of annualized Basic Field funds involved. Each recipient in any such effort shall be a bona fide participant in the activities undertaken by the joint venture.

Recipients of annualized Native American, Migrant and State Support grant awards, while not subject to the ten percent guideline, shall analyze the feasibility of involving private attorneys in the activities undertaken pursuant to such grants.

Private attorney involvement must be seen as an integral part of a total local program, undertaken within the established priorities of that program in a manner that furthers the fundamental values of high quality, economical and effective client-centered legal assistance to the poor. Decisions about how to meet the substantial involvement requirement rest with the recipient through its governing body. The Corporation expects, however, that the recipient will develop and implement its plan in consultation with its clients and staff, and with the organized bar, including minority and women's bar groups, and private attorneys in its service area. Experience has indicated that effective private attorney involvement occurs in those communities where the legal services program and relevant bar organizations have been able to work together in the design and implementation of a plan to achieve that involvement.

To ensure that activities undertaken pursuant to the Special Condition will result in the continued provision of the highest quality services in the most effective and economical manner, the Corporation will make available to recipients a program of support and technical assistance designed to aid them in meeting this requirement.

III. Range of Activities

(a) Private attorneys can be effectively involved in the delivery of legal assistance to eligible clients in a variety of ways and in response to a variety of priority legal needs of clients. At a minimum the following considerations will apply in defining the range of activities permitted in meeting the requirements of this Instruction:

(1) The primary consideration in undertaking any such activities shall be the provision of the highest quality services to eligible clients in the most effective and economical manner; and

(2) Activities undertaken by the recipient to meet the requirements of this Instruction might include, but not necessarily be limited to:

(A) Direct delivery of legal assistance to eligible clients through organized pro bono or reduced fee plans utilizing volunteer attorneys, judicare panels, private attorney contracts, and/or organized referral systems;

(B) Support provided by private attorneys to the recipient in its delivery of legal assistance to eligible clients on either a reduced fee or pro bono basis through the provision of community legal education; training; technical assistance; research; advice and counsel; co-counseling arrangements; and, the use of private law firm facilities, libraries, computer assisted legal research systems and other resources; and,

(C) Support provided by the recipient in furtherance of activities undertaken pursuant to (A) above including the provision of training; technical assistance; research; advice and counsel; and, the use of recipient facilities, libraries, computer assisted legal research systems and other resources.

(b) The specific activities to be undertaken by a recipient to involve private attorneys in the provision of legal assistance to eligible clients will be determined by the recipient taking into account the following factors:

(1) The priority legal needs of eligible clients in the service area;

(2) The most effective and economical delivery of legal assistance to eligible clients;

(3) Linguistic and cultural barriers to effective advocacy;

(4) Actual or potential conflicts of interest between participating attorneys and eligible clients;

(5) The substantive and practice expertise of participating attorneys; and,

(6) The knowledge and information available from the Delivery Systems Study and other literature and experience related to the involvement of private attorneys in the delivery of legal assistance to eligible clients.

(c) Systems designed to provide direct services to clients by private attorneys, on either a pro bono or reduced fee basis, shall include at a minimum the following components:

(1) Intake and case acceptance procedures which are consistent with the recipient's established priorities in meeting the legal needs of eligible clients;

(2) Case assignment procedures which ensure the referral of cases according to the nature of the legal problem or problems involved and the skills, experience and substantive expertise of the participating attorneys;

(3) Case oversight and follow-up procedures which ensure the timely disposition of cases in a manner and in a forum calculated to achieve, insofar as possible, the result desired by the client and the most efficient utilization of recipient resources; and,

(4) Support and technical assistance procedures which, where appropriate and to the extent feasible, will provide access for participating attorneys to materials, training opportunities and back-up on substantive poverty law and practice considerations.

(d) The recipient shall utilize financial systems and procedures to account for costs allowable in meeting this instruction which will:

(1) Meet the requirements of the Corporation's Audit and Accounting Guide for Recipients and Auditors; and,

(2) Accurately identify and account for: (A) The recipient's administrative, overhead, staff, and support costs related to carrying out private attorney involvement activities; (B) payments to private attorneys for supportive or direct client services rendered; (C) contractual payments to individuals or organizations which will undertake administrative, supportive, and/or direct services to eligible clients on behalf of the recipient consistent with the provisions of this Instruction; and, (D) such other actual costs as may be incurred by the recipient in this regard.

IV. Procedure

(a) Each recipient shall develop a plan to meet the requirements of this Instruction. The plan shall:

(1) Take into consideration the legal needs of eligible clients in the geographic area served by the recipient and the relative importance of those needs consistent with the priorities established pursuant to section 1007(a)(2)(C) of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(2) and Part 1620 of the Regulations (45 CFR 1620) adopted pursuant thereto; and

(2) Take into consideration the delivery mechanisms potentially available to provide the opportunity for the participation of private attorneys in meeting the established priority legal needs of clients in the most effective and economical manner.

(b) The recipient shall provide the opportunity for consultations with significant segments of the client community, the recipient's employees, and private attorneys and bar associations in the recipient's service area in the development of its plan to provide the opportunity for the involvement of private attorneys in the provision of legal assistance to eligible clients.

(c) On or before March 31, 1982, the recipient shall prepare and submit to the appropriate Regional Office of the Corporation a brief report describing how the recipient will provide the opportunity for private attorneys to participate in the provision of legal assistance to eligible clients. In the case of joint efforts the preparation and submission of the required report shall be the joint responsibility of all participating recipients and shall demonstrate the bona fide participation of each such recipient in the activities to be undertaken. The report shall include:

(1) A brief summary of the priority legal needs of eligible clients;

(2) A brief summary of any delivery mechanisms potentially available to the recipient in meeting those needs in the most effective and economical manner through the involvement of private attorneys;

(3) A brief summary of the consultations with eligible clients, recipient employees, and private attorney groups in developing its plan to provide the opportunity for the involvement of private attorneys in the delivery of legal assistance to eligible clients;

(4) A brief description of the activities which the recipient will undertake to meet the requirements of this Instruction including, where required, its procedures for meeting the provisions of paragraph (c) of section III; and

(5) A tentative budget showing the annualized allocation of a substantial amount of the recipient's Basic Field grant to the activities undertaken to meet the requirements of the Special Condition.

(d) A recipient which currently allocates a substantial amount of its annualized Basic Field grant award to provide the opportunity for the involvement of private attorneys in the delivery of legal assistance to eligible clients, or which has already developed a plan to that end which is consistent with the requirements of this Instruction, need not comply with paragraphs (a) and (b) above. Such recipient shall, however, prepare and submit the report required by paragraph (c) above.

(e) Implementation by the recipient of the plan adopted pursuant to paragraph (a) above shall begin on or before June 30, 1982 and shall be fully operational on or before September 30, 1982.

(f) On or before September 30, 1982, the recipient shall certify to the Corporation that it is expending, consistent with the ten percent guideline, a substantial amount of its annualized Basic Field grant in furtherance of the activities described in the report required in paragraph (c) above.

(g) For recipients of annualized Native American, Migrant and State Support grant awards, the following procedures will apply:

(1) Each such recipient shall analyze the feasibility of involving private attorneys in the activities undertaken pursuant to such grants. The analysis shall:

(A) Take into consideration the legal needs of eligible clients in the geographic area served by the recipient and the relative importance of those needs consistent with the priorities established pursuant to section 1007(a)(2)(C) of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(2)) and Part 1620 of the Regulations (45 CFR 1620) adopted pursuant thereto; and

(B) Take into consideration the methods potentially available to provide the opportunity for the participation of private attorneys in the activities undertaken pursuant to the such grants.

(2) Each such recipient shall provide the opportunity for consultations with significant segments of the client community, the recipient's employees, and private attorneys and bar associations in the recipient's service area in the feasibility analysis.

(3) On or before September 30, 1982, each such recipient shall prepare and submit to the appropriate Regional Office of the Corporation a brief report describing the feasibility of private attorney participation in the activities undertaken pursuant to such grants. The report shall include:

(A) A brief summary of the priority legal needs of eligible clients and the relative priority of other activities undertaken pursuant to such grants;

(B) A brief summary of the methods of involving private attorneys in meeting those needs or in other activities undertaken pursuant to the recipient's grant in the most effective and economical manner;

(C) A brief summary of the consultations with eligible clients, recipient employees and private bar groups in developing the feasibility analysis; and,

(D) A brief description of any private attorney involvement in the activities undertaken pursuant to such grants.

(4) Each such recipient which has already analyzed the feasibility of involving private attorneys in the activities undertaken pursuant to such grants need not comply with paragraphs (1) and (2) above. Such recipient shall, however, prepare and submit the report required by paragraph (3) above.

Issued: December 9, 1981.

Dan J. Bradley,

President, Legal Services Corporation.

[FR Doc. 81-35639 Filed 12-11-81; 8:45 am]

BILLING CODE 6820-35-M

NUCLEAR REGULATORY COMMISSION

Abnormal Occurrence; Calculated Radiation Exposures Exceeding 10 CFR Part 20 Limits

Section 208 of the Energy Reorganization Act of 1974. as amended. requires the NRC to disseminate information on abnormal occurrences (i.e., unscheduled incidents or events which the Commission determines are significant from the standpoint of public health and safety). The following incident was determined to be an abnormal occurrence using the criteria published in the Federal Register on February 24. 1977 (42 FR 10950). Example I.A.2 ("For All Licensees") of the Policy Statement notes that an exposure to an individual in an unrestricted area such that the whole body dose received exceeds 0.5 rems in one calendar year (10 CFR 20.105(a)) can be considered an abnormal occurrence. The following description of the event also contains the remedial action taken.

Date and Place—On May 5. 1981. the Eveleth Expansion Company of Eveleth. Minnesota reported that between April 3 and 7. 1981. personnel working inside an iron ore pellet cooler had been exposed to radiation from a 10 curie. cesium-137 sealed source contained in a level control gauge.

Nature and Probable Consequences—The Pellet Plant cooler had been shut down for repairs on March 30. 1981. On that day. the shutter mechanism of the level control gauge containing a nominal 10 curie cesium-137 sealed source was locked in the closed position. Radiation surveys performed at that time appeared to indicate that the source was properly shielded. After a cooldown period. workmen entered the cooler on April 3. 1981. to replace refractory material on the cooler walls. On April 7. licensee personnel discovered that there were radiation levels in excess of 100 mr/hr within the cooler (later determined to be up to 2.2 rems/hr where the radiation beam entered the cooler). It was determined that several individuals had been exposed to a radiation beam from the source during the working days between April 3 and 7. 1981.

The gauge source holder was removed from its mounting and licensee personnel found that the lead shielding in the shutter had melted and drained from the shield location. This rendered the shielding integrity of the shutter useless.

Investigation showed that 17 licensee personnel and 14 contractor personnel had entered the cooler between April 3 and 7. 1981. Radiation levels in the work area were in excess of 100 mr/hr. The calculated radiation exposures received ranged from 0.14 rem to 3 rem. During the repairs. the pellet cooler area was considered an unrestricted area: of the 31 personnel. it is calculated that 14 had received whole body exposures in excess of 0.5 rems. No health effects were observed nor would be expected from these exposures. *Cause or Causes*—The gauge head was mounted external to the cooler on an upper level so that the source beam would traverse the cooler diagonally to activate the detector on the other side of the cooler. which controlled the speed of the circular cooler.

A hole had been cut in the side of the cooler to reduce shielding and allow more effective operation of the cesium-137 source in the gauge. During recent efforts to increase production. the pressure of the air forced into the cooler had been increased as a means of accelerating the cooling of the pellets. As a result. hot gases may have been forced out the aperture in the cooler wall at the location of the source holder. The temperature of the pellets entering the cooler is about 2400°F. considerably above the melting point of lead. The heat reaching the gauge was sufficient to melt the aluminum alloy dust cover over the gauge shutter mechanism. and to melt the lead in the shutter. thereby allowing a radiation beam to escape the gauge.

The plant was shut down for periodic maintenance and overhaul of the cooler. At the time of the shutdown. the level gauge was secured and the shutter placed in the "lock out" position. The licensee performed a survey. but because of the relative inaccessibility of the gauge location. likely did not detect the unshielded beam. A reading of about 10 mr/hr was reportedly obtained from this measurement. This indicated to the licensee that the gauge was shut off with the shutter in the closed position. (There is also some evidence that the survey meter was not functioning properly at the time and this may be another reason why the radiation beam was not discovered during the survey—neither NRC regulations nor the license conditions required the licensee to perform a survey when the source holder shutter is locked in a closed position).

Actions Taken To Prevent Recurrence

Licensee—The source holder was adequately shielded. placed in properly posted storage. and subsequently shipped to the supplier for repair or disposal.

In the meantime. a gauge manufactured by a different supplier. containing a cobalt-60 sealed source. was installed in place of the inoperable gauge. A new lockout procedure has been established and is being followed by the licensee. Individual workers have been notified in writing of their calculated exposures.

The removed source holder shutter assembly is to be repaired by the supplier so that the lead shielding would be contained in a sealed steel enclosure to prevent the lead from leaking out in the event of exposure to high temperatures. The shutter compartment cover is to be changed to stainless steel to prevent its deterioration.

NRC—The incident was investigated by the NRC on May 19–21. and 28. 1981. Two items of noncompliance were identified: 10 CFR 20.101—individuals received exposures in excess of regulatory limits: and 10 CFR 20.105—radiation levels were created in an unrestricted area in excess of regulatory limits. The licensee was not cited for these items in accordance with the section of the Interim Enforcement Policy which states. in part. that licensees will not ordinarily be cited for violations resulting from matters not within their control that could not have been reasonably foreseen.

The event is being considered for possible generic implications.

Dated at Washington. D.C. this 8th day of December 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 81-35961 Filed 12-11-81. 8:45 am]

BILLING CODE 7590-01-M

Abnormal Occurrence; Failure of High Pressure Safety Injection System

Section 208 of the Energy Reorganization Act of 1974. as amended. requires the NRC to disseminate information on abnormal occurrences (i.e., unscheduled incidents or events which the Commission determines are significant from the standpoint of Public health and safety). The following incident was determined to be an abnormal occurrence using the criteria published in the Federal Register on February 24. 1977 (42 FR 10950). One of the general criteria of the Policy Statement notes that major degradation of essential safety-related equipment can be considered an abnormal occurrence. The following description of the event also contains the remedial action taken.

Date and Place—On September 3. 1981. the NRC was notified by Southern California Edison Company (the

licensee) of a condition involving failure of two safety injection valves to open upon receipt of a safety injection signal at the San Onofre Nuclear Generating Station Unit 1. The San Onofre Unit 1 plant utilizes a pressurized water reactor and is located in San diego County, California.

Nature and Probable Consequences—At about 3:30 AM on September 3, with the reactor at 88% power, one of the regulated power supplies serving one of the two redundant paths of the Reactor Protection System and a portion of the Control and Indication System failed. As a result, feedwater and steam flow and steam generator water level indications were lost for the steam generator served by this power supply and oscillations were observed in similar flow and level indications of the other two steam generators. The operators placed the steam generator water level controls under manual control and then manually tripped the reactor. During this period, high steam generator water levels resulted in increased cooling of the Reactor Coolant System (RCS), thereby reducing the system pressure. At 1735 psig, a Safety Injection Actuation Signal (SIAS) was automatically initiated, in accordance with system design. Subsequently, RCS pressure increased, SIAS was reset at 4:00 AM, and safety injection terminated.

At San Onofre Unit 1, the two steam generator feedwater pumps are also part of the safety injection system (see Figure 1).

BILLING CODE 7590-01-M

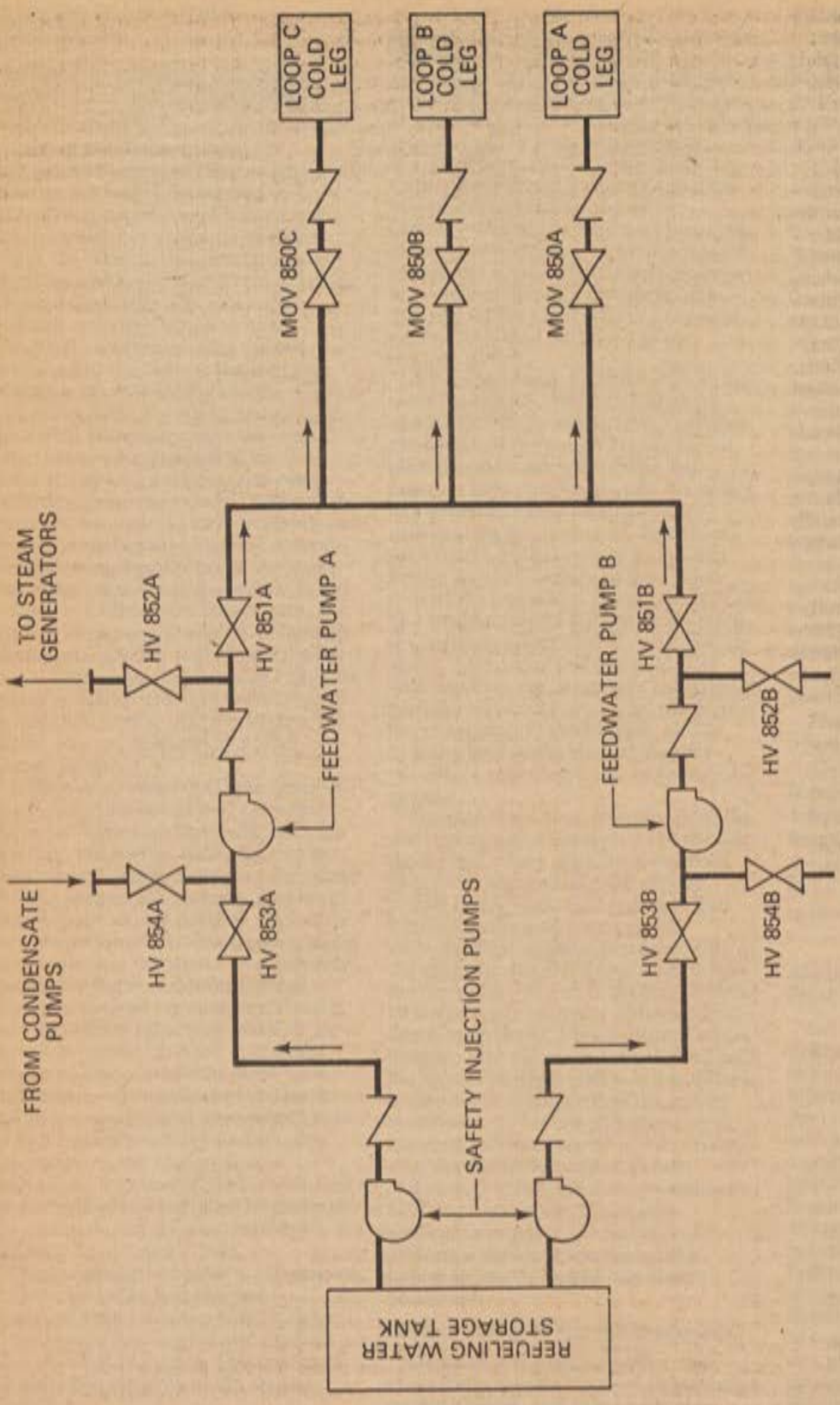


Figure 1. Simplified Schematic of Safety Injection System (San Onofre Unit 1)

BILLING CODE 7590-01-C

During Normal operation, water from the condensate pumps flows through valves HV854 A and B, the feedwater pumps, and valves HV852 A and B to the secondary side of the steam generators. Another line, which connects to each feedwater pump discharge line is normally isolated by safety injection valves HV851 A or B; these lines join to a common header which then connects to the three cold leg return lines from the three steam generators to the reactor vessel. Upon receipt of a SIAS, the feedwater pumps are automatically valved out of the steam generator feedwater system, by closing valves HV854 A and B and HV852 A and B (steam generator feedwater is then supplied by the Auxiliary Feedwater System), and become part of the safety injection system by opening the HV851 A and B and HV853 A and B valves. The safety injection valves, HV851 A and B, downstream of the feedwater pumps, are designed to automatically open upon receipt of the SIAS. Then, if RCS system pressure decreases sufficiently (such as in the case of a loss of coolant accident), borated water (normally from the Refueling Water Storage Tank) would be pumped by the safety injection pumps, through the feedwater pumps and safety injection valves, into the RCS. During the September 3, 1981 event, RCS pressure only decreased to about 1700 psi. Therefore, since the feedwater pump discharge shutoff head pressure is about 1200 psi by design, no safety injection flow would have occurred even if the safety injection valves had opened. In addition, none was actually required since system pressure and inventory were adequate throughout the event.

However, while SIAS was present, plant operators in the Auxiliary Building noted that neither valve HV851 A nor HV851 B had opened. Later, after the event was terminated, the valves did open when the feedwater pumps were tripped. Since operability of the valves could not be demonstrated by subsequent tests, the licensee placed the plant in a cold shutdown condition and agreed not to restart the plant without NRC concurrence.

For this event, the failure of both these valves to open did not result in plant damage, radiological releases, or health effects. The injection of borated water into the RCS was not required by the plant conditions present. However, had a loss of coolant or steamline break accident occurred, one of the key safety systems designed to provide mitigation may not have performed as intended.

Cause of Causes—To date, the following valve design deficiencies have been identified: (1) the contact stress between the valve seat and disc exceeded the threshold of galling (transfer of metal at contact surfaces resulting from local material being overstressed). (2) the coefficient of friction assumed for sizing the hydraulic valve activators was too small, and (3) the lack of any valve bonnet leak-off potentially allowed for an excessive differential pressure across both discs if the feedwater pumps were tripped.

As noted above, the valves did not open until the feedwater pumps were tripped and the differential pressure across the valve gates had significantly decayed. Testing indicated that valve packing tightness was not a factor. The valves were disassembled and the seating surfaces inspected. Maintenance was performed on the valve seats to remove galling which was observed on the valve discs and additional tests were performed. Although valve operation was noted in some instances while the feedwater pumps were running, reliable operation within the acceptance criterion could not be demonstrated.

The valves had been regularly tested at each refueling outage, but the tests were performed with no significant pressure differential across the valves. In 1976, the valve operators were changed from a motor operator to a hydraulic operator to decrease valve stroke time. As indicated above, the hydraulic operators were selected based on a coefficient of friction that was too low. Proper valve operations were demonstrated during the acceptance tests conducted with a design pressure difference of up to 1,350 psi across the valves. Between restart in 1977 and September 3, 1981, no safety injection system challenges occurred—the only operation of the valves was during tests with little or no pressure differential. No major valve maintenance was performed during this period.

Actions Taken To Prevent Recurrence

Licensee—Meetings were held on September 15, 1981, September 30, 1981, and October 22, 1981, with the NRC to discuss possible resolution of the problem. The licensee is continuing to evaluate the problem and possible corrective actions. For the interim period, the licensee has altered the sequence for safety injection, installed valve bonnet leak-off lines, and has completed an extensive preoperational valve and system test program. In addition, the licensee has agreed to institute a surveillance program which is more extensive, in terms of the frequency of testing and the detail of measurement, than required for any other plant. The licensee has also committed to replace the valves in question and their actuators. The plans and schedule for the valve and actuator replacement are to be submitted to the NRC by December 1, 1981. In addition, the licensee has committed to perform a long-term study of the advisability of completely redesigning the safety injection system.

NRC—The NRC's resident inspector followed the licensee's inspection and corrective actions onsite. The NRC's Offices of Inspection and Enforcement and Nuclear Reactor Regulation have reviewed and evaluated the licensee's proposed action and the licensing submittal addressing the causes of the event and the proposed corrective actions including Emergency Core Cooling System modifications and testing. The licensee has submitted a request to the NRC to amend the license to incorporate surveillance tests of the valves, and the submittal has been reviewed and approved.

The NRC is also evaluating the generic implications of the event, i.e., testing the valves under operating pressure differentials. The problem remains under active review within the NRC. Inspection and Enforcement Information Notice No. 81-31 was issued to licensees on October 7, 1981 to inform them of this event. The NRC agreed that the licensee's interim corrective actions were satisfactory and on November 1, 1981 concurred with the licensee that the plant could be restarted. The licensee initiated startup of the plant late on November 3, 1981.

Dated at Washington, D.C. this 8th day of December 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 81-35663 Filed 12-11-81; 8:45 am]

BILLING CODE 7590-01-M

Advisory Panel for the Decontamination of Three Mile Island, Unit 2; Meeting

Notice is hereby given pursuant to the Federal Advisory Committee Act that the Advisory Panel for the Decontamination of Three Mile Island, Unit 2 will be meeting on January 13, 1982, and January 28, 1982, from 7:00 p.m. to 10:00 p.m. at the Holiday Inn, 23 South Second Street, Harrisburg, Pennsylvania 17101. The meetings will be open for public observation.

At these meetings, the Panel will discuss alternative strategies for

assuring financial resources to complete the TMI–2 cleanup.

Further information on the meetings may be obtained from Dr. William Travers, Three Mile Island Program Office, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone 301/492–7466.

Dated: December 9, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81–35660 Filed 12–11–81; 8:45 am]

BILLING CODE 7590–01–M

Advisory Committee on Reactor Safeguards, Subcommittee on Class-9 Accidents; Exemption Change

The ACRS Subcommittee on Class-9 Accidents scheduled to be held on December 16 (1:00 p.m.) and 17 (8:00 a.m.), 1981, at the Rodeway Inn, 4590 Quebec at I-70, Denver, CO, the exemption regarding the close sessions has been changed to the following: Sunshine Act Exemption 9(b)—Disclose information the premature disclosure of which would, in the case of any agency, be likely to significntly frustrate implementation of a proposed agency action.

I have determined, in accordance with subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close some portions of this meeting. The authority for such closure is Exemption 9(b) to the Sunshine Act, 5 U.S.C. 552b(c)(9)(b).

All other items regarding this meeting remain the same as announced in the **Federal Register** published Tuesday, December 1, 1981 (46 FR 58387).

Further information may be obtained by a prepaid telephone call to the cognizant Designated Federal Employee for this meeting, Dr. Richard Savio (telephone 202/634–3268) between 8:15 a.m. and 5:00 p.m., est.

Dated: December 9, 1981.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 81–35667 Filed 12–11–81; 8:45 am]

BILLING CODE 7590–01–M

Draft Regulatory Guide; Issuance and Availability

The Nuclear Regulatory Commission has issued for public comment a draft of a proposed revision to a guide in its Regulatory Guide Series together with a draft of the associated value/impact statement. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

The draft, temporarily identified by its task number, IC 010–5 (which should be mentioned in all correspondence concerning this draft guide), is Proposed Revision 2 to Regulatory Guide 1.105 and is entitled "Instrument Setpoints." The guide is being developed to describe a method acceptable to the NRC staff for complying with the Commission's regulations for ensuring that instrument setpoints in systems important to safety are initially within and remain within the technical specifications. This Proposed Revision 2 is being developoed because the guidance in Revision 1 is being incorporated into a national standard, ISA S67.04, "Setpoints for Nuclear Safety-Related instrumentation Used in Nuclear Power Plants." Proposed Revision 2 will endorse, with appropriate modifications, ISA S67.04.

This draft guide and the associated value/impact statement are being issued to involve the public in the early stages of the development of a regulatory position in this area. They have not received complete staff review and do not represent an official NRC staff position.

Public comments are being solicited on both drafts, the guide (including any implementation schedule) and the draft value/impact statement. Comments on the draft value/impact statement should be accompanied by supporting data. Comments on both drafts should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch by

Although a time limit is given for comments on these drafts, comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street N.W., Washington, D.C. Requests for single copies of draft guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Technical Information and Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 7th day of December 1981.

For the Nuclear Regulatory Commission.

Karl R. Goller,

Director, Division of Facility Operations, Office of Nuclear Regulatory Research.

[FR Doc. 81–35665 Filed 12–11–81; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–302]

Florida Power Corp., et al.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 46 to Facility Operating License No. DPR–72, issued to the Florida Power Corporation, City of Alachua, City of Bushnell, City of Gainesville, City of Kissimmee, City of Leesburg, City of New Smyrna Beach and Utilities Commission, City of New Smyrna Beach, City of Ocala, Orlando Utilities Commission and City of Orlando, Sebring Utilities Commission, Seminole Electric Cooperative, Inc., and the City of Tallahassee (the licensees) which revised the Technical Specifications (TSs) for operation for the Crystal River Unit No. 3 Nuclear Generating Plant (the facility) located in Citrus County, Florida.

The amendment revises the TSs to authorize Cycle 4 operation of the facility following refueling. It also deletes an improper surveillance requirement for the containment spray additive system.

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 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated November 16, 1981, as supplemented November 20, 1981, (2) Amendment No. 46 to License No. DPR-72, 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. and at the Crystal River Public Library, 668 N.W. First Avenue, Crystal River, Florida. 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 Licensing.

Dated at Bethesda, Maryland, this 4th day of December 1981.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch No. 4, Division of Licensing.

[FR Doc. 81-35662 Filed 12-11-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-321]

Georgia Power Co., et al. (Edwin I. Hatch Nuclear Plant, Unit No. 1); Exemption

I

The Georgia Power Company (the licensee) and three other co-owners are the holders of Facility Operating License No. DPR-57 which authorizes operation of the Edwin I. Hatch Nuclear Plant, Unit 1 (Hatch 1 or the facility). The license provides, among other things, that Hatch 1 is subject to all rules, regulations and Orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility is a boiling water reactor located at the licensee's site in Appling County, Georgia.

II

Section 50.48(c)(2) of 10 CFR Part 50 requires that certain features of the Hatch 1 fire protection program, specifically, those that involve installation of modifications, shall be implemented by November 17, 1981. One such feature is the installation of emergency lighting units in all areas needed for operation of safe shutdown equipment.

By letter dated November 12, 1981, the licensee requested an exemption from the 50.48 schedular requirement, delaying the installation of these lighting units from November 17, 1981, to December 4, 1981. The delay is necessitated by a redesign to ensure seismic integrity of the mounting brackets and subsequent material procurement problems. The licensee stated that a significant amount of emergency lighting is currently installed in Hatch 1, providing adequate illumination for operation of safe shutdown equipment, albeit not yet in compliance with seismic design criteria for the mounting brackets. Additionally, hand-held emergency lighting is available to plant personnel.

As the licensee will have the system operational in a relatively short period of time, has a "non-seismic" system currently operable, and has backup hand-held emergency lighting available, we conclude that the licensee's request for an extension of the completion date required by 10 CFR 50.48(c)(2) should be granted.

III

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or the common defense and security, is otherwise in the public interest, and is hereby granted.

The Commission has determined that the granting of this exemption will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

This exemption is effective upon issuance.

Dated at Bethesda, Maryland, this 7th day of December 1981.

For the Nuclear Regulatory Commission.

Harold R. Denton,

Director, Office of Nuclear Reactor, Regulation.

[FR Doc. 81-35666 Filed 12-11-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-395 OL]

South Carolina Electric and Gas Co., et al. (Virgil C. Summer Nuclear Station, Unit 1); Rescheduling of Hearing

December 8, 1981.

Please take notice that the evidentiary hearing has been rescheduled from December 14, 1981, to reconvene at 9:00 a.m. on January 11, 1982 in the Law School Courtroom, Room 239, at the University of South Carolina Law School, Columbia, South Carolina 29208. The public is invited to attend.

The Applicants and NRC Staff are directed to prefile their supplemental testimony by December 18, 1981 and December 31, 1981, respectively. Copies of Staff's testimony are to be delivered to the Board Chairman's office by 2:00 p.m. on December 31, 1981.

By Order of the Board.

For the Atomic Safety and Licensing Board.

Herbert Grossman,

Chairman, Administrative Judge.

Dated at Bethesda, Maryland this 8th day of December 1981.

[FR Doc. 81-35604 Filed 12-11-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-443A and 50-444A]

Public Service Co. of New Hampshire, et al.; Receipt of Additional Antitrust Information: Time for Submission of Views on Antitrust Matters

Public Service Company of New Hampshire, et al.,[1] pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed information requested by the Attorney General for antitrust review as required by 10 CFR Part 50, Appendix L. This information concerns a proposed additional ownership participant, the Canal Electric Company (Canal) in the Seabrook Station, Units 1 and 2. The change involves the transfer of ownership from the Commonwealth Electric Company to Canal.

The information was filed in connection with the application submitted by the construction permit holders for operating licenses for two pressurized water reactors. Construction was authorized on July 7, 1976 at the Seabrook site located in Rockingham County, New Hampshire.

The original application was docketed on July 9, 1973, and the Notice of Receipt of Application for Construction Permits and Facility Licenses and Availability of Applicants' Environmental Report; Time for Submission of Views on Antitrust Matters was published in the **Federal Register** on August 9, 1973 (38 FR 21522). The Notice of Receipt of Application for Facility Operating Licenses; Notice of Availability of Applicants' Environmental Report; and the Notice of Consideration of Issuance of Facility Operating Licenses and Notice of

[1] The current applicants for the operating licenses for Seabrook Station are: Bangor Hydro-Electric Company, Central Maine Power Company, Central Vermont Public Service Corporation, Commonwealth Energy Systems, Connecticut Light & Power Company, Fitchburg Gas & Electric Light Company, Hudson Light & Power Department, Maine Public Service Company, Massachusetts Muncipal Wholesale Electric Company, Montaup Electric Company, New England Power Company, Public Service Company of New Hampshire, Taunton Muncipal Lighting Plant, The United Illuminating Company, and Vermont Electric Cooperative, Inc.

Opportunity for Hearing was published in the Federal Register on October 19, 1981 (46 FR 51330).

A copy of the above documents are available for public examination and copying for a fee at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555 and at the Exeter Public Library, Front Street, Exeter, New Hampshire 03883.

Any person who wishes to have his views on the antitrust matters with respect to the Canal Electric Company presented to the Attorney General for consideration or who desires additional information regarding the matters covered by this notice, should submit such views or requests for additional information to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Antitrust and Economic Analysis Branch, Division of Engineering, Office of Nuclear Reactor Regulation, on or before January 29, 1982.

Dated at Bethesda, Maryland, this 16th day of November 1981.

For the Nuclear Regulatory Commission.

Frank J. Miraglia,

Chief, Licensing Branch No. 3, Division of Licensing.

[FR Doc. 81-34273 Filed 11-27-81; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

Background

December 7, 1981.

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Paperwork Reduction Act (44 USC, chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions (burden change), extensions (no change), or reinstatements. The agency clearance officer can tell you the nature of any particular revision you are interested in. Each entry contains the following information:

The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available)
The office of the agency issuing this form
The title of the form
The agency form number, if applicable
How often the form must be filled out
Who will be required or asked to report
The Standard Industrial Classification (SIC) codes, referring to specific respondent groups that are affected
Whether small businesses or organizations are affected
A description of the Federal budget functional category that covers the information collection
An estimate of the number of responses
An estimate of the total number of hours needed to fill out the form
An estimate of the cost to the Federal Government
An estimate of the cost of the public
The number of forms in the request for approval
An indication of whether section 3504(h) of Pub. L. 96-511 applies
The name and telephone number of the person or office responsible for OMB review and
An abstract describing the need for and uses of the information collection.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the Federal Register, but occasionally the public interest requires more rapid action.

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, plesase advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB reviewer or office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Jim J. Tozzi, Deputy Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—202-447-6201

New

• Food and Nutrition Service
Application and Agreement: National School Lunch Program, School Breakfast Program and Special Milk Program
FNS-66 66-1 67
Annually
Businesses or other institutions
Nonpublic, nonprofit schools and resid. child care instit.
SIC: 821 336
Small businesses or organizations
Public assistance and other income supplements: 1,994 responses; 2,317 hours; $384,204 Federal cost; 3 forms; $23,170 public cost; not applicable under 3504(h)
Nell Minow, 202-395-7340

The FNS-66 and 66-1 are used by Applicant organizations for participation in the national school lunch, school breakfast and special milk programs. FNS executes grant agreements with school food authorities of schools approved for participation via the FNS-67.

• Agricultural Marketing Service
Hawaiian Papayas—Marketing Order 928
Monthly annually
Businesses or other institutions
Hawaiian papaya producers, handlers and processors
SIC: 017 515 203
Small businesses or organizations
Agricultural research and services: 965 responses; 539 hours; $532 Federal cost; 3 forms; $3,016 public cost; not applicable under 3540(h)
Charles A. Ellett, 202-395-7304

Papaya administrative committee forms are used to obtain information from papaya producers, handlers, and processors relating to the papayas

disposed of by them, as well as make application for benefits, including obtaining special handling permits to make certain types of shipments exempt from regulation, as provided for in the marketing order.

Revisions

• Food and Nutrition Service
Household Composition, Income Standards, Initial Month Benefits, Adjustments, Deductions, and Outreach (Model Food Stamp Forms)
FNS 385 386 387
On occasion
Individuals or households/State or local governments
State and local welfare agencies, applicant and part. hhlds.
SIC: 943 881
Food and nutrition assistance: 105,877,760 responses; 29,386,083 hours; $67,163,301 Federal cost; 3 forms; not applicable under 3540(h)
Nell Minow, 202–395–7304

Form revisions are necessitated by regulations which implement those provisions of the 1981 Omnibus Reconciliation Act aimed at reducing the growth of Federal food stamp program expenditures for fiscal year 1982, by restricting eligibility for the program and reducing benefits to certain households which remain eligible.

• Economics and Statistics Service
Monthly Farm Report
Monthly
Farms
Grain and field crop producers
SIC: 011 013
Small businesses or organizations
Agricultural research and services: 286,700 responses; 54,875 hours; $2,100,000 Federal cost; 11 forms; $878,000 public cost; not applicable under 3504(h)
Statistical Policy Branch; 202–395–7313

Reported crop condition and probable yield are major input at State level for monthly forecast of crop production. Quarterly on-farm stocks of grain are combined with off-farm stocks (40–R0014) to estimate grain and soybean stocks in all positions.
Data used in marketing decision affecting Nation's food supply.

Extensions (Burden Change)

• Economics and Statistics Service
Ground Data Collection in Support of Agristars
Other—See SF83
Farms
Farmers in pre-selected segments
SIC: 011 013
Agricultural research and services: 9,790 responses; 4,892 hours; $480,000 Federal cost; 2 forms; $78,272 public cost; not applicable under 3504(h)
Statistical Policy Branch, 202–395–7313

Provides "ground truth" data for an aerospace remote sensing project to detect condition affecting crop production to improve accuracy of domestic and foreign crop forecast and to develop land use and resource inventories. Data will be turned over to NASDA for use in evaluation of satellite interpreted spectral data.

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—202–377–3627

New

• National Oceanic and Atmoshperic Administration
Survey of Intent and Capacity to Harvest and Process Fish and Shellfish
Annually
Individuals or households/businesses or other institutions
fishermen and processors
SIC: 091, 514
Small Businesses or organizations
Other advancement and regulation of commerce: 157 responses; 13 hours; $500 Federal cost; 4 forms; not applicable under 3504(h)

William T. Adams, 202–395–4814

Assessments are made of the U.S. fishing industries intent and capacity to harvest and process fish and shellfish. Results are used to establish allocation of fish amounts between U.S. and foreign fishermen.

Extensions (Burden Change)

• International Trade Administration
U.S. Supplier Evaluation—Foreign Buyer Program
ITA–4045P
On occasion
Businesses or other institutions
U.S. supplies with exportable products
SIC: All
Small businesses or organizations
Other advancement and regulation of commerce; 100 responses; 8 hours; $740 Federal cost; 1 form; not applicable under 3504(h)
William T. Adams, 202–395–4814

ITA 4045P is used to ascertain what business was transacted between U.S. firms who were placed in contact with individual foreign buyers assisted by the program. Evaluation reports are submitted to office management and to relevant foreign service posts.

Reinstatements

• Bureau of the Census
Annual Demographic Survey
CPS–665
On occasion
Individuals or households
58,500 interviewed hsehlds in March 1982 CPS, etc.
Other advancement and regulations of commerce: 61,000 responses; 24,400 hours; $1,000,000 Federal cost; 1 form; not applicable under 3504(h)
Statistical Policy Branch, 202–395–7313

This supplement is the source of data on work experience, personal and family income, poverty levels, population status, family relationships, marital status, and migration. These measurements will be analyzed with respect to each other as well as demographic variables such as education, age, race, and sex.

DEPARTMENT OF DEFENSE

Agency Clearance Officer—John V. Wenderoth—703–697–1195

New

• Departmental and Others
Report of F.O.B. Origin Deliveries (Alternate Release Procedures)
Other—See SF83
Businesses or other institutions
Petroleum refineries and/or storage terminals
SIC: 291, 517
Small Businesses or Organizations
Department of Defense-Military: 60 responses; 1,512 hours; $6,361 Federal cost; 1 form; not applicable under 3504(h)
Kenneth B. Allen, 202–395–3785

Record of petroleum products shipped from a commercial refinery or final terminal on an F.O.B. origin basis where the contract authorizes alternate release procedures.

• Departmental and Others
Marine Corps Advertising Awareness and Attitude Tracking Study
Semiannually
Individuals or households
17–24 year old males with no prior military service
Department of Defense-Military: 1,000 responses; 500 hours; $17,645 Federal cost; 1 form; not applicable under 3504(h)
Kenneth B. Allen, 202–395–3785

Study is the primary means to evaluate the effectiveness of advertising and assisting in the efficient cost effective planning of future advertising campaigns.

• Departmental and Others
Incentive Plan Study
Nonrecurring
Businesses or other institutions
Principally MFR concerns, also, State and local governments
SIC: Multiple

Small businesses or organizations
Department of Defense-Military: 20 responses; 35 hours; $99,248 Federal cost; 1 form; $758 public cost; not applicable under 3504(h)
Kenneth B. Allen, 202–395–3785

Purpose of this project is to gather information about alternative pay-for-performance plans in the private sector, to evaluate such plans for possible applicability to the Federal system workforce, and to develop implementation guidelines and evaluation criteria for selected plans.

Revisions

• Department of the Air Force
Report of Government Vehicles, Equipment, and Material in the Hands of Contractors
AFTO Form 439, AFIO Forms 11, 392, 814, and G009
Monthly
Businesses or other institutions
Maintenance repair contr. and interserv. repair facilities
SIC: Multiple
Small businesses or organizations
multiple functions: 926,640 responses; 185,328 hours; $6,211 Federal cost; 3 forms; not applicable under 3504(h)
Edward C. Springer, 202–395–4814

AFLC forms 11 and 392 and AFTO form 439 are manual systems used to report Air Force inventory and production data. The AFLC forms 814 and 815 are manual systems used to report spare parts inventories. The GFM transaction reporting system replaces the AFLC Forms 11, 392, 814, and 815 when applied to high value contracts. All of these collections are required for input to Air Force financial management and production or requirements computations systems.

Extensions (Burden Change)

• Departmental and Others
Supplemental Personal Qualifications Statement Designed for Computer Entry
DD Form 2250
Nonrecurring
Individuals or households
Indiv. who voluntarily apply for DOD entry lev. GS–5, etc.
Department of Defense-Military: 25,000 responses; 25,000 hours; $360,200 Federal cost; 1 form; not applicable under 3504(h)
Kenneth B. Allen, 202–395–3785

Under provisions of the Civil Service Reform Act (CSRA) Office of Personnel Management (OPM) has delegated to DOD examining authority for entry level GS–5 positions in quality assurance occupational series. DD Form 2250 is specifically designed to collect personal qualification information from applicants for computer entry by an optical mark reader (OMR).

DEPARTMENT OF EDUCATION

Agency Clearance Officer—Wallace McPherson—202–426–7304

New

• Departmental Management
State Uses of Federal Funds
ED 511
Annually
State or local governments
State education agencies
SIC: 914
Education, training, employment, and social services: 51 responses; 7,650 hours; $100,000 Federal cost; 1 form; $765 public cost; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

The data provide the necessary basis for annual report mandated by Congress.

• Office of Postsecondary Education
Performance Reporting: Minority Institutions Science Improvement Program (MISIP)
ED–0007P
Annually
Businesses or other institutions
MISIP grantees (minority institutions, non-profit, etc.)
SIC: Multiple
Higher education: 100 responses; 300 hours; $1,800 Federal cost; 1 form; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

Brief annual reports covering such matters as (1) progress to date in comparison to project schedule, (2) problems encountered and methods used in solving them and (3) circumstances which might significantly affect the project.

Revisions

• Office of Elementary and Secondary Education
Title I, FSEA, Section 143, Migrant Education Interstate and Intrastate Programs
ED 362–2
Annually
State of local governments
State educational agencies/local educational agencies
SIC: 941
Elementary, secondary, and vocational education: 51 responses; 2,040 hours; $48,500 Federal cost; 1 form; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

Grants are needed for State education agencies (that may apply individually or cooperatively) to plan and implement special projects designed to improve the interstate and intrastate coordination of migrant activities. Products of these grants will be distributed to all States serving migrant children, the District of Columbia and Puerto Rico.

• Office of Postsecondary Education
Fiscal—Operations Report/Application to Participate in NDSL, SEOG and CWS Programs
ED 646, 646–1
Annually
Businesses or other institutions
Institutions of Higher Education
SIC: 822, 824
Higher education: 4,650 responses; 174,750 hours; $40,000 federal cost; 1 form; $758,415 public cost; not applicable under 3504(h)
Federal Education Data Acquistion Council, 202–426–5030

The application data will be used to compute the amount of funds needed by each institution during the 1983–1984 award period. The fiscal operation's report data will be used to assess program effectiveness and accountability of funds expended during the award 1981–1982.

• Office of Postsecondary Education
Guarantee Agency Quarterly Report
OE 1130, ED 1130
Quarterly
State of local governments
State guarantee agencies
SIC: 821, 822
Higher education: 220 responses; 495 hours; $16,100 federal cost; 1 form; $1,238 public cost; not applicable under 3504(h)
Richard Sheppard, 202–395–6880

(1) To provide summary data on agency finances and operations which are funded primarily with federal dollars, (2) to provide the secretary with the necessary information to perform oversight functions of the agency—program operations, fraud and abuse, report to the Congress, etc., and (3) to collect certain specific data required to be reported under section 432(C)(1)(A) of the Higher Education Act.

Extensions (No Change)

• Office of Elementary and Secondary Education
Application for Disaster Assistance (P.L. 81–874 Sec. 7)
ED 423
Nonrecurring
State or local governments
Local education agencies
SIC: 941
Elementary, secondary, and vocational education: 250 responses; 500 hours;

$3,000 Federal cost; 1 form; $10,000 public cost; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

Data is used to assist in determining eligibility of a local education agency for disaster assistance and amount of grant.

Reinstatements

• Office of Elementary and Secondary Education
Standard Application Federal Assistance (Non-Construction) for Follow-Through Program
OE–4473
Annually
State or local governments/businesses or other institutions
Col. and univ. reg. edu. labs., other nonprof. organ., etc.
SIC: 821, 822, 829, 941
Elementary, secondary, and vocational education: 112 responses; 3,360 hours; $1,000 Federal cost; 1 form; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

This application form is necessary in order to make annual grants to applicants. The information contained in the application is used to determine annual funding levels to grantees. In addition, information is extracted from the application which is used to prepare reports for Congress, OMB, and the GAO.

• Office of Postsecondary Education
Physician's Certification of Borrower's Total and Permanent Disability for Student Loan Program
OE–777, ED 1172
Annually
Individuals or households
Borrower or borrower's representative, certifying physician
Higher Education: 2,500 responses; 1,000 hours; $2,500 Federal costs; 1 form; $75,000 public cost; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

The guaranteed student loan program (GSLP) was established in 1965 under title IV, part B of the Higher Education Act. The GSLP's chief objective is to provide a program of student loan insurance for students attending eligible postsecondary schools. This form is used to request cancellation of loan owed. The law provides that the Federal Government will cancel the loan if the borrower becomes permanently and totally disabled.

DEPARTMENT OF ENERGY

Agency Clearance Officer—John Gross—202–633–9770

Extensions (No Change)

• Federal Energy Regulatory Commission
Application for Annual or Basic Valuation
FERC–42
Annually
Businesses or other institutions
Oil pipeline companies
SIC: 461
Other advancement and regulation of commerce: 90 responses; 45 hours; $300 Federal cost; 1 form; not applicable under 3504(h)
Anita T. Ducca, 202–395–7340

The data collected on this application identify the pipeline company requesting a valuation, and provide for calculation and submission of the required valuation fee in accordance with specified regulations.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202–245–7488

New

• Health Care Financing Administration
Preclearance—Evaluation of Three Demonstrations in Nursing [1]
Homes certification survey and inspections of care
Nonrecurring
Individuals or households/businesses or other institutions
1,100 nursing homes in Wisconsin, Mass, and NY, etc.
SIC: 805
Small businesses or organizations
Health: $860,000 Federal cost; 1 form not applicable under 3504(h)
Richard Eisinger, 202–395–6880

The demonstrations test different streamlined methods of implementing federally-mandated nursing home certification surveys and inspections of patient care. The evaluation will assess the overall success of these streamlined methods hopefully showing less regulatory burden on industry and residents.

• Health Care Financing Administration
Preclearance: AFDC Home Health Aide Demo/Evaluation [2]
HCFA–82–ORDS–01/ET
Nonrecurring
Individuals or households/businesses or other institutions
Low income elderly population at risk of institution,etc.
SIC: 808 919
Small businesses or organizations
Health: $600,000 Federal cost; 1 form; not applicable under 3504(h)
Richard Eisinger 202–395–6880

As Mandated by Congress, the purpose of this Procurement is to establish a demonstration-evaluation design for the AFDC home health aide demonstration. This includes assisting HCFA and the States in developing the demonstration projects, any instrumentation or data collection procedures necessary, and implementing a research design which will insure the evaluability of the projects.

• Food and Drug Administration
Physician Response to Reduced Information Requirements in Prescription Drug Advertising
Nonrecurring
Businesses or other institutions
General Practitioners, internists and cardiologists
SIC: 999
Small businesses or organizations
Consumer and occupational health and safety: 384 responses; 192 hours; $127,938 Federal cost; 5 forms; $127,938 public cost; not applicable under 3504(h)
Gwendolyn PLA, 202–395–6880

Regulations require prescription drug ads to contain a brief summary of the drug's limitations and have been interpreted as requiring an extensive separate section. The cost and communication effectiveness of this brief summary are controversial. The proposed study will explore the effects of requiring a simplified display of the product's major limitations.

• National Institutes of Health
Final Invention Statement
HHS 568
On occasion
Businesses or other institutions

[1] These reporting forms have been approved for interim use by OMB for one year in order to continue operation of the Medicare Program. However, OMB will continue its reviews of these forms, and will accept comments from health care providers and others based on their experience with these forms through this approval period. Health care providers and recipients, who are respondents to these Medicare contractor forms, are invited to send comments to Joseph Strnad at the above address, and to the OMB reviewer listed.

[2] These reporting forms have been approved for interim use by OMB for one year in order to continue operation of the Medicare Program. However, OMB will continue its reviews of these forms, and will accept comments from health care providers and others based on their experience with these forms through this approval period. Health care providers and recipients, who are respondents to these Medicare contractor forms, are invited to send comments to Joseph Strnad at the above address, and to the OMB reviewer listed.

Principal investigator, project director, awardee
SIC 822, 806
Health research: 18,000 responses; 1,500 hours; $10,362 Federal cost; 1 form; $15,000 public cost, not applicable under 3504(h)
Gwendolyn PLA, 202–395–6880

Used in close out of grants and awards for research to obtain certified statement as to inventions made in the course of the work thus supported.

• Health Resources Administration
Impact of Community Oranization Health Career Opportunity Programs
Nonrecurring
Individuals or households/businesses or other institutions
Former and present student participants in program, etc.
SIC: 822, 862, 864
Small businesses or organizations
Health: 2,230 responses; 1,115 hours; $205,000 Federal costs; 4 forms; $11,150 public costs; not applicable under 3504(h)
Gwendolyn PLA, 202–395–6880

The proposed assessment will provide the first comprehensive analysis of the universe of 52 community organizations funded since 1972. Study results are expected to provide insight on project impact and information useful for management and policymakers. A complete report will be disseminated to HCOP grantees and other interested individuals.

• National Institutes of Health
Case-Control Epidemiologic Study of Leukemia and non-Hodgkin's Lymphoma
Nonrecurring
Individuals or households
Next-of-kin of deceased leukemia and non-Hodgkin's etc.
Health: 300 responses; 300 hours; $50,000 Federal cost; 1 form; $3,000 public cost; not applicable under 3504(h)
Gwendolyn PLA, 202–395–6880

Preliminary studies suggest that certain occupational factors, particularly farm-related, may play a role in the origin of leukemia and non-Hodgkin's lymphoma. This special epidemiologic study will provide the needed data to identify and quantify occupational and other risk factors for these cancers.

• Health Care Financing Adminstration
Contractors' Information Collection—Post Processing of Claims Data [1]
HCFA–9024
On occasion
Individuals or households/businesses or other institutions providers, physicians, suppliers in medicare program
SIC: 801, 804, 806, 808, 881
Health: 2,100,000 responses; 700,000 hours $0 Federal cost; 1 form; $7,000,000 public cost; not applicable under 3504(h)
Richard Eisinger, 202–395–6880

These intermediary and carrier forms gather data on claims which have been processed. Subject areas include review of medical records, PSRO/UR determinations, outstanding checks and deceased beneficiaries.

Revisions

• Food and Drug Administration
Reporting/Recordkeeping Requirements Under P.L. 90–602
On occasion
Businesses or other institutions
Manufacturers of radiation emitting electronic products
SIC: 367
Small businesses or organizations
Consumer and occupational health and safety: 21,043,085 responses; 1,402,724 hours, $3,352,400 Federal cost; 2 forms; $3,352,400 public cost; not applicable under 3504(h)
Gwendolyn PLA, 202–395–6880

The data is collected to determine if manufacturers are in compliance with the standards prescribed under the FD&C Act. It is used to evaluate, approve or disapprove electronic radiation emitting products and exemption requests.

• Health Services Administration
Bureau of Community Health Services Common Reporting Requirements
HSA–350
Semiannually
State or local governments/businesses or other institutions Federally-supported ambulatory health care centers
SIC: 808, 943
Health care services: 2,200 responses; 52,800 hours; $264,000 Federal cost; 12 forms; $528,400 public cost; not applicable under 3504(h)
Gwendolyn PLA, 202–395–6880

This reporting form is used by the bureau of community health centers to provide performance information on all operating health centers.

• Health Care Financing Administration
Program Integrity Activity Report (Revision of HCFA–52 Formerly Called OPI Postpayment Review Summary-Medicaid) [2]
HCFA–52
Quarterly
State or local governments
State agencies
SIC: 919
Health: 212 responses; 106 hours; $31,607 Federal cost; 1 form; not applicable under 3504(h)
Richard Eisinger, 202–395–6880

The data collected through the program integrity activity report is necessary as a recordkeeping device for both individual case control and overall program statistics. HCFA will use the data for analysis of patterns and trends of abuse of the medicare and medicaid programs.

• Social Security Administration
Disability Report and Vocational Report
SSA–3368 SSA–3369
On occasion
Individuals or households
Claimants who have filed title II disability and title XVI, etc.
General retirement and disability insurance: 1,500,000 responses; 705,000 hours; $2,122,583 Federal cost; 2 forms; not applicable under 3504(h)
Robert Neal, 202–395–6880

The information requested on form SSA–3368 is needed in order to make a determination for a disability claim. Form SSA–3369 supplements the SSA–3368 regarding additional information about past work experience. The information will be used to further document a claim. These forms are essential to case development and adjudication.

Ectensions (Burden Change)

• Social Security Administration
Vocational Survey Form—Disability Insurance Program
HA–625
On occasion
Businesses or other institutions
Employers in labor mkts related to reconsideration of claims
SIC: All
Small businesses or organizations
General retirement and disability insurance: 260 responses; 520 hours;

[1] These reporting forms have been approved for interim use by OMB for one year in order to continue operation of the Medicare Program. However, OMB will continue its reviews of these forms, and will accept comments from health care providers and others based on their experience with these forms through this approval period. Health care providers and recipients, who are respondents to these Medicare contractor forms, are invited to send comments to Joseph Strnad at the above address, and to the OMB reviewer listed.

[2] These reporting forms have been approved for interim use by OMB for one year in order to continue operation of the Medicare Program. However, OMB will continue its reviews of these forms, and will accept comments from health care providers and others based on their experience with these forms through this approval period. Health care providers and recipients, who are respondents to these Medicare contractor forms, are invited to send comments to Joseph Strnad at the above address, and to the OMB reviewer listed.

$5,556 Federal costs; 1 form; not applicable under 3504(h)
Robert Neal, 202–395–6880

In sustaining the denial or cessation of claims for disability insurance benefits based on evidence which indicates that the applicant can engage in substantial gainful activity SSA must be able to show conclusive information about the existence of appropriate jobs, their numbers, and their general locations. This survey is used to give the vocational expert specific factual information to supplement his own personal knowledge, etc.

• Food and Drug Administration
Poisoning Report
FD 2294A
On occasion
State or local governments/businesses or other institutions
Poison control cneters located in pub or priv hospitals, etc.
SIC: 809 806 943
Small businesses or organizations
Consumer and occupational health and safety: 140,000 responses; 3,500 hours; $100,000 Federal costs; 1 form; $35,000 public cost; not applicable under 3504(h)
Gwendolyn Pla, 202–395–6880

Poisoning data provides FDA, other public health agencies and the private sector with information needed to plan poison control programs, monitor the effectivenesss of regulatory and nonregulatory poison prevention programs, evaluate product safety and develop consumer education materials.

• Food and Drug Administration
Annual Review of State and Local Radiological Health Programs
FD 2801
Annually
State of local governments
State radiation control agencies
SIC: 943
Consumer and occupational health and safety: 55 responses; 495 hours; $5,830 Federal costs; 1 form; $4,950 public cost; not applicable under 3504(h)
Gwendolyn Pla, 202–395–6880

Information is essential in evaluating national program development in radiological health. Data collected is used to fulfill requirements of sec. 357, Pub. L. 90–602. The act requires a national study of current State control of health hazards from electronic product radiation and other types of ionizing radiation.

Extensions (No Change)

• Departmental Management
Request for Advance or Reimbursement
OS–21–81
On occasion
State or local government/businesses or other institutions
HHS grant-in-aid recipients
SIC: Multiple
Public assistance and other income supplements: 83,964 responses; 20,991 hours; $36,027 Federal costs; 1 form; not applicable under 3504(h)
Gwendolyn Pla, 202–395–6880

This is a cash request form. It requires recipients to schedule from one to four advances within the month to correspond to immediate disbursement needs. It also requires the recipient to report the actual cash on hand as of the request date.

Reinstatements

• Food and Drug Administration
License Applications for the Mfg. of Allergenics and Plasma Derivatives Products and General Establishment
FDA 3210, FDA 3213, FDA 3214
On occasion
Businesses or other institutions
Drug manufacturers of biological products
SIC: 283
Small businesses or organizations
Consumer and occupational health and safety: 57 responses; 342 hours; $18,220 Federal cost; 3 forms; $3,420 public cost; not applicable under 3504(h)
Gwendolyn Pla, 202–395–6880

Section 351 of the Public Health Service Act and 21 CFR 601.2 requires all manufacturers of biological products to submit applications for review and approval to the Bureau of Biologics prior to marketing a product. A separate license is issued to the manufacturer for each approved product application. The data is used to determine if the manufacturer is in compliance with license provisions of the regulations.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Agency Clearance Officer—Robert G. Masarsky—202–755–5184

New

• Housing Programs
Negotiated FHA Interest Rate Program
HUD–9722, HUD–9723
Nonrecurring
Businesses or other institutions
Mortgage lenders
SIC: 616, 612, 602, 603
Small businesses or organizations
Mortgage credit and thrift insurance: 100,000 reponses; 25,000 hours; $100,000 Federal cost; 2 forms; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

To carry out new programs and to compile information in order to respond to congressionally mandated study, prescribed by Section 332(2)(D) of the Housing and Community Development Act of 1980, Pub. L. 96–399.

• Community Planning and Development
Urban Renewal Program Certificate of Completion and of Gross and Net Project cost
HUD–6204
Other-see SF83
State or local governments
Local public agencies with still-active urban renewal prog.
SIC: 953
Community development: 25 responses; 100 hours; $500 Federal cost; 1 form; $2,000 public cost; not applicable under 3504(h)
Richard Sheppard, 202–395–6880

PL 81–171, section 110 (E) and (F), in regard to the gross and net project cost in the urban renewal program, requires that the grantee (the local public agency) certify these costs to HUD.

• Community Planning and Development
Urban Renewal Program Budgetary Cash Position and requirements
HUD–6252
Other—see SF83
State or local governments
Active urban renewal
SIC: 953
Community development: 100 responses; 200 hours; $1,200 Federal cost; 1 form; $1,200 public cost; not applicable under 3504(h)
Richard Sheppard, 202–395–6880

PL 81–171, section 103 (attached) limits the HUD secretary in various ways in regard to honoring requisitions for capital grant payments. This form details the gross and net project costs so that HUD can ascertain that the statutory limits are met and the payment requisition may be honored.

• Community Planning and Development
(1) Technical Assistance Deliverer Questionnaire
(2) Technical Assistance Recipient Questionnaire
Nonrecurring
Individuals or households/State or local governments/businesses or other institutions
States, Local Governments, Indian Organizations, etc.
SIC: 911, 912, 953, 739, 822, 892
Small businesses or organizations
Community development: 560 responses; 280 hours; $89,718 Federal cost; 2 forms; not applicable under 3504(h)
Richard Sheppard, 202–395–6880

Pub. L. 95-125, section 107 authorized HUD to make awards for the provisions of technical assistance (TA). The regulations at 24 CFR 570.402 state that grants and contracts be made to improve performance and participation in the CDBG and UDAG programs. These questionnaires will help HUD to determine whether TA has been provided efficiently and effectively and will help HUD to improve the TA process.

• Management and Administration
Payroll
WH-347
Weekly
Businesses or other institutions
Construction contractors
SIC: 152, 154, 161
Small businesses or organizations
Multiple functions: 90,000 responses; 1,120,000 hours; $419,220 Federal cost; 1 form; not applicable under 3504(h)
Richard Sheppard, 202-395-6880

Ascertain compliance with Davis-Bacon and related Acts and the Copeland Act as required under Title 29 CFR part 5.

• Management and Administration
Request for Determination and Response to Request
SF-308
On occasion
State or local governments
Comm development block grant recipients, public housing, etc
SIC: 953
Multiple functions: 5,000 responses; 834 hours; $104,805 Federal cost; 1 form; not applicable under 3504(h)
Richard Sheppard, 202-395-6880

Compliance with Title 29 CFR, Subtitle A, Part 1, § 1.5(A)(1). Form is used by contracting agencies for requesting Davis-Bacon Wage decisions from the Department of Labor.

DEPARTMENT OF THE INTERIOR

Agency Clearance Officer—Vivian A. Keado—202-343-6191

New

• Office of Surface Mining Reclamation and Enforcement
Quantitative Program Management Information (Soap program)
OSM-51C
Semiannually, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 90 responses; 135 hours; $1,620 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202-395-7340

OSM 51C—this form is to be used to report the program. The quantitative data for monitoring and reporting program performance for the small operators assistance program.

• Office of Surface Mining Reclamation and Enforcement
Budget Information—Construction
OSM-48
Nonrecurring, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 715 responses; 11,440 hours; $8,580 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202-395-7340

The OSM-48, budget information-construction form is to be used as the standard form for an applicant to submit a construction budget.

• Office of Surface Mining Reclamation and Enforcement
Check List for Grant and Cooperative Agreement Closeout
OSM-61
Annually
State or local governments
25 State agencies and 31 institutions of higher learning
SIC: 951
Conservation and land management: 300 responses; 300 hours; $3,600 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202-395-7340

Form OSM-61 is to be used by OSM staff as the check list for closing out OSM grants or cooperative agreements.

• Office of Surface Mining Reclamation and Enforcement
Program Narrative Statement and Performance Report
OSM-51
On occasion, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 5,260 responses; 42,080 hours; $253,680 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202-395-7340

Form OSM-51, program narrative statement and performance report will be used as part IV of an application and to report the performance of an OSM grant or cooperative agreement.

• Office of Surface Mining Reclamation and Enforcement
Outlay Report and Request for Reimbursement for Construction Programs
SF-271
On occasion, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 4,120 responses; 32,960 hours; $49,440 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202-395-7340

SF-271 is to be used as the standardized format to be used to report the status of funds for OSM construction projects.

• Office of Surface Mining Reclamation and Enforcement
Quantitative Program Management Information
OSM-51A
Semiannually, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 90 responses; 135 hours; $1,620 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202-395-7340

Form OSM 51A is to be prepared by a recipient and report the Quantitative data for monitoring and reporting of program performance for the State and Federal programs.

• Office of Surface Mining Reclamation and Enforcement
Quantitative Program Management Information, Part 2
OSM-51B
Semiannually, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 90 responses; 135 hours; $1,620 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202-395-7340

Form OSM-51B is to be prepared by a recipient and report the quantitative data for monitoring and reporting of program performance for the State and Federal Program.

• Office of Surface Mining Reclamation and Enforcement
Report of Government Property
OSM-60
Annually
State or local governments
25 State Agencies and 31 institutions of higher learning
SIC: 951
Conservation and land management: 300 responses; 600 hours; $3,600 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202-395-7340

OSM-60 is to be used when closing out an OSM grant or cooperative

Agreement. This form will be used to account for Government property.

• Office of Surface Mining Reclamation and Enforcement
Recipient's Release
OSM–62
Annually
State or local governments
25 State agencies and 31 insititutions of higher learning
SIC: 951
Conservation and land management: 300 responses; 300 hours; $3,600 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202–395–7340

Form OSM–62 will be used by a recipient of an OSM grant or cooperative agreement to release OSM from liabilities under the agreement.

• Office of Surface Mining Reclamation and Enforcement
Section B Project Approved Information Report
OSM–50B
On occasion, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 145 responses; 73 hours; $870 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202–395–7340

Form OSM–50B, section B of the project approved information is to be used as part of an application for Federal assistance for a construction grant or cooperative agreement.

• Office of Surface Mining Reclamation and Enforcement
Section A—Project Approved Information Report
OSM–50A
On occasion, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 300 responses; 150 hours; $1,800 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202–395–7340

Form OSM–50A, project approval information—section A is to be part II of an application for Federal assistance for a construction or non-construction grants or cooperative agreements.

Revisions

• Office of Surface Mining Reclamation and Enforcement
Financial Status Report
SF–269
On occasion, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 1,090 responses; 8,720 hours; $13,060 Federal cost, 1 form; not applicable under 3504(h)
Robert Shelton, 202–395–7340

SF–269 is to be used to report the financial status of funds awarded to a State agency with an OSM grant or cooperative agreement.

• Office of Surface Mining Reclamation and Enforcement
OSM Budget Information Report
OSM–47
On occasion, annually
State or local governments
25 State agencies
SIC: 951
Conservation and land management: 210 responses; 1,680 hours; $2,520 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202–395–7340

This form is designed so that budgets can be made for non-construction funds and establish budgets for functions or activities.

DEPARTMENT OF LABOR

Agency Clearance Officer—Paul E. Larson—202–523–6331

New

Employment and Training Administration
• Unemployment Compensation for Ex-Service Persons
(UCX) Handbook
On occasion, other—see SF83
Individuals or households/State or local governments
Individuals filing claims for UCX benefit entitlement, etc.
SIC: 944
Unemployment compensation: 287,000 responses; 384,580 hours; $4,800 Federal cost; 3 forms; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Federal Law (5 U.S.C. 8521 et seq.) provides unemployment insurance protection to former members of the armed forces (Ex-Service Persons) and is referred to in abbreviated form as "UCX." The forms in Chapter V through VIII of the UCX handbook are used in connection with the provision of this benefit assistance.

• Departmental Management
Qualifications Inquiry, DL–166
Pers–6
Nonrecurring
Individuals or households
Applicants
Other labor services: 11, 900 responses; 1,983 hours; $23,000 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

This form is required under the Department of Labor's negotiated merit staffing plan for positions outside the union bargaining units, National Council of Field Labor Locals, and the National Union of Compliance Officers to solicit information by personnel offices from the applicant's supervisor. The information will be used by raters to evaluate outside applicants against the requirements of the vacancy to be filled.

• Mine Safety and Health Administration
Mine Operator Dust Data Card
MSHA–218
Other—see SF83
Businesses or other institutions
All surface and underground coal mine operators
SIC: 999
Small businesses or organizations
Consumer and occupational health and safety: 300,000 responses; 4,800 hours; $80,000 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Coal mine operators are required to collect and submit respirable dust samples to the Secretary of Labor for analysis. Pertinent information associated with identifying and analyzing these samples is submitted with the samples. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Main Fan Maintenance Records
MSHA–421R
Monthly
Businesses or other institutions
Underground metal/nonmetal mines
SIC: 999
Small businesses or organizations
Consumer and occupational health and safety: 900 responses; 900 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires regular maintenance of the main life support system to the mine. The required record establishes documentation of maintenance program. This documentation may serve as a warning for possible ventilation problems before they occur.

• Mine Safety and Health Administration
Inspections of Firefighting Equipment
MSHA–419R
On occasion
Businesses or other institutions
Metal/nonmetal mining industry
SIC: Multiple
Small businesses or organizations

Consumer and occupational health and safety: 14,900 responses; 715,200 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Firefighting equipment inspection needs vary with the type of equipment, use, environmental exposure, and manufacturers recommendations. Inspections are necessary to assure protection intended when the need arises. The equipment involved includes firefighting trucks, hoses, hydrants, fittings, extinguishers, sprinklers, etc.

- Mine Safety and Health Administration

Hazardous Conditions Complaints
MSHA-707
Other—see SF83
Businesses or other institutions
Representative of miners, or an individual miner
SIC: 999
Small businesses or organizations
Consumer and occupational health and safety: 500 responses; 100 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Complaints about hazardous conditions must be made in writing to the secretary or an authorized representative. Authority established by Pub. L. 95-164.

- Mine Safety and Health Administration

Annual Status Report and Certification on Impoundments and Refuse Piles
MSHA-211
Annually
Business or other institutions
Active coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 105 responses; 210 hours; $1,880 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Requires each operator to submit an annual status report and certification of impoundments and refuse piles. The information is used as an enforcement and administrative tool. Authority established by Pub. L. 95-164.

- Mine Safety and Health Administration

Mine Ventilation System Plan
MSHA-401
Annually
Businesses or other institutions
Underground metal/nonmetal mines
SIC: Multiple
Small businesses or organizations
Consumer and occupational health and safety: 900 responses; 21,600 hours; $108,000 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Ventilation plan submission and update assures a continuing understanding of potentially hazardous areas of an underground mine to the District Manager of MSHA. The district personnel will, therefore, be able to recommend alterations to the system in recognition of a hazard, and will be better able to respond to an emergency at the mine.

- Mine Safety and Health Administration

Hearing Conservation Plan
MSHA-210
Nonrecurring
Businesses or other institutions
Nation's active coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 200 responses; 100 hours; $300 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

The plan describes the mine operators hearing conservation program. It is required to be submitted only if excessive noise exposure has been found. Authority established by Pub. L. 95-164.

- Mine Safety and Health Administration

Applications for Approval of Sanitary Toilet Facilities
30 CFR 75.1712-6
MSHA-209
Nonrecurring
Businesses or other institutions
Coal mine operators
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 2,601 responses; 1,300 hours; $3,902 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Sanitary toilet facilities are required underground to insure a healthier environment for the employees. Approval of all facilities is required to insure compliance. Authority established by Pub. L. 95-164.

- Mine Safety and Health Administration

Submission and Approval of Slope/Shift Sinking Plans
MSHA-208
On occasion
Businesses or other institutions
Nation's active coal mines
SIC: multiple
Small businesses or organizations
Consumer and occupational health and safety: 40 responses; 1,600 hours; $12,000 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Require that slope and shaft plans be submitted for approval. Information used to ensure that specific safety requirements are included in a slope/shaft sinking plan via MSHA personnel. Authority established by Pub. L. 95-164.

- Mine Safety and Health Administration

Operations Under Water
MSHA-207
On Occasion
Businesses or other institutions
Underground coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety; 30 responses; 480 hours; $7,200 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

The underground coal mine operators are required to submit information and get a permit to mine under bodies of water in order to protect mines from cave-ins and inundations. Authority established by Pub. L. 95-164.

- Mine Safety and Health Administration

Application for Grants
MSHA-100
Quarterly, other—see SF83
State or local governments
State government agencies
SIC: 999
Small businesses or organizations
Consumer and occupational health and safety: 37 responses 4,144 hours; $62,160 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins 202-395-6880

OMB circular A102 states the reporting requirements for MSHA's Federal assistance programs. The SF424 is the grants application for a new grant or for a modification to an existing grant. Authority established by the Federal Mine Safety and Health Act of 1977, Pub. L. 95-164.

- Mine Safety and Health Administration

Monthly Tests of Mine Rescue Apparatus
MSHA-411R
Monthly
Businesses or other institutions
Underground metal/nonmetal mines
SIC: multiple
Small businesses or organizations
Consumer and occupational health and safety: 7,200 responses; 57,600 hours; $0 Federal cost; 1 form; not applicable under 3504(h)

Laverne V. Collins, 202–395–6880

Mine rescue apparatus is used as a life support system in deadly atmospheres by trained personnel in the act of rescue work. Failure of the apparatus under rescue conditions could jeopardize the life of the individual wearer and the entire team. The testing and recording procedure will minimize the possibilities of a failure.

• Mine Safety and Health Administration
Fire Door Location Plans for Underground Mines at Level Landings
MSHA–410
On occasion
Businesses or other institutions
Underground metal/nonmetal mines
SIC: Multiple
Small businesses or organizations
Consumer and occupational health and safety: 300 responses; 24,000 hours; $36,000 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Fire doors at level landings are needed to prevent the spread of smoke and toxic gases in the event of an underground mine fire. They afford a protection of a safe refuge for the miners while awaiting a shaft conveyance to escape the mine. Ventilation changes which may occur as a mine is developed may necessitate the relocation of some doors.

• Mine Safety and Health Administration
Application for Waiver of Surface Facilities Requirement
MSHA–212
Annually
Businesses or other institutions
Nation's active coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 1,800 responses; 900 hours; $2,700 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

If the operator desires to request a waiver of the Federal regulations requiring surface facilities, the coal mine operator files this application to show the grounds upon which the request is based.
Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Application for Approval for the Use of Non-Permissible Explosives and Shot Firing Units
MSHA–203
On occasion
Businesses or other institutions
Active coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 50 responses; 50 hours; $750 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

MSHA requires the mine operator to set forth the safeguards to be employed to protect the health and safety of miners that would be exposed to the use of non-permissible shot firing units.

• Mine Safety and Health Administration
Ground Control Plan
MSHA–202
Nonrecurring
Businesses or other institutions
New surface coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 760 responses; 30,400 hours; $1,140 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880.

The ground control plan is used as an enforcement tool to insure that surface coal mine operators' methods of controlling highwalls, pits and spoil banks are consistent with prudent engineering design and will insure safe working conditions. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Annual Functional Test and Weekly Inspection of Fire Sensor and Warning Device Systems
MSHA–231R
Weekly
Businesses or other institutions
Nation's active coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 244,800 responses; 24,480 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880.

Requires that a record be kept of annual functional test and weekly inspections of automatic fire sensor and warning devices. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Record of Examination of Hazardous Conditions
MSHA–233R
Other—see SF83
Businesses or other institutions
Surface coal mines, surface facilities, and independent, etc.
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 1,216,380 responses; 608,190 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880.

Requires reports of daily inspection of hazardous conditions in coal mines. The information is used as an enforcement tool to insure that mine operators are conducting examinations for hazardous conditions. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Hoist and Shaft Inspection Records
MSHA–414R
Quarterly, other—see SF83
Businesses or other institutions
Metal/nonmetal mining industry
SIC: multiple
Small businesses or organizations
Consumer and occupational health and safety: 1,000 responses; 16,000 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880.

Systematic inspections of shafts and hoists are required at varying intervals. Records must be maintained for 3 years.

• Mine Safety and Health Administration
Main Fan Inspection Logs—Gassy Mines
MSHA–415R
Other—see SF83
Businesses or other institutions
Gassy mines—metal/nonmetal mining industry
SIC: 999
Small businesses or organizations
Consumer and occupational health and safety: 18 responses; 3,600 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880.

Standard applies only to gassy mines. Potentially gassy (explosive) conditions underground are largely controlled by the main fans. Fans must be inspected daily and logs kept.

• Mine Safety and Health Administration
Air Quality Measurements in Gassy Mines
MSHA–416R
Weekly
Businesses or other institutions
Gassy mines, metal/nonmetal mining industry
SIC: 999
Small businesses or organizations
Consumer and occupational health and safety: 18 responses; 7,200 hours; $0 Federal cost; 1 form; not applicable under 3504(h)

Laverne V. Collins, 202–395–6880.

The adequacy of the ventilation system for a gassy mine must be checked weekly to maintain a safe working environment. Quantitative measurements help assure dilution of gasses and preclude and pressure of explosive atmospheres.

• Mine Safety and Health Administration
Daily Inspection of Hoists Record
MSHA–240R
Other—see SF83
Businesses or other institutions
Nation's active coal mines
SIC: multiple
Small businesses or organizations
Consumer and occupational health and safety: 8,800 responses; 4,400 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880.

Requires record of preshift plus coshift inspection of hoist equipment. Information is used as an enforcement tool to ensure that hoists used in shaft/slope sinking operations are inspected daily. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Record of Preshift and Onshift Inspections
MSHA–241R
Other—See SF83
Businesses or other institutions
Shaft/slope sinking independent contractors
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 8,800 responses; 4,400 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Require record of preshift and onshift inspections. Information is used as an enforcement tool to ensure that adequate examinations of the shaft/slope and associated equipment are made. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Record of Results of Examinations of Hoisting Equipment
MSHA–242R
Other—See SF83
Businesses or other institutions
Surface and underground coal mines
SIC: 121, 111
Small businesses or organizations
Consumer and occupational health and safety: 159,280 responses; 27,078 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires operator to maintain a record of the daily examination of hoisting equipment. The information is used to insure all man hoists are inspected daily. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Rock Bolt Test Procedures and Rock Bolt Anchorage Capacity Tests
MSHA–418R
On occasion
Businesses or other institutions
Metal/nonmetal mining industry
SIC: Multiple
Small businesses or organizations
Consumer and occupational health and safety: 450 responses; 7,200 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Rock bolting is an acceptable method of ground support in a majority of the strata encountered in underground mines. The anchorage method varies with the strata and individual methods may vary within a single mine. Each anchorage method must be tested to assure the ultimate competence of the ground and to prevent ground fails.

• Mine Safety and Health Administration
Report of Emergency Medical Assistance and Transportation of Injured Persons
MSHA–206
Quarterly
Businesses or other institutions
Nation's active underground and surface coal mines, etc.
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 1,827 responses; 457 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires each operator to report to MSHA their arrangements for emergency medical assistance and transportation for persons injured at the mine. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Noise Data Report Form
NSHA–214
Semiannually
Businesses or other institutions
Nation's active coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 350,000 responses; 24,500 hours; $184,000 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

This form is used to record each noise survey made by coal mine operators. It identifies the survey and the mine environment where the survey was taken. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
First Aid Training Supervisory Employees
30 CFR Section 75.1713–3
NSHA–219
Annually
Businesses or other institutions
Underground and surface coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 5,419 responses; 2,710 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Used in training new employees in the fundamentals of first aid and to practice such in the event of a mine accident to prevent further injury to a miner.

• Mine Safety and Health Administration
Gamma Radiation Exposure Records
MSHA–405R
Annually
Businesses or other institutions
Underground mines where radioactive ores are mined
SIC: 999
Small businesses or organizations
Consumer and occupational health and safety: 250 responses; 2,000 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires records to be kept of accumulative individual gamma radiation exposure to insure that annual exposure does not exceed 5 rems per year. It is intended to protect the health of workers.

• Mine Safety and Health Administration
Maintenance of Independent Contractor Register
MSHA–244
On occasion, quarterly, semiannually
Businesses or other institutions
Mine production operators
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 158,000 responses; 39,500 hours; $3,000 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires mine operators to maintain registration of the independent

contractors and to make the information available. The information is used as an enforcement and administrative tool. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
A Program to Prevent Smoking in Hazardous Areas
MSHA–201
On occasion
Businesses or other institutions
Nations active underground mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 540 responses; 270 hours; $8,100 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

No one is permitted to carry smoking materials underground or smoke around hazardous areas. The information collected is used to monitor compliance. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Representative of Miners
MSHA–700
Other—See SF83
Businesses or other institutions
Each miner's representative of every mine
SIC: 999
Consumer and Occupational Health and Safety: 400 responses; 400 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires a document evidencing designation as miner's representative and a statement of authority to be filed with MSHA and sent to the mine operator for posting, and when appropriate, a letter terminating the designation. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
30 CFR Part 45—Independent Contractors
MSHA–719R
On occasion
Businesses or other institutions
Any individ or business contracting with a mine oper, etc.
SIC: 999
Consumer and Occupational health and safety: 90,000 responses; 22,500 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires independent contractors to provide information in writing to mine operators and the mine operators to make the information available for inspection to authorized representatives of the Secretary of Labor. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Record of results of examination of self-rescuers
MSHA–243R
Quarterly
Businesses or other institutions
Nation's active underground coal mines
SIC: 111, 121
Small businesses or organizations
Consumer and occupational health and safety: 10,404 responses; 4,473 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires operators to record and make available results of examinations of self-rescuers. The information is used to insure that the self-rescuers are in a safe, usable condition. Authority established by Pub. L. 95–164.

• Mine Safety and Health Administration
Check-In, Check-Out System for Underground Personnel
MSHA–412R
Nonrecurring
Businesses or other institutions
Underground metal/nonmetal mines
SIC: Multiple
Small businesses or organizations
Consumer and occupational health and safety: 900 responses; 7,200 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

The records implied in this standard simply mean an effective, on-going program of check-in, check-out which will enable mine operators and MSHA officials to determine who is underground in event of an emergency. Rescue efforts are enhanced with this knowledge.

• Mine Safety and Health Administration
Detailed Escape and Evacuation Plan
MSHA–400
Semiannually
Businesses or other institutions
Underground metal/nonmetal mining industry
SIC: Multiple
Small businesses or organizations
Consumer and occupational health and safety: 900 responses; 21,600 hours; $27,000 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Detailed escape and evacuation plans containing the requirements of this standard will help assure an orderly, rapid, and possibly life saving exit from the mine.

• Mine Safety and Health Administration
Medical Examinations for Man Hoist Operators
MSHA–409R
Annually
Businesses or other institutions
Metal/nonmetal mining industry
SIC: Multiple
Small businesses or organizations
Consumer and occupational health and safety: 1,000 responses; 8,000 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

The safety of all miners riding hoist conveyances is at the mercy of the hoist conveyance operator. The standard requires annual medical examinations for hoist operators. Physical certification must be available at the mine.

• Mine Safety and Health Administration
Respirator Program Records
MSHA–404R
Nonrecurring
Businesses or other institutions
Metal/nonmetal mining industry
SIC: Multiple
Small businesses or organizations
Consumer and occupational health and safety: 7,000 responses; 14,000 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires an operator to establish a respirator program consistent with the requirements of ANSI–Z88.2 1969. The program is to consist of written standard operating procedures governing the selection, use, and care of respirators. The standard is intended to provide guidance that will assist respirator users in safeguarding health and life through proper selection and use of respirators.

• Mine Safety and Health Administration
Record of All Certified and Qualified Persons
MSHA–221R
On occasion, quarterly
Businesses or other institutions
Nation's active underground coal mines
SIC: 111, 121
Small Businesses or organizations
Consumer and occupational health and safety: 26,272 responses; 3,153 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202–395–6880

Requires coal mine operators to maintain records of certified and qualified persons designated to perform mandatory safety duties. Authority established by Pub. L. 95–164.

• Employment and Training Administration

Benefit Rights and Experience
ES-218
Quarterly
State or local governments
State employment security agencies
SIC: 944
Training and employment: 212 responses; 106 hours; $1,800 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Provides information for evaluation of adequacy of State benefit formulas for analysis of effects of proposed changes in State law and for use in solvency study analysis.

- Employment and Training Administration

Contribution Operations
ETA 581Quarterly
State or local governments
State unemployment insurance agencies
SIC: 944
Training and employment: 212 responses; 848 hours; $25,000 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Provides quarterly data on State agencies volume and performance delinquent in filing contribution reports, number and extent of tax delinquency and results of the field audit program.

Revisions

- Labor-Management Services Administration

Revision of annual reporting regulations for plans participating in a master trust
Labor 5500, 5500-C, Treasury 5500-K & R
Annually
Businesses or other institutions
Employee pension and welfare benefit plans
SIC: 637, 632, 602
Other labor services: 625,000 responses; 1,865,000 hours; $6,250,000 Federal cost; 4 forms; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

These revisions impose on plans participating in master trusts annual reporting requirements which will more accurately reflect their financial condition while reducing their workhour burden.

- Employment and Training Administration

Application card; Applicant/Job Order Transaction
ETA 511 511C ETA 516
On occasion
Individuals or households / State or local governments
Job seekers applying at State ES & WIN offices,
SIC: 999
Training and employment: 13,889,200 responses; 3,549,227 hours; $3,000 Federal cost; 2 forms; not applicable under 3504 (h)
Laverne V. Collins, 202-395-6880

The Application card is the basic operating document used in uses and WIN local offices for new and partial applications for individuals seeking assistance in finding employment or seeking employability development services. The ETA 516 is the automated transmitted form for the ETA-511 record of service section.

- Employment and Training Administration

Job Order Form
ETA 514
On occasion
Businesses or other institutions
Government and private employers seeking to hire employees.
SIC: 999
Training and employment: 5,854,000 responses; 463,400 hours; $3,000 Federal cost; 1 form; not applicable under 3504 (h)
Laverne V. Collins, 202-395-6880

The job order form is used to record basic job information to provide assistance to employers and job seekers in filling job openings. The information is used to define and describe job requirements for job seekers. Information is used for statistical purposes and for program operation to target labor market penetration efforts.

- Mine Safety and Health Administration

Minimum Roof Control Plan
2000-52
Semiannually
Businesses or other institutions
Underground coal operators
SIC: 111 121
Small businesses or organizations
Consumer and occupational health and safety: 3,141 responses; 4,209 hours; $565,380 Federal cost; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Requires underground coal mine operators to submit roof control plans for all underground passageways. The plans are required to improve the roof control systems of each underground coal mine. The plans are used by the underground coal operators, miners and inspectors to see that supports are set.

- Employment and Training Administration

Extended Benefits Trigger Rates
ETA 5-39
Weekly
State or local governments
State employment security agencies
SIC: 944
Training and employment: 2,756 responses; 2,067 hours; $8,850 Federal cost; 2 forms; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Determination of the initiation, continuance, or termination of an extended benefit period in any State by reason of the State "ON" or "OFF" trigger.

Extensions (Burden Change)

- Mine Safety and Health Administration

Notification of Legal Identity
2000-7
On occasion
Businesses or other institutions and if and when change
SIC: 999
Small businesses or organizations
Consumer occupational health and safety: 10,400 responses; 10,400 hours; $0 federal costs; 1 form; not applicable under 3504(h)
Laverne V. Collins, 202-395-6880

Requires each operator of a coal mine to file with the Secretary the name and address of such mine and any revisions in such name and address. The information collection is used to monitor compliance.

Reinstatements

- Bureau of Labor Statistics

Information for the Producer Price Index
BLS 473C
Monthly
Businesses or other institutions
Petroleum refiners
SIC: 291
Small Businesses or oganizations
Other labor services: 336 responses; 111 hours; $75,000 Federal cost; 1 form; not applicable under 3504(h)
Statistical Policy branch, 202-395-7313

The data are used in the compilation of the producer price index for refined petroleum products.

DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer—John Windsor—202-426-1887

New

- Research and Special Programs Administration

Recordkeeping Requirements for Liquid Pipeline Operators
Other—see SF83
Businesses or other institutions
Liquid pipeline carriers
SIC: 461
Small businesses or organizations

Other transportation: 736,000 responses; 184,000 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Donald Arbuckle, 202-395-7340

The liquid pipeline safety regulations (49 CFR Part 195) require carriers to maintain a number of tests, inspection and maintenance records so that compliance with part 195 can be ascertained.

• Research and Special Programs Administration
Recordkeeping Requirements for LNG Facilities
Other—see SF83
Businesses or other institutions
Liquified natural gas facility operators
SIC: 492
Small businesses or organizations
Other transportation: 48,000 responses; 14,400 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Donald Arbuckle, 202-395-7340

The liquefied natural gas (LNG) safety regulations (49 CFR Part 193) have been established under the Gas Pipeline Safety Act. They establish comprehensive regulations for LNG facilities.

• Research and Special Programs Administration
Recordkeeping Requirements for Gas Pipeline Operators
Other—see SF83
Businesses or other institutions
Gas pipeline operators
SIC: 492, 493
Small businesses or organizations
Other transportation: 7,400,000 responses; 2,960,00 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Donald Arbuckle, 202-395-7340

The gas pipeline safety regulations (49 CFR Part 192) require gas pipeline operators to maintain a series of tests, inspection and maintenance records so that compliance with Part 192 can be ascertained.

• Federal Highway Administration
Instruction Manual for the Preparation of the 1983 Estimate of the Cost of Completing the Interstate System
Biennially
State or local governments
State highway agencies
SIC: 962
Ground transportation: 50 responses; 317,000 hours; $4,469,500 Federal cost; 1 form; not applicable under 3504(h)
Donald Arbuckle, 202-395-7340

The collected information is used, as required, by the title 23, U.S.C., to report to the Congress biennially on the cost to complete the system for the purpose of developing apportionment factors for the distribution of Federal-aid interstate construction funds. The information is also used, per 23 U.S.C. 103(e) (4), to determine substitute fund entitlements.

• Coast Guard
Ship's Stores Certificate for Hazardous Materials Aboard Ships
On occasion
Businesses or other institutions
All types of vessels and off-shore structures
SIC: 441, 442, 443, 444, 445
Water transportation: 240 responses; 480 hours; $5,100 Federal cost; 1 form; not applicable under 3504(h)
Wayne Leiss, 202-395-7340

The reporting and recordkeeping requirements addressed by this submission are enforcement requirements that state that all hazardous articles and materials used by a vessel or personnel be certified by the Coast Guard. This requires vendors to apply for and retain certification of certain "hazardous" materials.

• Coast Guard
Certification of Completion of First Aid and CPR Training Courses
On occasion
Individuals or households
Applicants for original issue license
Water transportation: 600 responses; 48 hours; $1,971 Federal cost; 1 form; not applicable under 3504(h)
Wayne Leiss, 202-395-7340

46 USC 224A, 390B—this letter is used by the Coast Guard in conjunction with officer license examination, to assure that applicants possess a minimum level of qualifications in first aid and cardiopulmonary resuscitation.

• Coast Guard
Retention of Records Related to Equipment Type Approval
On occasion
Businesses or other institutions
Manufacturers of lifesaving and firefighting equipment
SIC: 306
Water transportation: 500 responses; 40 hours; $0 Federal cost; 1 form; not applicable under 3504(h)
Wayne Leiss, 202-395-7340

46 CFR 2.95 requires the retention of certificates, plans, specifications and test records as evidence of Coast Guard approval. Parts 160 and 164 of subchapter Q of this chapter contain detailed description of the records to be retained.

DEPARTMENT OF THE TREASURY

Agency Clearance Officer—Ms. Joy Tucker—202-634-5394

Extensions (Burden Change)

• Internal Revenue Service
Adjustment of Basis of Property Under Section 1017 or 1082 (a)(2) of the Internal Revenue Code
982
On occasion
Individuals or households/businesses or other institutions
Indivs. and corps. attributable to discharge of indebt.
SIC: All
Small businesses or organizations
Central fiscal operations: 500 responses; 330 hours; $5,381 Federal cost; 1 form; not applicable under 3504(h)
Irene Montie, 202-395-6880

Form 982 is used by taxpayers who hold property and exclude from gross income any amount of income attributable to discharge (within the taxable year) of indebtedness for which it is liable or subject. Also used as a consent of a corporation to adjustment of basis of its property. The data is used to record any adjustment to the basis of the property.

COMMISSION ON CIVIL RIGHTS

Agency Clearance Officer—Victoria P. Thomas—202-254-6507

New

• Readership Survey of the Report: the Voting Rights Act: Unfulfilled Promises
Semiannually
Individuals or households/businesses or other institutions
Individuals and organ interested in civil rights issues
SIC: 881, 913, 823, 938
Federal law enforcement activities: 700 responses; 126 hours; $1,341 Federal cost; 1 form; $1,341 public cost; not applicable under 3504 (h)
Federal Education Data Acquisition Council, 202-426-5030

The information collection will be used to assess the impact of the problems addressed in the publication.

• Readership Survey of the Report: Indian Tribes—A Continuing Quest for Survival
Semiannually
Individuals or households/businesses or other institutions
Individ. and organizations interested in civil rights issues
SIC: 881, 913, 823, 938
Federal law enforcement activities: 700 responses; 126 hours; $1,341 Federal cost; 1 form; $1,341 public cost; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202-426-5030

This information collection request will assist the Commission in reviewing its

programs and projects in preparation for budget submission.s

COMMODITY FUTURES TRADING COMMISSION

Agency Clearance Officer—Joseph G. Salazar—202–254–9735

New

• Regulations Governing Bankruptcies of Commodity Brokers
On occasion
Businesses or other institutions
Merch. and per. required to regis. as fut., etc.
SIC: 622
Other advancement and regulation of commerce: 1 response; 1 hour; $2,400 Federal cost; 1 form; not applicable under 3504(h)
Robert Veeder, 202–395–4814

Purpose of proposed bankruptcy regulations is to protect, as much as possible, the property of the public in the case of the bankruptcy of a commodity broker.

• Regulations Pertaining to the Responsibilities of Contract Markets and Their Members
On occasion, annually
Individuals or households/businesses or other institutions
Comm. exch., floor brokers and floor traders, etc.
SIC: 622
Other advancement and regulation of commerce: 1 response; 1 hour; $245,000 Federal cost; 1 form; not applicable under 3504(h)
Robert Veeder, 202–395–4814

The purposes of these regulations are to assure the retention of documents needed for monitoring purposes by self-regulatory organizations and by the Commission, to enable the Commission to determine whether exchange rules proposed to be adopted meet the statutorily prescribed standards, to assure the efficient and fair disposition of appeals and to assure that the futures association is performing its self-regulatory responsibilities diligently and fairly.

• Regulations and Forms Relating to Registration With the Commission
7–R, 7–R Scheds. A, B, C, 8–R, 8–R Sched. A, 4–RA, 3–R
On occasion, biennially
Individuals or households/businesses or other institutions
FCM's, flr brokers, CPO's CTA's, assoc. persons, etc.
SIC: 622
Other advancement and regulation of commerce: 1 response; 1 hour; $484,500 Federal cost; 7 forms; not applicable under 3504(h)
Robert Veeder, 202–395–4814

The purpose of the regulations and forms is to aid the Commission in determining whether an applicant should be registered and whether a registrant should be reregistered.

• Integrity
Of the marketplace
1–FR
On occasion, weekly, monthly, quarterly
Semiannually, annually
Businesses or other institutions
Futures commission merchants
SIC: 622
Other advancement and regulation of commerce: 1 response; 1 hour; $24,050 Federal cost; 1 form; not applicable under 3504(h)
Robert Veeder, 202–395–4814

The purpose of form 1–FR and the included regulations is to enable the Commission to monitor the financial stability of FCM's.

ENVIRONMENTAL PROTECTION AGENCY

Agency Clearance Officer—Christine Scoby—202–382–2742

New

• National Adipose Tissue Survey
8510–9, 8510–10
Other-see SF83
Individuals or households/businesses or other institutions
Pathologists throughout the Continental U.S.
SIC: Multiple
Pollution control and abatement: 1,600 responses; 1,600 hours; $10,000 Federal cost; 2 forms; not applicable under 3504 (h)
Edward H. Clarke, 202–395–7340

Collection of human adipose tissue is made by cooperating pathologists throughout the Continental United States. Samples are analyzed and statistic are generated to estimate the prevalence and levels of exposure to pesticides in the general U.S. population.

Reinstatements

• On Site Inspection Report
Nonrecurring
State or local governments/businesses or other institutions
New & used car & engine dealers, commercial repair fac.
SIC: 999
Small businesses or organizations
Pollution control and abatement: 1,225 responses; 102 hours; $1,633 Federal cost; 1 form; not applicable under 3504 (h)
Edward H. Clarke, 202–395–7340

Responses verify facility name and address for maintenance of FOSD inspection reports and to insure proper naming of respondent if complaint results from inspection. Survey questions assist FOSD in identifying and assessing impact of industry-wide problems.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Agency Clearance Officer—Thomas P. Goggin—202–634–6983.

Revisions

• Higher Education Staff Information (EEO–6)
EEOC–221
Biennially
State or local governments/businesses or other institutions
Institutions of higher education
SIC: 822, 824, 829
Federal law enforcement activities: 3,000 responses; 12,000 hours; $50,000 Federal cost; 1 form; not applicable under 3504 (h)
Federal Education Data Acquisition Council, 202–426–5030

The information collected will be used by EEOC for investigations, decisions and conciliation in its compliance, litigation and voluntary programs activities. It will be shared with other Federal agencies which have a need for it and pledge to abide by its confidentiality restrictions.

FEDERAL COMMUNICATIONS COMMISSION

Agency Clearance Officer—Richard D. Goodfriend—202–632–7513.

Revisions

• Application for Authority To Operate a Broadcast Station by Remote Control or Make Changes in a Remote Control Authorization
301–A
On occasion
Businesses or other institutions
Licensees & permit. of AM broadcast stations w/dir. antennas
SIC: 483
Small businesses or organizations
Other advancement and regulation of commerce: 36 responses; 540 hours; $1,980 Federal cost; 1 form; not applicable under 3504 (h)
William T. Adams, 202–395–4814

Filing is required when applying for remote control authority. The data submitted is reviewed by Commission to determine conformance with provisions of the Commission's rules and regulations, and information is extracted as appropriate, for inclusion on the applicant's license.

Extensions (Burden Change)

• Common Carrier and Statellite Radio Licensee Qualification Report
430
Annually
Businesses or other institutions
Appliants are Gen. Corp. or partnerships Prov. telecom. etc.
SIC: 481, 482, 489
Small Businesses or Organizations
Other advancement and regulation of commerce: 2,300 responses; 4,600 hours; $33,723 Federal costs; 1 form; not applicable under 3504(h)
William T. Adams, 202–395–4814

Submitted by all common carrier radio station licensees annually. Used by the Commission to evaluate legal qualifications and character of licensees.

• Emergency Broadcast System (EBS) Activation Report
FCC form 201
On Occasion
Businesses or other institutions
Broadcast stations
SIC: 483
Small Businesses or Organizations
Other advancement and regulation of commerce: 600 responses; 50 hours; $5,000 Federal costs; 1 form; not applicable under 3504(h)
William T. Adams, 202–395–4814

The EBS activation reports enable the FCC, the NOAA National Weather Service and the Federal Emergency Management Agency to evaluate the efficiency and effectiveness of their program to develop an operational capability for national, State or local officials to use the EBS at the State and local level.

Extentions (No Change)

• Application for Renewal of Radio Station License and/or Notication of Change to License Information
405–A
On Occasion
State or local governments/businesses or other institutions Appli. for licenses in the land mobile, avi., marine, etc.
SIC: 481, 482, 489
Small Businesses or Organizations
Other advancement and regulation of commerce: 35,000 responses; 5,834 hours; $250,000 Federal costs; 1 form; not applicable under 3504(h)
William T. Adams, 202–395–4814

Filing is required when applying for renewal of radio station licenses without major modification in the aviation, marine, public safety, industrial, land transportation, and disaster services. The data are used for five purposes: (1) renewal of license, (2) mailing address notification, (3) licensee have change notification, (4) vessel more change notification, and (5) station aluminum notification.

GENERAL SERVICES ADMINISTRATION

Agency Clearance Officer—John F. Gilmore—202–566–1164

Reinstatements

• Annual Summary of Records Holdings
SF–136
Annually
Businesses or other institutions
Reports should include stat. data pert. to Fed. Rec., Etc.
SIC: Multiple
General property and records management: 2,500 responses; 1,250 hours; $31,992 Federal costs; 1 form; not applicable under 3504(h)
Franklin S. Reeder, 202–395–3785

This report provides data for the administrator's annual report to Congress and OMB on records disposition activities of the Federal Government. It also serves as a management tool to monitor agency records management activities and to determine the effectiveness of the agency's records management program.

NATIONAL SCIENCE FOUNDATION

Agency Clearnace Officer—Herman Fleming—202–357–7811

Extensions (Burden Change)

• Profile Information Sheet
Nonrecurring
Individual or households
Scientists who are experts in diff. field of science & eng.
General science and basic research: 500 responses; 125 hours; $4,800 Federal costs; 1 form; $1,250 public cost; not applicable under 3504(h)
Anita T. Ducca, 202–395–7340

Continued use of the "evaluator profile information sheet" will facilitate NSF program planning and management by maintaining a database of scientists who can be selected to evaluate diverse products and reports supported by NSF.

NUCLEAR REGULATORY COMMISSION

Agency Clearance Officer—Stephen Scott—301–492–8585

New

• Equal Access to Justice, 10 CFR 2
On occasion
Individuals or households/businesses or other institutions
NRC adjudicants
SIC: All
Energy information, policy, and regulation: 6 responses; 150 hours; $18,000 Federal cost; 1 form; not applicable under 3504(h)
Jefferson B. Hill, 202–395–7340

Equal Access to Justice Act (P.L. 96–48) requires NRC to obtain information from prevailing parties in NRC advisory adjudications.

Revisions

• 10 CFR Part 20—Standards for Protection Against Radiation
Nonrecurring
Businesses or other institutions
NRC licensees
SIC: 483
Small businesses or organizations
Energy information, policy, and regulation: 21,915 responses; 109,614 hours; $168,050 Federal cost; 1 form; not applicable under 3504(h)
Jefferson B. Hill, 202–395–7340

Covers application, reporting and recordkeeping requirements associated with radiation protection programs.

Extensions (Burden Change)

• 10 CFR Part 30—Domestic Licensing of Byproduct
On plan
Y
Nonrecurring
Businesses or other institutions
NRC licensees
SIC: 483
Small businesses or organizations
Energy information, policy, and regulation: 8,000 responses; 36,819 hours; $6,848 Federal cost; 1 form; not applicable under 3504(h)
Jefferson B. Hill, 202–395–7340

Covers the application, reporting and recordkeeping requirements associated with domestic licensing of byproduct material.

• 40 CFR Part 190
Quarterly/other—see SF83
Businesses or other institutions
NRC licensees
SIC: 483
Energy: 56 responses; 1,680 hours; $21,400 Federal cost; 1 form; not applicable under 3504(h)
Jefferson B. Hill, 202–395–7340

NRC requires quarterly reporting of environmental monitoring program at uranium mills.

OFFICE OF PERSONNEL MANAGEMENT

Agency Clearance Officer—John P. Weld—202–632–7737

Revisions

• Inquiry for United States Government Use Only (Education Inquiry)
OF 50
On occasion
Businesses or other institutions
Educational institutions

SIC: 821, 822
Central personnel management: 60,000 responses; 6,000 hours; $9,000 Federal cost; 1 form; not applicable under 3504(h)
Robert Veeder, 202–395–4814

Executive Order 10450, issued April 27, 1953, requires that investigations be conducted of all persons entering the Federal service. Optional form 50 is the voucher form sent to former places of education in conducting national agency checks and inquiries (NACI) of applicants for nonsensitive and noncritical—sensitive positions. Information collected is used to determine the suitability of applicants for Federal Employment.

SECURITIES AND EXCHANGE COMMISSION

Agency Clearance Officer—George G. Kundahl—202–272–2142

New

- N–27D–2, Quarterly Report of Registered Investment Companies That Are Issuers of Periodic Payments Plan Certificates

1157
Quarterly
Businesses or other institutions
Regist. invest. cos. that issue periodic payment plan cert.
SIC: Multiple
Small businesses or organizations
Other advancement and regulation of commerce: 34 responses; 340 hours; $114 Federal cost; 1 form; $25,500 public cost; not applicable under 3504(h)
Robert Veeder, 202–395–4814

This quarterly report form aids the Commission and public investors in monitoring the experience of registered investment companies issuing periodic payment plan certificates with respect to the surrender and withdrawal rights certificate holders.

- Form N–27I–2, Notice of Withdrawal Right and Statement of Charges for Variable Life Insurance Contract holders Required Pursuant to Rule 6E–2 Under the ICA

1931
Nonrecurring
Businesses or other institutions
Life insur. cos. iss. variable life insurance contracts
SIC: Multiple
Small businesses or organizations
Other advancement and regulation of commerce: 6,000 responses; 1,500 hours; $0 Federal cost; 1 form; $7,500 public cost; not applicable under 3504(h)
Robert Veeder, 202–395–4814

Form N–27I–2 is prescribed for use by registered separate accounts issuing variable life insurance contracts to notify contract holders of their right to withdraw from the contract within certain specified periods of time and to receive a refund of all payments made for such contract.

- Form N–27F–1, Notice of Periodic Payment Plan Certificate Holders of 45-day Withdrawal Rights With Respect to Periodic Payment Plan Certificates

1929
Nonrecurring
Businesses or other institutions
Regist. invest. cos. issu. periodic paymt. plan certifica.
SIC: Multiple
Small businesses or organizations
Other advancement and regulation of commerce: 162,000 responses; 81,000 hours; $0 Federal cost; 1 form; $1,620,000 public cost; not applicable under 3504(h)
Robert Veeder, 202–395–4814

Form N–27F–1 is used by investment companies issuing periodic payment plan certificates as the notice to certificate holders of their right of withdrawal as specified in section 27 of the Investment Company Act of 1940.

- Form N–27D–1, Accounting of Segregated Trust Account

1840
Annually
Businesses or other institutions
Depos. of & principal underwriters for invest. cos., etc.
SIC: Multiple
Small businesses or organizations
Other advancement and regulation of commerce: 12 responses; 48 hours; $29 Federal cost; 1 form; $3,600 public cost; not applicable under 3504(h)
Robert Veeder, 202–395–4814

This accounting form aids the Commission in monitoring compliance with certain reserve requirements appliable to depositors of, and underwriters for, registered investment companies issuing periodic payment plan certificates.

- Form N–27E–1, Notice of Periodic Payment Plan Certificate Holders of 18-Month Surrender Rights With Respect to Periodic Payment Plan Certificates

1928
Nonrecurring
Businesses or other institutions
Invest. cos. issu. periodic paymt plan cert. & any deposi.
SIC: Multiple
Small businesses or organizations
Other advancement and regulation of commerce: 162,000 responses; 53,946 hours; $0 Federal cost; 1 form; $1,078,920 public cost; not applicable under 3504(h)
Robert Veeder, 202–395–4814

Form N–27E–1 is used by investment companies issuing periodic payment plan certificates as the notice to certificate holders of their right to surrender the certificate at anytime within the first 18 months after its issuance and to receive cash in payment thereof.

Nathaniel Scurry,
Chief, Reports Management.

[FR Doc. 81–35419 Filed 12–11–81; 8:45 am]
BILLING CODE 3110–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 12086; 812–4844]

Bache Halsey Stuart Shields Inc. et al.; Filing of Application

December 8, 1981.

In the matter of Bache Halsey Stuart Shields Inc.; Chancellor High Yield Fund, Inc.; Chancellor High Yield Municipals, Inc.; Chancellor Tax-Free Money Fund, Inc.; Chancellor Tax-Managed Utility Fund, Inc.; Chancellor New Decade Growth Fund, Inc.; Money Mart Assets, Inc., 100 Gold Street, New York, New York 10038.

Notice is hereby given that Money Mart Assets, Inc. ("Money Mart"), Chancellor Tax-Free Money Fund, Inc. ("Tax-Free"), Chancellor High Yield Fund, Inc. ("High Yield"), Chancellor New Decade Growth Fund, Inc. ("New Decade"), and Chancellor Tax-Managed Utility Fund, Inc. ("Utility") (collectively, the "Funds"), registered open-end diversified management investment companies, and Bache Halsey Stuart Shields Incorporated ("Bache") (collectively, with Funds, "Applicants") filed an application on March 17, 1981, and an amendment thereto on November 2, 1981, for an order pursuant to Section 11(a) of the Investment Company Act of 1940 ("Act") approving certain proposed offers of exchange of shares among the Funds on a basis other than their relative net asset values and pursuant to section 6(c) of the Act exempting Applicants from the provisions of section 22(d) of the Act in connection with such exchanges. All interested persons are referred to the application on file with the Commission for a statement of the representation contained therein, which are summarized below.

Applicants state that Bache, as principal underwriter for each of the Funds, maintains a continuous offering of the shares of Money Mart and Tax Free at their respective net asset values

without a sales load and of Municipals, High Yield, Utility and New Decade at their respective net asset values plus a sales load. At present, the applicable sales load as a percentage of offering price for Municipals, High Yield, Utility and New Decade varies with the quantity purchased as follows:

Size of transaction at offering price	Municipals (percent)	High yield, utility and new decade (percent)
Less than $25,000	4.50	6.75
$25,000 to $49,999	4.00	5.25
$50,000 to $99,999	3.50	4.25
$100,000 to $249,999	3.00	3.25
$250,000 to $499,999	2.50	2.50
$500,000 to $999,999	2.00	2.00
$1,000,000 and over	1.25	1.25

According to tha application, at present (1) shares of Money Mart and Tax Free, including shares acquired through reinvestment of dividends and capital gains distributions ("reinvested shares") and shares acquired as a result of an exchange of shares of High Yeild, New Decade, Utility or Municipals, may be exchanged for shares of one another on the basis of their respective net asset values at the time of the exchange without a sales load; (2) shares of Municipals, including reinvested shares and shares acquired as a result of an exchange of shares of High Yield, Utility or New Decade, may be exchanged for shares of Money Mart and Tax Free on the basis of their respective net asset values at the time of exchange without a sales load and shares of Money Mart or Tax Free so acquired, plus any reinvested shares, may be reexchanged for shares of Muncipals on the same basis; (3) shares of High Yield, Utility and New Decade, including reinvested shares, may be exchanged for shares of Municipals on the basis of their respective net asset values without a sales load and shares of Municipals so acquired, plus any reinvested shares, may be reexchanged for shares of High Yield, Utility or New Decade on the same basis; (4) shares of High Yield, Utility or New Decade, including reinvested shares, may be exchanged for shares of Money Mart and Tax Free on the basis of their respective net asset values without a sales load and shares of Money Mart or Tax Free so acquired, plus any reinvested shares, may be reexchanged for shares of High Yield, Utility or New Decade on the same basis; and (5) shares of High Yield, however acquired, may be exchanged for shares of New Decade or Utility on the basis of their respective net asset values at the time of the exchange without a sales load; (6) shares of New Decade, however acquired, may be exchanged for shares of Utility or High Yield on the basis of their respective net asset values at the time of the exchange without a sales load; and (7) shares of Utility, however acquired, may be exchanged for shares of High Yield or New Decade on the basis of their respective net asset values at the time of the exchange without a sales load. Applicants state that each of the foregoing exchanges and reexchanges are subject to the conditions that the shares to be exchanged have a net asset value equivalent to the minimum initial amount required for investment or the minimum amount required for reinvestment in the shares to be acquired.

Applicants propose to make the following offers of exchange: (1) High Yield, Utility and New Decade propose to offer their shares to shareholders of Municipals in exchange for shares of Municipals at their relative net asset value at the time of the exchange, plus the sales charge applicable to the purchase of shares of High Yield, Utility or New Decade, less the sales charge previously paid on the shares of Municipals; and High Yield, Utility and New Decade propose to offer their shares to shareholders of Money Mart and Tax Free who acquired their shares in exchange for shares of Municipals at their relative net asset value at the time of the exchange, plus the sales charge applicable to the purchase of shares of High Yield, Utility or New Decade, less the sales charge previously paid on the shares of Municipals exchanged for the shares of Money Mart or Tax Free.

Applicants state that a shareholder acquiring shares of High Yield, Utility or New Decade through any combination of exchanges or purchases of shares of Money Mart, Tax Free and Municipals would pay the same overall sales charge as a proportion of net asset value or of the public offering price that he would have paid had he directly purchased shares of High Yield, Utility or New Decade with the same net asset value. Applicants represent that Bache does not intend to solicit exchanges but, rather, will notify dealers of the availability of the proposed exchange privilege. Applicants further represent that Bache does not presently intend to offer dealers advice as to the suitability of High Uield, Utility or New Decade for their customers.

According to the application, should the proposed exchange privilege be terminated, Applicants will provide no notice of the termination to shareholders of the Funds other than in the next subsequent effective prospectus of the Funds. Applicants state that if a shareholder desires to exercise the proposed exchange privilege, those shares which may be exchanged at net asset value without a sales charge will be exchanged first. Applicants further state that the remaining shares to be exchanged will be selected from those shares which are entitled to be exchanged upon payment of lowest additional sales charge. According to the application, if a shareholder of Municipals redeemed his entire holdings and, within the 30-day period for reinstatement of an account without payment of a sales charge did reinstate his account, the shares so reacquired could be exchanged for shares of High Yield, Utility or New Decade on the basis of their relative net asset values plus the differential sales charge applicable without regard to the exercise of the reinstatement privilege. In addition, Applicants state that shares of Municipals acquired through the reinstatement privilege could be exchanged for shares of Money Mart or Tax Free on the basis of their respective net asset values without a sales charge and reexchanged for shares of High Yield, Utility or New Decade on the basis of their relative net asset values plus the differential sales charge applicable without regard to the exercise of the reinstatement privilege.

Section 11(a) of the Act provides, in part, that it shall be unlawful for any registered, open-end investment company or any principal underwriter thereof to make or cause to be made an offer to a security holder of such company or any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged unless the terms of the offer have first been submitted to and approved by the Commission.

Section 22(d) of the Act provides, in part, that no registered investment company or principal underwriter thereof shall sell any redeemable security issued by such company to any person except at a current offering price described in the company's prospectus.

Applicants state that the proposed exchange offers would enable a shareholder of Municipals and a shareholder of Money Mart or Tax Free, to the extent that such shares of Money Mart or Tax Free had been acquired through an exchange of shares of Municipals, to exchange his shares for shares of High Yield, Utility or New Decade on a basis other than net asset value because such shareholder would be required to pay the difference in

sales charges between that imposed on purchases of Municipals and that on purchases of High Yield, Utility and New Decade and would not be at their net asset values. Thus, the proposed exchange offers would violate section 11(a) of the Act unless an order approving the offers of exchange is issued. In addition, Applicants assert the proposed exchange offers would violate section 22(d) of the Act since an investor would be able to purchase shares of High Yield, Utility or New Decade at a sales charge other than that described in their prospectuses merely by exchanging shares of Municipals for them or by exchanging shares of Municipals for shares of Money Mart or Tax Free and subsequently exchanging those shares for shares of High Yield, Utility or New Decade.

Section 6(c) of the Act provides, in pertinent part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation under the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants assert that the proposed offers of exchange are fair and equitable to shareholders of each of the funds while at the same time giving all of them desirable flexibility in their financial planning and that the orders required are appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than January 4, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or my mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-35008 Filed 12-11-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 12087; 812-5010]

The Equitable Life Assurance Society of the United States; Filing of Application

December 8, 1981.

In the Matter of The Equitable Life Assurance Society of the United States and Separate Account Nos. 301, 302, 303, and 304 of the Equitable Life Assurance Society of the United States, 1295 Avenue of the Americas, New York, NY 10019.

Notice is hereby given that the Equitable Life Assurance Society of the United States ("Equitable") and Separate Account Nos. 301, 302, 303, and 304 of Equitable (respectively "Separate Account 301", "Separate Account 302", "Separate Account 303", and "Separate Account 304", and collectively, the "Separate Account") (Equitable and the Separate Accounts together, "Applicants") filed an application on November 9, 1981, for an order of the Commission pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") granting exemptions, to the extent requested, from sections 15(a), 16(a), 17(f), 27(c)(2), and 32(a)(2) of the Act and rule 17f–2 thereunder. Equitable is a mutual life insurance company organized under the laws of New York. Each of the Separate Accounts is registered under the Act as an open-end, diversified management investment company. Interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

The Separate Accounts were established by Equitable on October 19, 1981, pursuant to the insurance laws of New York. Each is a separate investment account to which assets will be allocated to fund benefits provided by certain group annuity contracts ("Contracts") under certificates ("Certificate") issued to individuals who establish individual retirement annuities ("IRAs") pursuant to section 408(b) of the Internal Revenue Code of 1954, as amended (the "Code"). Applicants assert that the Certificates, as issued to each participant, will constitute an IRA for purposes of section 408(b) of the Code, subject to the terms thereof, and are designed to provide the tax-favored treatment accorded IRAs under the Code.

Participants may allocate their contributions among the four Separate Accounts, each of which has different investment policy. When contributions are received under the IRA Certificates, Equitable will deduct any applicable premium taxes. On the last day of each calendar quarter before a participant's specified retirement date, Equitable will make a participant service charge against the sum of the values in the Separate Accounts under his Certificate. The charge will be allocated among the Separate Accounts in the ratio that the accumulated value in each of these accounts bears to the cash value of the Certificate, and the amount of the charge will depend on several factors. Applicants represent that the annual charge will in no event exceed $40. For providing investment management services to the Separate Accounts, Equitable will make a daily charge at an effective annual rate of .35% of the value of the assets in Separate Account 301 and Separate Account 303 and .50% of the value of the assets in Separate Account 302 and Separate Account 304. In addition, a daily charge at the effective annual rate of .25% of the value of the assets of each Separate Account attributable to the IRA Certificates is made by Equitable. This administrative expense charge is designed to reimburse Equitable for any administrative expenses in excess of the participant service charge. The investment management service charges and administrative expense charges are reflected in computation of unit values for each of the Separate Accounts. Equitable will impose a $5 transaction charge for each withdrawal of any type under an IRA Certificate except for withdrawals pursuant to a periodic distribution option which will be subject to a $1.50 transaction charge.

Exemptions Requested

Section 15(a) of the Act provides that no person is permitted to serve or act as investment adviser of a registered investment company except pursuant to a written contract which, among other

things, has been approved by a vote of a majority of the outstanding voting securities of such registered company. Section 16(a) of the Act provides that no person shall serve as a director of a registered investment company unless elected to that office by the holders of the outstanding voting securities of such company at an annual or a special meeting duly called for that purpose. Section 32(a)(2) of the Act provides that it shall be unlawful for a registered management company to file with the Commission any financial statement signed or certified by an independent public accountant unless the selection of such accountant shall have been submitted for ratification or rejection at the annual meeting next succeeding the selection of such accountant by the board of directors.

Each of the Separate Accounts is under the general supervision of a committee ("Committee") comprised of five members ("Members") initially selected by Equitable. Under the respective rules and regulations of the Separate Accounts the first annual meeting of participants in the respective Separate Accounts would be held on April 22, 1982. Applicants claim that if the first annual meeting is held on April 22, a late February, or earlier, record date for participants entitled to vote would have to be established in order to allow an adequate proxy solicitation period. Applicants assert that under the circumstances the number of participants in the respective Separate Accounts of record on a record date for an April 22, 1982 meeting may be less than desirable for a meaningful vote on the election of Members of the Committees, the approval of an investment management agreement between Equitable and each of the Separate Accounts and the ratification of the selection of the independent public accountants for each of the Separate Accounts. Although Equitable will provde the initial capital for each of the Separate Accounts, it has no voting rights in respect thereof.

Applicants request exemptions from the requirements of sections 15(a), 16(a) and 32(a)(2) of the Act so that each of the Separate Accounts may operate without such election, approval and ratification by persons having voting rights until action with respect to those matters is taken at an initial annual meeting of participants in the respective Separate Accounts held no later than April 28, 1983, the scheduled date for the 1983 annual meeting.

Section 17(f) of the Act provides, among other things, that a registered management investment company shall place and maintain its securities and similar investments in the custody of a bank or banks having the qualifications prescribed in section 26(a)(1) or in the custody of members of national securities exchanges, or in its own custody, but only in accordance with rules and regulations or orders which the Commission may from time to time prescribe for the protection of investors. Each of the Separate Accounts proposes to maintain its securities and similar investments in the custody of banks (the "Banks") having the qualifications prescribed in section 26(a)(1) of the Act, or, through the Banks under rule 17f-4(d), in a system for the central handling of securities as permitted by section 17(f). Under the custodial arrangements, authorized persons of the Separate Accounts will be permitted to withdraw investments of the Separate Accounts held by the Banks and, therefore, under rule 17f-2(a), such investments will be deemed to be in the "custody" of the Separated Accounts, requiring compliance with the provisions of rule 17f-2. Rule 17f-2(d) provides, in pertinent part, that no person shall be authorized or permitted to have access to the securities and similar investments deposited with a bank, except pursuant to a resolution of the board of directors of the registered investment company which designates no more than five persons who must be either officers or responsible employees of such company and provides that access to such investments must be had only by two or more such persons jointly, at least one of whom shall be an officer. Access must also be permitted to properly authorized bank officers and to the independent public accountants retained by the investment company.

Applicants assert that under the insurance laws of New York, all of the assets of the Separate Accounts are owned by Equitable. Furthermore, according to Applicants, Equitable's by-laws require that the Investment Committee of its Board of Directors prescribe rules and requirements governing the custody, safekeeping and control of all securities owned or held by Equitable, with certain exceptions. Applicants assert that, in the curcumstances, the custodial arrangements for the Separate Accounts must provide for the withdrawal, deposit and inspection by Equitable of securities held by the Banks for Equitable and the Separate Accounts. Each of the custodial agreements to be entered into between the Applicants and the Banks will provide that certain persons authorized by Equitable and the Separate Accounts may deposit or withdraw securities, or authorize the deposit or withdrawal of securities, and inspect the securities held by the Banks as custodians. Such persons, who will be officers or responsible employees of Equitable and/or the Separate Accounts will be so authorized pursuant to resolutions of both the particular Separate Accounts Committee and the Board of Directors of Equitable or the Investment Committee of Equitable's Board, and, for each of the Separate Accounts, will not exceed five in number at any one time. Access to the assets of the Separate Accounts held by the Banks shall, in each case, be had either by two or more of the authorized persons, at least one of whom shall be an officer of Equitable or the particular Separate Account or by representatives of the New York Insurance Department. In all cases, the persons so authorized, when depositing securities or withdrawing them from the Banks, or when ordering their withdrawal and delivery from the Banks, shall sign notations in respect of such action showing all of the information required by rule 17f-2(e). Applicants request exemption from section 17(f) and rule 17f-2 to permit access to the securities and similar investments of the Separate Accounts in the custody of the Banks by persons authorized by Equitable and by representatives of the Department.

Section 27(c)(2) requires that the proceeds of payments under periodic payment plan certificates be deposited with a trustee or custodian having the qualifications prescribed in section 26(a)(1) for the trustees of unit investment trusts and that such proceeds be held under an indenture or agreement containing, in substance, the provisions required by sections 26(a)(2) and (3) for the trust indentures of unit investment trusts. Section 26(a)(2), in part, prescribes the types of fees and charges allowed the trustees or custodian and requires that the trustee or custodian have possession of all securities and the other property in which the funds of the investment company are invested. Equitable will deduct applicable premium taxes from participant's contributions, a participant service charge and an administrative expense charge for administrative expenses and certain transaction charges upon any withdrawals as noted above. Additionally, Equitable will deduct a management service charge. Applicants consent (a) that charges under the Contracts and certificates for administrative services shall not exceed such reasonable amount as the Commission may prescribe and that the Commission shall reserve jurisdiction

for such purpose, and (b) that the payment of sums and charges out of the assets of the Separate Accounts shall not be deemed to be exempted from regulation by the Commission by reason of the order herein requested; provided that the Applicants' consent shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of the assets in the Separate Accounts other than charges for administrative services, and Applicants reserve the right, in any proceeding before the Commission or in any suit or action in any court, to assert that the Commission has no authority to regulate the payment of such other sums and charges. In summary, section 26(a)(3) requires that the indenture or custody agreement prohibit the trustee or custodian from resigning until the assets of the investment company ahve been distributed or until a successor has been appointed. Applicants state that under New York law, Equitable cannot abandon its obligations under the Contracts to holders of Certificates, or to any annuitant, until they have been fully discharged. In view of the amount of Equitable's total assets, Applicants allege that the possibility of abandonment or default is remote. In the foregoing circumstances, Applicants submit that compliance with the requirements of section 27(c)(2) is not necessary for the protection of investors and, therefore, Applicants request that an exemption from section 27(c)(2) be granted.

Section 6(c)

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than December 31, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule O–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued, as of course, following December 31, 1981 unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81–35809 Filed 12–11–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 12085; 811–1753]

Financial International Corp.; Filing of Application

December 8, 1981.

Notice is further given that Financial International Corporation, 1701 Pennsylvania Avenue, N.W., Washington, D.C. 20006 ("Applicant"), registered under the Investment Company Act of 1940 ("Act") as a closed-end, non-diversified, management investment company, filed an application on February 16, 1978, and an amendment thereto on November 18, 1981, for an order of the Commission pursuant to Section 8(f) of the Act declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

The application states, among other things, that Applicant was incorporated on April 14, 1966, under the laws of Delaware as a wholly-owned subsidiary of International Bank ("IB"), an Arizona corporation. On November 15, 1966, IB exchanged shares of stock of Financial General Bank Shares, Inc., for shares of Applicant's common stock and Applicant's shares acquired by IB were distributed to the shareholders of IB in December 1966. Applicant registered under the Act on October 30, 1968.

Applicant states that on September 13, 1977, at the annual meeting of Applicant's shareholders a plan of liquidation and dissolution ("Plan") was adopted by a favorable vote of over 99% of the shares voted, with the total number of shares voted being over 310,000 of the 398,899 outstanding. Pursuant to the Plan, certain of Applicant's assets were liquidated, the expenses of Applicant were paid and the remaining assets (except for a cash reserve in the amount of $246,000) were distributed to a liquidating trust the purpose of which was to distribute such assets to Applicant's shareholders. On December 31, 1979, the amount of $215,360.64 remaining in the reserve was distributed to Applicant's transfer agent with instructions to distribute it to shareholders. The trustee of that liquidating trust informed Applicant's shareholders by letter dated January 23, 1978, of the distribution and instructed them to surrender their stock certificates to Applicant's transfer agent. As of November 1, 1981, the transfer agent advised Applicant that of the 389,899 shares of Applicant outstanding at the date of dissolution, 395,917, or 99.3%, had been surrendered and the shares and cash to be exchanged therefor had been transmitted to the shareholders. The remaining 2,982 shares, or .7%, are being held by the transfer agent, First American Bank, Washington, D.C.

The application states that Applicant was dissolved on September 13, 1977, in accordance with Delaware laws upon the acceptance for filing by the Office of the Secretary of the State of Delaware of Applicant's Certificate of Dissolution. Since that date the Applicant has ceased active operations and has existed solely for the purpose of winding up its affairs. Applicant is not a party to any litigation or administrative proceeding, it does not have any outstanding debts, and has no reserve for contingent tax or other liabilities. Applicant, therefore is not currently engaged in business as an investment company.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission, on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the effectiveness of such order the registration of such company under the Act shall cease to be in effect.

Notice is further given that any interested person may, not later than January 5, 1982, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application

accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule O–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81–35607 Filed 12–11–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 12084; 811–1526]

Fundex, Inc.; Filing of Application

December 8, 1981.

Notice is hereby given that Fundex, Inc. ("Applicant"), 342 Madison Avenue, New York, New York 10173, registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified, management investment company, filed an application on October 20, 1981, pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be a investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

On August 18, 1967, Applicant, a Delaware Corporation, filed a registration statement pursuant to section 8(b) of the Act. Its registration statement filed under the Securities Act of 1933 was declared effective on December 27, 1967 and an initial public offering was commenced immediately thereafter.

Applicant represents that at meetings held on January 19, 1981 and July 28, 1981 its Board of Directors approved the Agreement and Plan of Merger between Applicant and Manhattan Fund, Inc. ("Manhattan"). Applicant states that a majority of its shareholders approved the merger of Applicant into Manhattan, in accordance with the laws of the State of Delaware. Effective as of September 30, 1981, Applicant was merged into Manhattan and, in accordance with the Agreement and Plan of Merger, and pursuant to the filing of the Articles of Merger in the State of Delaware, Applicant ceased to be a separate corporation.

Applicant represents that it has no debts or other outstanding liabilities; it has no securityholders, and it is not a party to any litigation or administrative proceeding. Applicant states that within the last 18 months it has not for any reason transferred any of its assets to a separate trust. Finally, Applicant states that it is not now engaged, and does not propose to engage, in any business activity.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission, on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the effectiveness of such order, the registration of such company under the Act shall cease to be in effect.

Notice is further given that any interested person may, not later than January 4, 1982, at 5:30 p.m., submit to the Commission, in writing, a request for a hearing on the application accompanied by a statement as to the nature of his or her interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he or she may request that he or she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule O–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponement thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81–35606 Filed 12–11–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 22307; 70–6676]

Middle South Utilities, Inc. et al.; Proposed Guaranty by Holding Company and Subsidiary Companies of Loans of Non-Associate Exposition Company

December 8, 1981.

In the matter of Middle South Utilities, Inc., 225 Baronne Street, New Orleans, Louisiana 70112; Louisiana Power & Light Co., 142 Delaronde Street, New Orleans, Louisiana 70174; New Orleans Public Service Inc., 317 Baronne Street, New Orleans, Louisiana 70112.

Middle South Utilities, Inc. ("MSU"), a registered holding company, and two of its subsidiary companies, Louisiana Power & Light Company ("LP&L") and New Orleans Public Service Inc. ("NOPSI"), have filed a declaration with this Commission pursuant to section 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act").

MSU, LP&L, and NOPSI propose to guarantee certain obligations incurred by Louisiana World Exposition, Inc. ("LWEI"), a Louisiana non-profit corporation, in connection with the planning and preparation by LWEI for the Louisiana 1984 World Exposition to be held in the City of New Orleans ("Exposition"). LWEI has entered into a Credit Agreement with several banks the terms of which permit LWEI to borrow and reborrow funds through June 30, 1984, for the payment of (i) construction and operation of the Exposition and (ii) interest or fees due on loans under the Credit Agreement, and to borrow funds after June 30, 1984, to pay interest due on loans thereunder. Before the banks are obligated to make any loans to LWEI under the Credit Agreement, LWEI must obtain, among other things, a $5,000,000 guaranty ("Government Guaranty") from the State of Louisiana, or any political subdivision, agency, or instrumentality thereof. Also, LWEI must obtain additional acceptable guaranties from private parties in a minimum aggregate amount of $30,000,000 before the banks are obligated to make any loans to LWEI in excess of $5,000,000. The

aggregate principal amount of LWEI's borrowings under the Credit Agreement at any one time outstanding may not, subject to certain exceptions, exceed the aggregate principal amount of all such guaranties, including the Government Guaranty.

To evidence its indebtedness under the Credit Agreement, LWEI will deliver to each bank a master promissory note ("Note" or collectively "Notes"), dated as of October 15, 1981, obliging LWEI to pay such bank, on or before June 30, 1985, the principal amount of that bank's loan commitment under the Credit Agreement or, if less, the aggregate principal balance of loans made by such bank to LWEI under the Credit Agreement. The Notes shall bear interest, payable monthly and at maturity, on the unpaid principal balance thereof at a rate equal to ½ of 1% above the prime rate of Chemical Bank, New York, in effect from time to time. LWEI will have the right to prepay the unpaid principal balance of the Notes, in whole or in part, at any time without premium or penalty. LWEI has agreed to pay the banks a commitment fee at the rate of ⅜ of 1% per annum on the average quarterly unused portion of the banks' loan commitments during the period from October 15, 1981, until June 30, 1984. Additionally, LWEI has agreed to pay the agent banks at the commencement of the Credit Agreement an agent fee equal to ⅛ of 1% of the aggregate amount of the Loan commitments of the banks under the Credit Agreement.

To ensure the LWEI has sufficient borrowing capability under the Credit Agreement, MSU, LP&L, and NOPSI propose to give the banks guaranties of $500,000, $1,000,000, and $1,000,000, respectively, for the payment of all indebtedness incurred by LWEI pursuant to the terms of the Credit Agreement ("Indebtedness"). The guaranties which MSU, LP&L, NOPSI, and other private parties ("Guarantors") propose to provide are absolute and complete. Each guaranty shall remain in full force and effect until December 31, 1985, unless a written demand for payment of the guaranty has been made pursuant to the Credit Agreement and the guaranty on or prior to that date, in which event the guaranty will remain in full force and effect until the obligations of the guarantor are satisfied in full.

The terms of the guaranties provide that the liability of the Guarantors shall extend only to that amount of the Indebtendness exceeding the amount of the Government Guaranty. Since the obligation of each Guarantor is joint, the liability of any one Guarantor is determined on a pro rata basis in the proportion which the amount of its guaranty bears to the total amount of all Guarantors' guaranties; provided that, in the event any Guarantor defaults in the payment of its guaranty amount, the obligation of any one non-defaulting Guarantor shall be determined on a pro rata basis in the proportion that the amount of its guaranty bears to the total amount of all non-defaulting Guarantors' guaranties. In no event, however, will the liability of any Guarantor exceed the specified amount of its guaranty.

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by January 4, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarants at the addresses specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-35605 Filed 12-11-81; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 02/02-0413]

Holding Capital Management Co.; Issuance of a License To Operate as a Small Business Investment Company

On March 23, 1981, a Notice was published in the **Federal Register**, (46 FR 18132) stating that Holding Capital Management Company, 711 Fifth Avenue, New York, New York 10022, had filed an application with the Small Business Administration pursuant to § 107.102 of the SBA Rules and Regulations governing small business investment companies (13 CFR 107.102 (1981)), for a license to operate as a small business investment company.

Interested parties were given until the close of business April 7, 1981, to submit their comments. No comments were received.

Notice is hereby given that, having considered the application and all other pertinent information, SBA on November 19, 1981 issued License No. 02/02-0413 to Holding Capital Management Company, pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: December 8, 1981.

Edwin T. Holloway,

Acting Associate Administrator for Finance and Investment.

[FR Doc. 81-35732 Filed 12-11-81; 8:45 am]

BILLING CODE 8025-01-M

Senior Executive Service Performance Review Board; Substitution of Two Members

AGENCY: Small Business Administration.

ACTION: Listing of Personnel Serving as Members of this Agency's Senior Executive Service Performance Review Board.

SUMMARY: Public Law 95-454 dated October 13, 1978, (Civil Service Reform Act of 1978) requires that Federal Agencies publish notification of the appointment of individuals who serve as members of that agency's Performance Review Board (PRB). The following substitution of members has been made:

1. Marshall J. Parker, Associate Administrator for External Affairs replaces Robert A. Turnbull, Associate Deputy Administrator.

2. James C. Sanders, Associate Administrator for Management Assistance replaces Donald R. Templeman, Deputy Administrator.

Michael Cardenas,

Administrator.

[FR Doc. 81-35731 Filed 12-11-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice 782]

Assistance Under the Foreign Assistance Act in Fiscal Year 1982 to Private Sector Organizations Operating Within Nicaragua

Determination under section 620(q) of the Foreign Assistance Act of 1961, as amended (the "Act"), that it is in the National Interest to Furnish Assistance Under the Act in Fiscal Year 1982 to

Private Sector Organizations Operating Within Nicaragua.

By virtue of the authority vested in me by section 620(q) of the Act, Executive Order 12163 and Delegations of Authority issued thereunder, I hereby determine it is in the national interest of the United States to furnish assistance under the Act in Fiscal Year 1982 to private sector organizations operating within Nicaragua, notwithstanding that the Government of Nicaragua is more than six months in default in payment of principal and interest on loans made under the Act.

This determination shall be published in the **Federal Register.**

Dated: November 24, 1981.

Alexander M. Haig, Jr.,

Secretary of State.

[FR Doc. 81-35733 Filed 12-11-81; 8:45 am]

BILLING CODE 4710-10-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD-81-096]

Chemical Transportation Advisory Committee

AGENCY: Coast Guard, DOT.

ACTION: Request for applications.

SUMMARY: The U.S. Coast Guard is seeking applicants for appointment to membership on the Chemical Transportation Advisory Committee. This committee advises the Coast Guard Marine Safety Council on requirements promoting the safety in the transportation of hazardous materials on vessels, the transfer of these materials between the vessels and shore, and on the waterfront facilities over which these materials move.

To achieve the balance of membership required by the Federal Advisory committee Act, the Coast Guard is especially interested in applications from minorities, women and public interest representatives. Selection will be based upon expertise in the subjects under consideration.

The committee usually meets at least once a year with subcommittee meetings for specific problems on and as required basis. Members serve at no cost to the Federal Government and receive neither travel nor per diem allowances.

An alternate may be selected for each member appointed to the committee. Application for alternate membership should be included with the prospective member's application request.

DATE: Applications should be received no later than February 20, 1982.

ADDRESS: Persons interested in applying should write to Commandant (G-CMC), U.S. Coast Guard Headquarters, Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT: Mary Williams, Hazardous Materials Division (G-MHM), U.S. Coast Guard Headquarters, Washington, D.C. 20593; (202) 426-2306.

Dated: December 8, 1981.

A. D. Utara,

Commander, USCG, Coast Guard Regulations Officer.

[FR Doc. 81-35740 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-14-M

[CGD-81-095]

Environmental Impact Statement, Proposed Bridge Construction Across Garrison Channel at Harbour Island, Tampa, Hillsborough County, Florida

AGENCY: Coast Guard, DOT.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Coast Guard is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared in conjunction with agency actions related to construction of bridges across Garrison Channel between the City of Tampa and the proposed Harbour Island Development, formerly known as Seddon Island, in Hillsborough County, Florida.

ADDRESS: Written comments should reference this notice and be addressed to: Commander, Seventh Coast Guard District, Aids to Navigation Branch, 51 SW First Avenue, Miami, Florida 33130.

FOR FURTHER INFORMATION CONTACT: Mr. M. T. Bennett, Bridge Administration Specialist, Bridge Section, Aids to Navigation Branch at the address shown above or by telephone at (305) 350-4108.

SUPPLEMENTARY INFORMATION: Greiner Engineering Sciences, Inc., on behalf of Habour Island, Inc., have made application for Coast Guard approval of location and plans for a bridge across Garrison Channel at Franklin Street in Tampa, Hillsborough County, Florida. The proposed bridge, and a second bridge to be constructed at a later date on the general alignment of the existing railroad bridge will provide access to a proposed residential/commercial development to be located on Harbour Island.

In accordance with section 102(2)(c) of the National Environmental Policy Act and 40 CFR 1500-1508, the Commander, Seventh Coast Guard District is soliciting comments from all interested parties concerning the environmental impact of several alternatives as shown below. Comments received in response to this notice will be utilized in determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action.

Alternatives under consideration for the bridge structures include but are not limited to the following:

1. No project.
2. Alternate locations.
3. Alternate means of access.

Development alternatives include but are not limited to the following:

1. No Project.
2. Greater or lesser levels of development.
3. Alternative land uses.

The alternatives will be developed in more detail or modified as the Environmental Impact Statement scoping process continues.

A formal scoping meeting is not anticipated at this time. It is expected that a public hearing will be held after the draft Environmental Impact Statement is made available for public and agency review and comment.

To ensure that the full range of impacts related to the proposed action is addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning the proposed action and Environmental Impact Statement should be directed to the Commander, Seventh Coast Guard District at the above address.

Dated: December 8, 1981.

R. A. Bauman,

Rear Admiral, U.S. Coast Guard Chief, Office of Navigation.

[FR Doc. 81-35739 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-14-M

[CGD 81-094]

Port Access Route Study

AGENCY: Coast Guard, DOT.

ACTION: Notice of study results.

SUMMARY: The purpose of this notice is to publish results of the Port Access Route study announced on April 16, 1979, in the **Federal Register** (44 FR 22543) and modified on January 31, 1980 (45 FR 7026). Only the results for study areas 30 to 32 are published in this notice. Generally, these areas include the coast of Alaska. Two routing measures are recommended for these study areas, including a shipping safety fairway system at the approach to Prince William Sound, and a fairway through Unimak Pass. No fairway

designation is proposed at this time for the area of Cook Inlet, Shelikof Strait and Kennedy Entrance.

Background

The Ports and Waterways Safety Act (PWSA) (Pub. L. 95–474; 92 Stat. 1473, 33 U.S.C. 1223) mandated that the Coast Guard "undertake a study of the potential traffic density and the need for safe access routes." The **Federal Register** for April 16, 1979 (44 FR 22543), announced the scope of the study and included a description of each area to be studied. Coast Guard district staff officers were assigned responsibility for executing the study; and it has been conducted under the standards contained in sections 4 and 5 of the PWSA. As a result of the study, appropriate ships' routing measures, such as safety fairways and traffic separation schemes, may be proposed. Where the study indicates that no new routing measures are to be designated in an area, notice of such a conclusion is to be published in the **Federal Register.** However, areas for which results are published may be studied again in the future as changes in conditions warrant re-evaluation.

Results for areas 5, 5a and 6 (New York and Delaware approaches and Long Island Sound) were published in 46 FR 49035; for areas 13 to 20 (coast of South Carolina, Georgia and Florida) in 46 FR 48376; for area 21 (Gulf of Mexico) in 46 FR 49989; and for areas 26 to 29 (coast of Oregon and Washington) in 46 FR 59686. Results for the remaining study areas (1 to 4 in New England, 7 to 12 along the Mid-Atlantic coast, and 22 to 25 along California) will be published in a future **Federal Register.**

The Seventeenth Coast Guard District performed the study for areas 30 to 32, along the Coast of Alaska.

Study Method

In accordance with the Ports and Waterways Safety Act (PWSA), in 1979, the Seventeenth District commenced an evaluation of maritime traffic density throughout Alaskan waters. This study involved maritime agents, operators, exploration activities, local communities, fisheries' organizations, state marine pilots, other state interests, Federal government and DOD activities. Over 90 private organizations were contacted in the initial development of the study proposals.

After evaluating the information received, determinations were made on establishing fairways in certain areas. On December 7, 1979, a proposal was mailed to all previously contacted parties and to the State of Alaska. Comments were solicited.

Again, on May 16, 1980, after review of previous comments received and further discussion with interested parties, a final proposal was sent out for comment. All parties seemed in agreement with this proposal in general except for two comments.

The State of Alaska, Department of Policy Development and Planning suggested certain changes in the Unimak Pass area. These changes were discussed in detail over the phone, and a final agreement was to decrease the width of the fairway from five (5) miles to four (4) miles, but to use the same terminus points for the fairway. The reason for using these terminus points is that they are established traditional maritime traffic routes, published in the Coast Pilot and other nautical publications. To change them at this time would require revision not only in other publications, but in many a mariner's navigation track that has been utilized over the years.

Mobil Oil Corporation recommended the use of a precautionary area at the end of the fairway proposed for Hinchinbrook Entrance to Prince William Sound. However, precautionary areas are generally utilized with traffic separation schemes rather than fairways. In this case, tank vessels will be encouraged to keep to the starboard lane of the designated pair of fairways, operating as they have been over the past three years, and leaving no doubt as to another vessel's intentions when entering the area. The fairway designations allow vessels sufficient maneuvering room and are only intended to assure the mariner that he will find no fixed obstruction to navigation within that area.

The exploration activity on the outer continental shelf (OCS) and the growth of Alaskan Ports will be closely monitored; and should future conditions dictate, more formal traffic routing measures could be proposed in accordance with the provisions of the Ports and Waterways Safety and international guidelines.

Proposals

The study performed on Alaskan ports identified three critical transportation corridors: approaches to Prince William Sound, Cook Inlet/Shelikof Strait, and Unimak Pass. Other areas of Alaska simply do not have the volume or type of traffic that would warrant the establishment of vessel routing measures.

Two vessel traffic fairways are recommended for Alaskan waters. One to provide safe maritime routing to and from Prince William Sound through the outer continental shelf areas of the Northern Gulf of Alaska. The other will be through Unimak Pass which is a major route for vessels rounding the Alaska Peninsula as well as a Great Circle route from western U.S. ports to the Far East.

Prior to the enactment of PWSA, shipping fairways were designated by the Army Corps of Engineers (almost exculsively in the Gulf of Mexico) as areas in which no permits for structures would be issued. The authority for designating fairways was specifically delegated by PWSA (sec. 4(c)(1)) to the Secretary of the Department in which the Coast Guard is operating, after a study has determined the need for a particular routing measure. Fairways can only be established through the rulemaking process with opportunity for public comment.

The shipping safety fairways described below are recommended to be established under authority of the PWSA to control the erection of structures therein, to provide safe approaches to entrances to major Alaskan ports. Structures will not be permitted in areas designated as fairways as they would be considered obstructions to navigation.

Area 30: Includes Prince William Sound. (N.O.S. Reference Charts 16700 and 16013). From the coast to 59° N latitude, from 142° W longitude to 148° W longitude.

Prince William Sound, the approaches thereto, across the Northern Gulf of Alaska, average 5 transits a day by tank vessels. These vessels are up to 268,000 DWT in size and are carrying North Slope crude oil in the Trans-Alaska Pipeline (TAPS) trade between Valdez, and lower U.S. ports and the Virgin Islands.

The Coast Guard Vessel Traffic Service (VTS) in Valdez monitors traffic in the Traffic Separation Scheme (TSS) within Prince William Sound. To provide safe maritime routing, to and from Prince William Sound, through the outer continental shelf areas of the Northern Gulf of Alaska, the following fairways are proposed:

The fairway system proposed for tank vessel traffic consists of three segments. Segment (1) is a two-way traffic fairway extending southeast from Cape Hinchinbrook. Segment (2) is a fairway recommended for inbound traffic approaching the two-way traffic fairway and segment (3) is the fairway recommended for outbound traffic departing the two-way traffic fairway.

Segment (1)—Two-way Traffic: An area encompassed by lines joining points at:

Latitude	Longitude
59° 59.0' N.	145° 27.4' W.
to 60° 15.7' N.	146° 44.4' W.
to 60° 11.4' N.	146° 47.0' W.
to 59° 55.0' N.	145° 42.0' W. to
59° 59.0' N.	145° 27.4' W.

Segment (2)—Recommended for inbound Tank Vessel traffic, a safety fairway, 2 nautical miles wide, centered upon rhumb lines joining points at:

Latitude	Longitude
59° 15.0' N.	144° 03.5' W.
59° 59.3' N.	145° 29.0' W.

Segment (3)—Recommended for outbound Tank Vessel traffic a safety fairway, 2 nautical miles wide, centered upon rhumb lines joining points at:

Latitude	Longitude
59° 56.0' N.	145° 40.0' W.
59° 15.0' N.	144° 25.0' W.

This system of fairways provides ample maneuvering room from Cape Hinchinbrook to the terminus of the two-way traffic area. The "buffer zone" between the Inbound and Outbound fairways is 3.5 nautical miles wide at the northern end and expands to 5.5 nautical miles at the southern terminus. This "buffer" area is not a fairway and will not be subject to a restriction on structures. The traffic directions within the fairway will not be mandatory. Recommended directions may be added to nautical charts of the area. A Traffic Separation Scheme, with its additional restrictions on vessel activity within lanes, does not appear warranted by the volume of traffic at this time.

Area 31: Includes Cook Inlet and the Shelikof Strait. From the coast on the northwest to 56° N latitude on the south and to 150° W longitude on the east.

Consideration was given to establishing fairways in Cook Inlet, Shelikof Strait and the Kennedy Entrance, and the local navigation conditions were discussed with the S.W. Alaskan Pilots. The Coast Guard has decided not to designate fairways in these areas at this time.

Wind, current and ice conditions, during the different seasons of the year, require the use of many varied routes across Cook Inlet.

Exploration, to date, has indicated no significant find. Development in these offshore waters is expected to be minimal. The existing oil wells pose no problem to safe navigation, and to designate meaningful fairways would eliminate the major portion of Cook Inlet from further offshore activity.

Development in this area will be closely monitored and, if necessary at a later date, fairways will be established.

Area 32: Remaining Coast of Alaska (N.O.S. Chart 16520). From the coast seaward to the 1,800 meter curve or the limit of Canadian jurisdiction or Union of Soviet Socialist Republics jurisdiction, from the Canadian/United States border to the Bering Straits, excluding any area to the west of 170° W longitude, excluding the regions lying within areas 30 and 31 above.

Unimak Pass is the major route through the Aleutian Islands chain. Many deep draft vessels presently transit this area while navigating the Great Circle route from the western U.S. ports to the Far East. Future plans for Dutch Harbor will result in a considerable increase in vessel activity through Unimak Pass.

A safety fairway, 4 nautical miles wide, centered upon a rhumb line joining points at:

Latitude	Longitude
54° 06.0' N.	162° 20.0' W.
54° 24.0' N.	165° 43.0' W.

and a safety fairway, 4 nautical miles wide, centered upon a rhumb line joining points at:

Latitude	Longitude
54° 20.0' N.	165° 02.0' W.
54° 43.0' N.	165° 13.0' W.

Should future traffic density dictate, a formal traffic separation scheme could be implemented within the parameters of this fairway.

Alaskan Outer Continental Shelf Areas (General)

The Department of the Interior, Bureau of Land Management, Alaskan Outer Continental Shelf Office, expressed agreement to include in its lease sales information the following paragraph:

"Some of the tracts offered for lease may fall within areas that may later be considered for fairways, precautionary zones, or traffic separation schemes. Bidders are advised that the United States reserves the right to designate necessary fairways through leased tracts pursuant to the Ports and Waterways Safety Act, Section 4(c), 33 U.S.C. 1223(c), and 33 U.S.C. 1224."

This puts all prospective lessees on notice that traffic lanes may later be designated, however, it will only be after consultation with the interested parties, and appropriate notices, as required by law.

Implementation

The above study recommendations will be implemented through the rulemaking process. The proposed shipping safety fairways will be published as a Notice of Proposed Rulemaking to allow an opportunity for public comment. It is expected that this process will be initiated early in 1982.

FOR FURTHER INFORMATION CONTACT:

Mr. Christopher Young, Office of Navigation (G-NSR-3), Room 1418, U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, D.C. 20593, (202) 426-4958 between 7:30 a.m. and 4:30 p.m., Monday through Thursday, except holidays.

Dated: December 1, 1981.

R. A. Bauman,

Rear Admiral, U.S. Coast Guard, Chief Officer of Navigation.

[FR Doc. 81-35738 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-14-M

Federal Aviation Administration

[Docket No. 81-ASW-3AC]

Gulfstream American Corp. Model 690D; Aircraft Certification and Availability of Documents

The formal type certification process for the Model 690D has been completed. Certification was requested by Gulfstream American Corporation, Bethany, Oklahoma, under the provisions of Subpart "J" of Federal Aviation Regulation (FAR) 21. Federal Aviation Administration (FAA) Southwest Region personnel participated in the certification process by attending Type Certification Board Meetings, reviewing technical documents and witnessing tests.

The Director of the Southwest Region has conducted a review of the issues involved in the Model 690D type certification program and the findings of the Delegation Option Authorization (DOA) and FAA certification teams. He has also reviewed and discussed with his staff a document entitled "Decision Basis for Type Certification of the Gulfstream American Model 690D airplane."

Based on this review, the Director approved the amendment of Aircraft Type Certificate 2A4 to include the Model 690D. This amendment was dated April 30, 1981.

A copy of the "Decision Basis for Type Certification of the Gulfstream American Model 690D Airplane" is on file in the FAA Rules Dockets. The bulk of the "Decision Basis" reviews the purpose, structure, conduct, and significant highlights of the certification program wherein Gulfstream American was required to demonstrate compliance with the applicable Federal Aviation Regulations and Special Conditions. It provides a brief overview of type inspection test results and a compliance checklist showing the means of compliance with each paragraph of the certification basis. Other appendices and attachments pertaining to the Model

690D type certification program are also included in the document.

The "Decision Basis" document is available for examination and copying at the FAA Rules Docket, Room 916, 800 Independence Avenue, S.W., Washington, D.C. Copies of the report and appendices may be obtained from the Office of the Director, Southwest Region, P.O. Box 1689, Fort Worth, Texas 76101, at a cost of $3.05 for the "Decision Basis" Report and $30.45 for the appendices.

Issued in Fort Worth, Texas, on December 2, 1981.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 81-35527 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-13-M

Maritime Administration

Revisions to the Voluntary Tanker Agreement and Notice of Meeting

AGENCY: Maritime Administration, DOT.

ACTION: Notice of revisions to Voluntary Tanker Agreement text and public meeting for consultation.

SUMMARY: The Maritime Administrator announces the availability of a draft revision to the Voluntary Tanker Agreement as authorized under section 708 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2158). A public meeting has been scheduled in Washington, D.C. for consultation and discussion of the revisions to the Voluntary Tanker Agreement. Copies of the draft text of the Agreement to be discussed are available. The meeting will be convened at 10:00 a.m., Wednesday, January 20, 1982, in the Auditorium, U.S. Department of Commerce, Washington, D.C.

SUPPLEMENTARY INFORMATION: The Maritime Administration, since 1952, has administered a program whereby tanker owners and charterers have signed standby agreements to make available tankers and tanker space when needed for the national defense.

The 1978 amendments to the Defense Production Act of 1950 imposed new procedures which must be followed by agencies developing standby agreements for industrial mobilization in times of national emergency.

The 1978 amendments necessitated adoption of regulations prescribing new procedures for standby voluntary agreements. (See 44 CFR Part 332, 46 FR 2349, January 9, 1981, and 49 CFR Subtitle A, 46 FR 2339, January 9, 1981). The authority of the Federal Emergency Management Agency was enhanced, and the Attorney General and the Chairman, Federal Trade Commission were given roles which assured that no undue intrusion into the antitrust area occurred. The Maritime Administration proceeded to revise the text of the standby Voluntary Tanker Agreement which would be substituted for the original agreements in force, and which would be offered to new applicants for participation in the program.

In accordance with the requirements of Section 708 of the Defense Production Act of 1950, as amended, 50 U.S.C. App. 2158, the public is hereby advised that at 10:00 a.m., Wednesday, January 20, 1982, a public meeting will be convened in the Auditorium of the U.S. Department of Commerce, Washington, D.C. The meeting will be public and no portion of it will be closed; stenographic or electronic reproduction of the proceedings will be taken; a transcription of the meeting will be produced and made available subsequent to the meeting; and, representatives of the Federal Emergency Management Agency, the Attorney General, and the Chairman, Federal Trade Commission will attend.

The primary purpose of this meeting is to explain the changes in the law, to examine revisions to the text of the Voluntary Tanker Agreement, to explain the manner in which the Maritime Administration intends to operate the standby voluntary agreement program in the future, and to consult with the interested public. Any interested person may submit written data and views concerning the proposed changes to Mr. Frank B. Case (see address below) before the meeting, and oral comments also may be presented at the meeting.

The agenda of the meeting is as follows:

1. Comments on the recent amendment to the Defense Production Act.
2. Regulations governing standby voluntary agreements: FEMA and Maritime Administration.
3. Statement of Maritime Administration policy regarding standby Voluntary Tanker Agreements.
4. Presentation of and comments regarding the tentative draft text.
5. Open discussion of any aspects of the foregoing items.

Based upon the discussion in the meeting, the Maritime Administration plans to take prompt action to adopt revisions to the standard Voluntary Tanker Agreement and to offer it to all U.S.-owned companies which own, operate, or charter tankers.

The draft text of the Voluntary Tanker Agreement is available to the public upon request. For a copy, contact Frank B. Case, Chief, Division of National Security Plans, Office of Policy and Plans, Room 1098B, Maritime Administration, 14th and Pennsylvania Avenue, N.W., Washington, D.C. 20230, (202) 377-1900. In addition, copies are being sent to U.S. companies which own, operate, or charter tankers. By order of the Maritime Administrator.

Dated: December 8, 1981.

Robert J. Patton, Jr.,

Secretary.

[FR Doc. 81-35528 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-81-M

Notice of Request for Removal, Without Disapproval, From Roster of Approved Trustees

Notice is hereby given, pursuant to Pub. L. 89346 and 46 CFR 221.21—221.30, that Crocker National Bank, with offices at 111 Sutter Street, San Francisco, California, has requested removal, without disapproval, from the Roster of Approved Trustees. In its request for removal, Crocker National Bank certified that it is no longer acting or proposing to act as Trustee under a Vessel or Shipyard Financing Trust pursuant to Pub. L. 89-346 and 46 CFR 221.21—221.30.

Dated: December 3, 1981.

By Order of the Maritime Administrator.

Robert J. Patton, Jr.,

Secretary.

[FR Doc. 81-35501 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-81-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

INTERSTATE COMMERCE COMMISSION

[FHWA Docket No. 80-26; Notice 3]

Interstate Motor Carrier Study: Extension of Comment Period

December 10, 1981.

AGENCIES: Federal Highway Administration (FHWA), DOT; Interstate Commerce Commission (ICC).

ACTION: Extension of comment period.

SUMMARY: This document extends the period for comments on the working paper entitled "Options for Uniform State Regulations, Working Paper I" as well as other aspects of the Interstate Motor Carrier Study being conducted by the Department of Transportation and the Interstate Commerce Commission in accordance with section 19 of the Motor Carrier Act of 1980. By notice published November 16, 1981 (46 FR 56294), comments were to be submitted by December 15, 1981. The comment period is being extended until December 28,

1981, in order to provide interested parties additional time to respond to matters presented in working paper I as well as other working papers covering topics including economic regulation, fuel taxes and vehicle registration drafted during the interstate motor carrier study.

DATE: Comments will be received until December 28, 1981.

ADDRESS: Submit written coments, preferably in triplicate, to FHWA Docket No. 80–26, Notice 3, Room 4205, HCC–10, Federal Highway Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590. All comments and the working papers will be available for examination at the above address between 7:45 a.m. and 4:15 p.m. ET, Monday through Friday. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard.

FOR FURTHER INFORMATION CONTACT: FHWA: Mr. James R. Link, Chief, Operations Analysis Branch, 202/426–0570; or Mrs. Kathleen S. Markman, Trial Attorney, Office of the Chief Counsel, 202/426–0346, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are Monday through Friday 7:45 a.m. to 4:15 p.m., ET. ICC: Mr. Roy Wilkins, Transportation Specialist Motor Carrier Policy, 202/275–6860, Interstate Commerce Commission, 12th and Constitution Avenue, NW., Washington, D.C. 20423. Office hours are Monday through Friday, 9:00 a.m. to 5:30 p.m., ET.

Issued on December 10, 1981.

Martin D. Zell,

Department Director, State/Community Affairs, Interstate Commerce Commission.

R. A. Barnhart,

Federal Highway Administrator, Federal Highway Administration.

[FR Doc. 81-35817 Filed 12-11-81; 8:45 am]

BILLING CODE 4910-22-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 239
Monday, December 14, 1981

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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1

CIVIL AERONAUTICS BOARD

[M-339, Amdt. 4]

Addition and Closure of Item to the December 9, 1981 Meeting

TIME AND DATE: 10 a.m., December 9, 1981 (after open meeting).

PLACE: Room 1027 (open), room 1012 (closed), 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

SUBJECT: 27. Dockets 39896, 39911, 40038, 40111, and 40159; Applications of Aeronaves del Peru, Air France, Japan Air Lines, LAN Chile, and Aer Lingus, respectively, for exemptions to operate intermodal cargo services. (Memo 964, BIA, OGC)

STATUS:

1-13 (Open)
14-27 (Closed)

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary (202) 673-5068.

[S-1867-81 Filed 12-10-81; 4:00 pm]

BILLING CODE 6320-01-M

2

CIVIL AERONAUTICS BOARD

[M-339, Amdt. 3]

Deletion of Item From the December 9, 1981 Meeting

TIME AND DATE: 10 a.m., December 9, 1981.

PLACE: Room 1027 (open), room 1012 (closed), 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

SUBJECT: 21. Docket 39650—Application of Fast Air Carrier LTDA. For amendment of its foreign air carrier permit to engage in scheduled foreign air transportation between Chile, via intermediate points, and Miami/New York. (BIA, OGC, BALJ)

STATUS:

1-13 (Open)
14-26 (Closed)

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary (202) 673-5068.

[S-1865-81 Filed 12-10-81; 4:00 pm]

BILLING CODE 6320-01-M

3

CIVIL AERONAUTICS BOARD

[M-339 Amdt. 5]

Deletions, Addition and Closure of Items to the December 9, 1981 Board Meeting

TIME AND DATE: 10 a.m., December 9, 1981.

PLACE: Room 1027 (open), room 1012 (closed), 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

SUBJECT:

Deletion: 7. Docket EAS-352; Review of Essential Air Service Determination for Merced, California. (Memo 133-B, BDA, OGC, OCCR)
Deletion: 11. Dockets 30699, 30790, 34579, 36004, 36962 and 34485: *Oakland Service Case, U.S.-Benelux Low-Fare Proceeding Application of Aeroamerica, Inc., for 408 and 409 Approval, Applications of Aeroamerica, Inc. for Certificate Authority, Application of Aeroamerica, Inc. for an Exemption* (Memo 143-A, OGC)
Deletion: 20. Docket 39692, United States-Chile Show Cause Proceeding. (Memo 481-C, BIA, OGC, BALJ)
Addition: 28. Board comment on the House Sunset Bill, new issues of significant concern. (OGC).

STATUS:

1-13 (Open)
14-28 (Closed)

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary, (202) 673-5068.

[S-1866-81 Filed 12-10-81; 4:00 pm]

BILLING CODE 6320-01-M

4

FEDERAL HOME LOAN BANK BOARD

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: To be announced.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., Thursday, December 17, 1981.

PLACE: 1700 G Street, NW., board room, sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6679).

CHANGES IN THE MEETING: The following items have been added to the open portion of the bank board meeting.

Negotiable Certificates of Deposits
Payment of Litigation Expenses of FHLB Officers, Directors and Employees
Savings Accounts Activity Charges and Small Accounts

[No. 574, December 10, 1981]

[S-1864-81 Filed 12-10-81; 2:58 pm]

BILLING CODE 6720-01-M

5

FEDERAL HOME LOAN BANK BOARD

TIME AND DATE: 10 a.m., Thursday, December 17, 1981.

PLACE: 1700 G Street, NW., board room, Sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6679).

MATTERS TO BE CONSIDERED:

Merger; Maintenance of Branch Office; Cancellation of Membership and Insurance; and Transfer of Stock—Calhoun Federal Savings and Loan Association, Calhoun, Georgia *into* First Federal Savings and Loan Association, Savannah, Georgia
Branch Office Application—Firstsouth Federal Savings and Loan Association, Pine Bluff, Arkansas
Change of Name—First Federal Savings and Loan Association of Alexandria, Alexandria, Virginia
Recommendation for Designation of—David S. Goodson, Jr. as Supervisory Agent—Federal Home Loan Bank of Atlanta
Recommendation for Designation of—John E. Morris as Supervisory Agent—Federal Home Loan Bank of Seattle
Service Corporation Activity—Diamond Savings and Loan Association Company, Findlay, Ohio
Branch Office Application—First Federal Savings and Loan Association of Austin, Austin, Texas
Insurance of Accounts—Skyline Savings Association, Dallas, Texas
Bank Membership and Insurance of Accounts—Tracy Savings and Loan Association, Tracy, California
Merger; Maintenance of Branch Offices; Cancellation of Membership and Insurance; and Transfer of Stock—Franklin Federal Savings and Loan Association, Russellville,

Alabama *into* Phenix Federal Savings and Loan Association, Phenix City, Alabama
Designation of—Penny D. Marshall As Supervisory Agent—Federal Home Loan Bank of Seattle
Branch Office Application—Yoakum Federal Savings and Loan Association, Yoakum, Texas

[No. 573, December 10, 1981]

[S-1861-81 Filed 12-10-81; 8:45 am]

BILLING CODE 6720-01-M

6

FEDERAL RESERVE SYSTEM

Board of Governors

TIME AND DATE: 10:45 a.m., Wednesday, December 9, 1981. The business of the Board required that this meeting be held with less than one week's advance notice to the public, and no earlier announcement of the meeting was practicable.

PLACE: 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Federal Reserve Bank and Branch director appointments. (This matter was originally announced for a meeting on Monday, December 7, 1981.)

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204.

Dated: December 9, 1981.

James McAfee

Assistant Secretary of the Board.

[S-1880-81 Filed 12-9-81; 4:05 p.m.]

BILLING CODE 6210-01-M

7

NATIONAL CREDIT UNION ADMINISTRATION

TIME AND DATE: 9:30 a.m., Thursday, December 17, 1981.

PLACE: Seventh floor board room, 1776 G Street N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Review of Central Liquidity Facility lending rate.
2. Proposed delegation of authority regarding charter cancellation.
3. Proposed amendment and Final Rule to Part 711 of the NCUA Rules and Regulations regarding management official interlocks.
4. Proposed amendment to Part 720 of the NCUA Rules and Regulations regarding description of office, disclosure of official records, availability of information and promulgation of regulations.
5. Proposed new phase out schedule for share certificate dividend ceilings.
6. Proposed amendment to the exception to the early withdrawal penalty IRA/Keogh accounts.
7. Reconsideratioan of proposed rule to establish a money market share account.
8. Semi-annual reporting of financial and statistical data.
9. Applications for charters, amendments to charters, bylaw amendments, mergers that may be pending at that time.

RECESS: 10:45 a.m.

* * * * *

TIME AND DATE: 11 a.m., Thursday, December 17, 1981.

PLACE: Seventh floor board room, 1776 G Street N.W., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Administrative adjudication. Closed pursuant to exemptions (8), (9)(A)(ii) and (10).
2. Proposed charter amendment. Closed pursuant to exemptions (8) and (9)(A)(ii).
3. Requests from federally insured credit unions for special assistance under Section 208 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).
4. Requests for merger with special assistance under Section 208 of the Federal Credit Union Act. Closed pursuant to exemptions (8) and (9)(A)(ii).
5. Budget authorization for FY 1982. Closed pursuant to exemptions (2) and (9)(B).

FOR MORE INFORMATION CONTACT: Rosemary Brady, Secretary of the Board, telephone (202) 357–1100.

[S-1862-81 Filed 12-10-81; 1:26 pm]

BILLING CODE 7535-01-M

8

TENNESSEE VALLEY AUTHORITY

[Meeting No. 1280]

TIME AND DATE: 10:15 a.m. (e.s.t.), Thursday, December 17, 1981.

PLACE: Conference Room B–32, West Tower, 400 Commerce Avenue, Knoxville, Tennessee.

STATUS: Open.

ACTION ITEMS:

A—*Project Authorization:*
1. Project Authorization No. 3464.2—Amendment to project authorization for falling curtain process for granulation of urea and other fertilizers.
2. Project Authorization No. 3471.1—Amendment to project authorization to modify boiler startup systems at Paradise Steam Plant, units 1 and 2. (Related to Item B–1.)

B—*Purchase Awards:*
1. Reg. No. 23–192908—Control bypass system for Paradise Fossil Plant, units 1 and 2.
2. Sales Invitation No. 43–4533—Sale by TVA of excess time on the nuclear and fossil simulator located at the Power Operations Training Center near Sequoyah Nuclear Plant.

C—*Power Items:*
1. Cogeneration agreement among Resource Authority in Sumner County, Tennessee, city of Gallatin, Tennessee and TVA, covering the purchase by TVA of up to 550 kW of cognerated power.
2. Agreement covering distributor participation in residential room-unit thermal-storage field test.
3. New power contract for Airco, Inc., Calvert City, Kentucky, plant.
4. Renewal of power contract with Lebanon, Tennessee.

D—*Personnel Items:*
1. Supplement to personal services contract with Institute for Resource Management, Inc., Annapolis, Maryland, for the services of health physics technicians at TVA nuclear plants, requested by the Division of Occupational Health and Safety, Office of Management Services.
2. Supplement to personal services contract with Torrey Pines Technology, San Diego, California, for professional engineering support services required to complete the qualification evaluation of the nuclear steam supply systems for Watts Bar and Bellefonte nuclear plants, requested by the Office of Engineering Design and Construction.
3. New wage schedules for hourly and annual trades and labor employees and other recommendations resulting from negotiations between TVA and Tennessee Valley Trades and Labor Council, 47th Annual Wage Conference.

E—*Real Property Transactions:*
1. Proposed agreement with Clinton Port Authority covering arrangements for future sale for industrial purposes of approximately 77 acres of Melton Hill Reservoir land in Anderson County, Tennessee, located adjacent to the Eagle Bend Industrial Park—Tract No. XMHR–45.
2. Grant of permanent easement for road rights of way to State of Mississippi within the Yellow Creek Port Project Area, affecting approximately 10 acres of Pickwick Reservoir land in Tishomingo County, Mississippi—Tract No. KTYECR–1H.
3. Abandonment of certain easement rights affecting approximately 5.1 acres of Watts Bar Reservoir land owned by the city of Loudon, Tennessee—Tract No. WBR–1638F.
4. Filing of condemnation suit.

CONTRACT PERSON FOR MORE INFORMATION: Craven H. Crowell, Jr., Director of Information, or a member of his staff can respond to request for information about this meeting. Call (615) 632–3247, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 245–0101.

Dated: December 10, 1981.

[S-1883-81 Filed 12-10-81; 2:52 am]

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federal register

Monday,
December 14, 1981

Part II

Department of Education

Training Program for Special Programs Staff and Leadership Personnel, Talent Search Program, Educational Opportunity Centers Program, Upward Bound Program, and Special Services for Disadvantaged Students Program; Past Performance of Applicants

DEPARTMENT OF EDUCATION

34 CFR Parts 642, 643, 644, 645, 646

Training Program for Special Programs Staff and Leadership Personnel, Talent Search Program, Educational Opportunity Centers Program, Upward Bound Program, and Special Services for Disadvantaged Students Program; Past Performance of Applicants

AGENCY: Department of Education.

ACTION: Proposed rulemaking.

SUMMARY: The Secretary proposes regulations for the evaluation of past performance of applicants applying for new awards under the Special Programs for Students from Disadvantaged Backgrounds (Upward Bound, Talent Search, Special Services for Disadvantaged Students, Educational Opportunity Centers, and Training) if the applicant previously received a grant under the same program for which it is currently applying. The regulations are necessary to implement a provision added to the Special Programs legislation by the Education Amendments of 1980.

DATE: Comments must be received on or before January 28, 1982. No public meeting will be held on these proposed regulations.

ADDRESS: Comments should be addressed to Mary Kathleen Smith (Room 3514, ROB-3), Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-3314.

FOR FURTHER INFORMATION CONTACT: Mary Kathleen Smith, Telephone (202) 245-2511.

SUPPLEMENTARY INFORMATION: The Education Amendments of 1980 changed the Special Programs for Students from Disadvantaged Backgrounds in many respects. Proposed regulations that reflected most of these changes were published as notices of proposed rulemaking in the **Federal Register** on December 31, 1980 (Upward Bound—45 FR 86914-86920; Talent Search—45 FR 86909-86912; Special Services—45 FR 86900-86905; Educational Opportunity Centers—45 FR 86894-86898; and Training Program—45 FR 86922-86926).

One of the changes requires the Secretary to consider the past performance of an applicant for a grant under the Special Programs if the applicant is applying for a new grant under the same program. For example, if an applicant for a new Upward Bound grant has previously been awarded a grant to carry out an Upward Bound project, the Secretary must take into account, when evaluating the applicant for a new grant, the applicant's performance under the grant.

The Senate in passing the provision requiring the Secretary to consider past performance urged that this criterion be at least 30 percent of the points given in evaluating applications.

In the proposed regulations published in December, the Secretary decided to carry out this requirement by establishing performance standards and measuring an applicant who previously had a grant against those standards. However proposed standards were not developed at that time and the public was invited to suggest performance standards.

Numerous comments were received in response to this request and these comments and suggestions were considered in developing these proposed regulations.

As a result of the comments received, the Secretary has decided not to adopt performance standards in the regulations for each of the Special Programs but, instead, to use weighted criteria only. Thus the sections titled "*Performance standards*" in the proposed regulations will be deleted from the final regulations for each of the Special Programs. The sections titled "*Past performance*" in this notice are proposed as selection criteria to evaluate the experience of applicants in service delivery under the particular program for which they are applying.

The proposed regulations published on December 31, 1980 also included, in the section titled "*How the Secretary evaluates an application,*" a sentence stating that the Secretary may award up to 30 additional points for prior experience. That sentence will be deleted from the final regulations for each of the Special Programs. This notice proposes to permit the Secretary to award up to 20 additional points for positive past performance and to deduct up to 10 points for poor past performance. This approach permits the Secretary to evaluate experience on a 30-point scale. However, by permitting the Secretary to deduct points from those applicants with poor performance, the application of the experience criterion should be more equitable for all applicants.

Summary of Comments and Responses

The following is a summary of the substantive comments received on the subject of experience and performance standards and the Secretary's responses to those comments.

Comment. Several commenters expressed concern that to judge a project on unpublished performance standards would be an *ex post facto* judgment. The commenters recommended that the Secretary automatically award 30 points for experience to all currently funded projects.

Another commenter urged that performance standards not be applied during the year they are developed since projects should be given a fair opportunity to adapt to the criteria.

Response. A change has been made. The Secretary has decided not to publish performance standards. Instead, criteria for evaluating experience are proposed in these regulations. Since these criteria relate to the legislated goals of the programs, to project management, and to the previous grant award, they can be applied the year they are effective. These regulations do not propose to evaluate applicants with experience on factors that are new; all requirements are provisions that funded projects are required to meet as conditions of their grant awards. In addition, for the Secretary to award 30 points for experience automatically to all currently funded projects regardless of how they administered the projects would not be an appropriate evaluation practice.

Comment. One commenter stated that more important than experience of a given institution or agency is the need for the directors and staff of the program to have real experience. The commenter recommended that the regulations be liberalized to read: "The director and a significant number of his/her staff must have had direct experience in a Special Programs project."

Response. No change has been made. Although the Secretary agrees that experienced directors and staff can be an asset to a project, the legislation requires the Secretary to consider the experience of service delivery of each *applicant.* However, the qualifications of the director and staff are evaluated in each program under the selection criterion concerning quality of key personnel.

Comment. One commenter recommended that experience be based on an immediately contiguous program period. This would make the institution and concerned staff responsible for their actions without penalizing them unnecessarily for an unsuccessful program at a much earlier date.

Response. No change has been made. While the experience does not necessarily have to be contiguous, these regulations propose that the period of time be limited—as in the proposed regulations published on December 31, 1980—to the three fiscal years prior to the fiscal year for which the applicant is

applying. In this way, poor performance in the conduct of a project will not penalize an applicant indefinitely. Also, this approach will not preclude those applicants that might not have been funded the previous year from receiving consideration for good past performance.

Comment. One commenter suggested that 40 points rather than 30 points would bring a better balance to the general score.

Other commenters expressed concern over the fact that, while consideration of experience was valid, awarding up to 30 extra points was excessive and would tend to limit competition. These commenters stated that those projects previously funded would have an unfair advantage since they could receive up to 30 additional points. These commenters suggested that the number of points be reduced.

One commenter suggested that poor past performance should receive a negative rating in order for the criterion for experience to be applied equitably.

Response. A change has been made. In deciding on the weight to give this criterion, the Secretary was guided by the Senate report accompanying the Education Amendments of 1980 (Senate Report 96–733). This report urged the Secretary to provide at least a 30 percent weighting for experience. These proposed regulations permit the Secretary to deduct points, on the basis of the criteria proposed in these regulations, for poor performance. Therefore, the Secretary has proposed to change the maximum number of points that may be added, from 30 to 20 points and the number of points that may be deducted to 10 points. This permits a 30-point range.

Comment. Several commenters urged that past performance not be limited to experience in Special Programs projects. They noted that other programs offer services and activities similar to the Special Programs but are funded through other sources.

Response. No change has been made. Although the Secretary agrees that experience can be gained through conducting projects similar to the Special Programs, the legislation specifically limits experience to previous Special Programs project experience.

Section 417A(b)(2) of the Higher Education Act of 1965, as amended by the Education Amendment of 1980, reads: "* * * the Secretary shall consider the prior experience of service delivery under the particular program for which funds are sought by each applicant."

Furthermore, the Department of Education may have no way to verify the quality of experience gained in conducting projects not funded under these programs.

Comment. Several commenters recommended that successful programs automatically be awarded the extra 30 points for experience and then have points deducted from these extra 30 points, as appropriate. They stated that this would be fairer than the add-on approach.

Response. A change has been made. In developing these proposed regulations consideration was given to both alternatives. To avoid confusion regarding the awarding of points, the Secretary has spelled out the basis for the assignment of points with the newly proposed range of −10 points to +20 points. Paragraph (b) of the past performance section of each of the regulations details under what circumstances scores are assigned.

Comment. Several commenters suggested that site visit reports should not be considered in a review of experience because not all projects have been visited. Another commenter expressed concern over using site visit reports as a means of evaluation for awarding the additional points. The commenter stated that site visits are the best learning tools available to projects and should not be used as a way to penalize projects.

Response. No change has been made. The Secretary views the site visit as an important method for monitoring funded projects. It is not the only means the Secretary proposes to use, however. The intent of these regulations is to suggest that all documentation with respect to the performance of grantees will be made available to those evaluating applications.

Comment. Several commenters suggested that the Secretary consider the experience of the applicant based on the degree of success of the applicant in meeting previously approved project objectives. They suggested that the section titled "Performance standards" be deleted from the regulations.

Response. A change has been made. The Secretary has deleted from each of the program regulations the section originally proposed to include performance standards. In addition, the section titled "Prior experience" has been retitled "Past performance" and has been revised to include as an evaluation criterion the degree of success that the applicant has had in meeting previously approved project objectives.

Comment. Several commenters expressed concern over the development and use of performance standards. They commented that standards can stifle creativity and innovative approaches. In addition, due to the vast differences in geographic areas and populations that the Special Programs serve, they noted it would be impossible to develop uniform performance standards that would be fair and valid for all projects.

Other commenters noted that the application of any performance standards could dramatically refocus most project activities toward the particular standards since there would be such a direct tie to funding. Also, the commenters feared that national performance standards would initiate a competitive race among projects for the "numbers game" at the expense of quality services.

Other commenters questioned the authority for the Department to set performance standards since neither the law nor the House and Senate reports indicated that the legislative intent was to impose performance standards. These commenters suggested that the past performance of projects should be judged on the degree of accomplishment of previously approved applications.

Response. A change has been made. The Secretary has decided not to publish performance standards. The section on past performance has been revised to include several evaluation criteria that measure the degree of an applicant's accomplishment of its previously approved application.

Comment. Several commenters suggested that the experience section should be more specific and should include a checklist of things that would be measured. In addition, the commenters requested that the assessment procedure also be outlined and that it include a site visit report, an evaluation system of the reports sent in by the projects and the effectiveness of the project as documented via letters from target schools, placement of seniors in colleges, and related factors.

Response. A change has been made. The proposed new sections list factors the Secretary looks for in evaluating past performance. In addition, the Secretary believes that an applicant should have some flexibility using its internal evaluation system. It is not the intention of the Secretary to regulate on the precise means by which all applicants must measure the achievement of their project objectives.

Invitation to Comment

Interested persons are invited to submit comments and recommendations regarding these proposed regulations.

Written comments and recommendations may be sent to the address given at the beginning of this preamble. All comments received on or before the 45th day after publication of this document will be considered in the development of the final regulations.

All comments submitted in response to these proposed regulations will be available for public inspection, during and after the comment period, in Room 3514, ROB–3, 7th and D Streets, SW., Washington, D.C., between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday of each week except Federal holidays.

Assessment of Educational Impact

The Department particularly requests comments on whether the proposed regulations in this document would require transmission of information that is already being gathered by or is available from any other agency or authority of the United States.

Citation of Legal Authority

A citation of statutory or other legal authority is placed in parentheses on the line following each substantive provision of these regulations.

Regulatory Flexibility Act Certification

The Secretary certifies that these regulations will not have a significant economic impact on a substantial number of small entities. The regulations govern the evaluation of past performance and are necessary to implement the Education Amendments of 1980.

Dated: December 9, 1981.

(Catalog of Federal Domestic Assistance Numbers: 84.103, Training Program for Special Programs Staff and Leadership Personnel; 84.044, Talent Search Program; 84.066, Educational Opportunity Centers Program; 84.047, Upward Bound Program; 84.042, Special Services for Disadvantaged Students Program)

T. H. Bell,

Secretary of Education.

PART 642—TRAINING PROGRAM FOR SPECIAL PROGRAMS STAFF AND LEADERSHIP PERSONNEL

The Secretary proposes to revise § 642.32 of the proposed regulations for the Training Program for Special Programs Staff and Leadership Personnel, 34 CFR Part 642, which were published in the **Federal Register** on December 31, 1980 (45 FR 86922, 86925), to read as follows:

§ 642.32 Past performance.

(a) For each applicant that has conducted a Training Program project under Title IV–A–4 of the Higher Education Act within the three fiscal years prior to the fiscal year for which the applicant is applying, the Secretary evaluates the performance of the applicant in carrying out the grant using the criteria in paragraph (c) of this section.

(b) The Secretary assigns points for past performance as follows:

(1) The Secretary gives no points or deducts from 1 to 10 points from the point score obtained in the basis of the selection criteria in § 642.31, based on the extent to which the applicant has failed to meet the administrative requirements and the programmatic objectives of paragraph (c) of this section.

(2) The Secretary adds from 1 to 10 points to the point score obtained on the basis of the selection criteria in § 642.31, based on the extent to which the applicant has met all of the administrative requirements and has met all of the programmatic objectives of paragraph (c) of this section.

(3) The Secretary adds from 11 to 20 points to the point score obtained on the basis of the selection criteria in § 642.31, based on the extent to which the applicant has met all of the administrative requirements and has met all and exceeded some of the programmatic objectives of paragraph (c) of this section.

(c) The Secretary—based on information contained in one or more of the following: performance reports, audit reports, training site visit reports, evaluations by participants, the previously funded application, and the application under consideration—looks for information that shows—

(1) The extent to which the project has served the number and kinds of training participants it was funded to serve;

(2) The extent to which participants benefited from training in areas such as—

(i) Increased qualifications and skills in meeting the needs of disadvantaged students; and

(ii) Increased knowledge and understanding of the Special Programs;

(3) The extent to which the applicant has achieved other goals and objectives as stated in the previously funded application; and

(4) The extent to which the applicant has met all administrative requirements—including recordkeeping, reporting, and financial accountability—under the terms of the previously funded award.

(20 U.S.C. 1070d, 1070d–1d; Senate Report 96–733, 96 Cong. 1st Sess. p.28)

PART 643—TALENT SEARCH PROGRAM

The Secretary proposes to revise § 643.32 of the proposed regulations for the Talent Search Program, 34 CFR Part 643, which were published in the **Federal Register** on December 31, 1980 (45 FR 86908, 86912), to read as follows:

§ 643.32 Past Performance.

(a) For each applicant that has conducted a Talent Search project within the three fiscal years prior to the fiscal year for which the applicant is applying, the Secretary evaluates the performance of the applicant in carrying out the grant using the criteria in paragraph (c) of this section.

(b) The Secretary assigns points for past performance as follows:

(1) The Secretary gives no points or deducts from 1 to 10 points from the point score obtained on the basis of the selection criteria in § 643.31, based on the extent to which the applicant has failed to meet the administrative requirements and the programmatic objectives of paragraph (c) of this section.

(2) The Secretary adds from 1 to 10 points to the point score obtained on the basis of the selection criteria in § 643.31, based on the extent to which the applicant has met all of the administrative requirements and has met all of the programmatic objectives of paragraph (c) of this section.

(3) The Secretary adds from 11 to 20 points to the point score obtained on the basis of the selection criteria in § 643.31, based on the extent to which the applicant has met all of the administrative requirements and has met all and exceeded some of the programmatic objectives of paragraph (c) of this section.

(c) The Secretary—based on information contained in one or more of the following: Performance reports, audit reports, site visit reports, the previously funded application, and the application under consideration—looks for information that shows—

(1) The extent to which the project has served the number of participants it was funded to serve;

(2) The extent to which the high school graduation rate of the project participants is higher than the graduation rates in the target schools before the Talent Search project began;

(3) The extent to which postsecondary placement of project participants is higher than the placement rates of the target schools before the Talent Search project began;

(4) The extent to which the applicant has achieved other goals and objectives as stated in the previously funded application; and

(5) The extent to which the applicant has met all administrative requirements—including recordkeeping, reporting, and financial accountability—under the terms of the previously funded award.

(20 U.S.C. 1070d, 1070d–1; Senate Report 96–733, 96 Cong. 1st Sess. p. 28)

PART 644—EDUCATIONAL OPPORTUNITY CENTERS

The Secretary proposes to revise § 644.32 of the proposed regulations for the Educational Opportunity Centers Program, 34 CFR Part 644, which were published in the **Federal Register** on December 31, 1980 (45 FR 86894, 86898), to read as follows:

§ 644.32 Past performance.

(a) For each applicant that has conducted an Educational Opportunity Centers project within the three fiscal years prior to the fiscal year for which the applicant is applying, the Secretary evaluates the performance of the applicant in carrying out the grant using the criteria in paragraph (c) of this section.

(b) The Secretary assigns points for past performance as follows:

(1) The Secretary gives no points or deducts from 1 to 10 points from the point score obtained on the basis of the selection criteria in § 644.31, based on the extent to which the applicant has failed to meet the administrative requirements and the programmatic objectives of paragraph (c) of this section.

(2) The Secretary adds from 1 to 10 points to the point score obtained on the basis of the selection criteria in § 644.31, based on the extent to which the applicant has met all of the administrative requirements and has met all of the programmatic objectives of paragraph (c) of this section.

(3) The Secretary adds from 11 to 20 points to the point score obtained on the basis of the selection criteria in § 644.31, based on the extent to which the applicant has met all of the administrative requirements and has met all and exceeded some of the programmatic objectives of paragraph (c) of this section.

(c) The Secretary, based on information contained in one or more of the following: performance reports, audit reports, site visit reports, the previously funded application, and the application under consideration—looks for information that shows—

(1) The extent to which the project has served the number of participants it was funded to serve;

(2) The extent to which the center has disseminated, in accordance with its approved program plan, information concerning financial and academic assistance available for individuals desiring to pursue a program of postsecondary education;

(3) The extent to which the center has specifically assisted participants in applying for admission to postsecondary educational programs, including assisting participants in preparing necessary applications for use by admissions and financial aid officers;

(4) The extent to which the applicant has achieved other goals and objectives as stated in the previously funded application; and

(5) The extent to which the applicant has met all administrative requirements—including recordkeeping, reporting, matching funds, and financial accountability—under the terms of the previously funded award.

(20 U.S.C. 1070, 1070d–1c; Senate Report 96–733, 96 Cong. 1st Sess. p. 28)

PART 645—UPWARD BOUND PROGRAM

The Secretary proposes to revise § 645.32 of the proposed regulations for the Upward Bound Program, 34 CFR Part 645, which were published in the **Federal Register** on December 31, 1980 (45 FR 86914, 86919), to read as follows:

§ 645.32 Past performance.

(a) For each applicant that has conducted an Upward Bound project within the three fiscal years prior to the fiscal year for which the applicant is applying, the Secretary evaluates the performance of the applicant in carrying out the grant using the criteria in paragraph (c) of this section.

(b) The Secretary assigns points for past performance as follows:

(1) The Secretary gives no points or deducts from 1 to 10 points from the point score obtained on the basis of the selection criteria in § 645.31, based on the extent to which the applicant has failed to meet the administrative requirements and the programmatic objectives of paragraph (c) of this section.

(2) The Secretary adds from 1 to 10 points to the point score obtained on the basis of the selection criteria in § 645.31, based on the extent to which the applicant has met all of the administrative requirements and has met all of the programmatic objectives of paragraph (c) of this section.

(3) The Secretary adds from 11 to 20 points to the point score obtained on the basis of the selection criteria in § 645.31, based on the extent to which the applicant has met all of the administrative requirements and has met all and exceeded some of the programmatic objectives of paragraph (c) of this section.

(c) The Secretary—based on information contained in one or more of the following: performance reports, audit reports, site visit reports, the previously funded application, and the application under consideration—looks for information that shows—

(1) The extent to which the project has served the number of participants it was funded to serve;

(2)(i) In the case of a regular Upward Bound project, the extent to which the high school graduation rate of the participants is greater than the high school graduation rates of the target schools; or

(ii) In the case of a Veterans Upward Bound project, the extent to which the project has provided services—including intensive basic skills development, short-term remedial-refresher courses, and preparation for a certificate of high school equivalency—to prepare participants for admission to postsecondary educational programs;

(3)(i) In the case of a regular Upward Bound project, the extent to which the postsecondary enrollment rate of project participants is greater than the postsecondary enrollment rates of the target schools; or

(ii) In the case of a Veterans Upward Bound project, the extent to which the project has assisted participants enroll in a postsecondary educational program;

(4) The extent to which the applicant has achieved other goals and objectives as stated in the previously funded application; and

(5) The extent to which the applicant has met all administrative requirements—including recordkeeping, reporting, and financial accountability—under the terms of the previously funded award.

(20 U.S.C. 1070d, 1070d–1a; Senate Report 96–733, 96 Cong. 1st Sess. p. 28)

PART 646—SPECIAL SERVICES FOR DISADVANTAGED STUDENTS PROGRAM

The Secretary proposes to revise § 646.32 of the proposed regulations for the Special Services Program, 34 CFR Part 646, which were published in the **Federal Register** on December 31, 1980 (45 FR 86900, 86904), to read as follows:

§ 646.32 Past performance.

(a) For each applicant that has conducted a Special Services project within the three fiscal years prior to the fiscal year for which the applicant is applying, the Secretary evaluates the performance of the applicant in carrying out the grant using the criteria in paragraph (c) of this section.

(b) The Secretary assigns points for past performance as follows:

(1) The Secretary gives no points or deducts from 1 to 10 points from the point score obtained on the basis of the selection criteria in § 646.31, based on the extent to which the applicant has failed to meet the administrative requirements and the programmatic objectives of paragraph (c) of this section.

(2) The Secretary adds from 1 to 10 points to the point score obtained on the basis of the selection criteria in § 646.31, based on the extent to which the applicant has met all of the administrative requirements and has met all of the programmatic objectives of paragraph (c) of this section.

(3) The Secretary adds from 11 to 20 points to the point score obtained on the basis of the selection criteria in § 646.31, based on the extent to which the applicant has met all of the administrative requirements and has met all and exceeded some of the programmatic objectives of paragraph (c) of this section.

(c) The Secretary —based on information contained in one or more of the following: performance reports, audit reports, site visit reports, the previously funded application, and the application under consideration—looks for information that shows—

(1) The extent to which the project has served the number of participants it was funded to serve;

(2) The extent to which project participants received sufficient financial assistance;

(3) The extent to which the retention rate of project participants meets the rate proposed in the previously funded application;

(4) The extent to which the graduation rate of project participants meets the rate proposed in the previously funded application;

(5) The extent to which the applicant has achieved other goals and objectives as stated in the previously funded application;

(6) The extent to which the applicant has met all administrative requirements—including recordkeeping, reporting, and financial accountability—under the terms of the previously funded award.

(20 U.S.C. 1070d, 1070d–1b; Senate Report 96–733, 96 Cong. 1st Sess. p. 28)

Mr. Arnold L. Mitchem, Chairman, National Coordinating Council of Educational Opportunity Associations, Marquette University, Milwaukee, Wisconsin 53233

Mr. Fuji Adachi, Association of Special Programs in Region Eight (ASPIRE), Student Educational Opportunity, Box 3808—University Station, University of Wyoming, Laramie, Wyoming 82071

Mr. Vernon Brown, President, Mideastern Association of Educational Opportunity Program Personnel (MEAEOPP), Community College of Baltimore, 2901 Liberty Heights, Baltimore, Maryland 21215

Mr. Charles Desmond, President, New England Association of Educational Opportunity Program Personnel (NEAEOPP), University of Massachusetts at Boston, The Harbor Campus, Boston, Massachusetts 02125

Mr. Tommy Sweet, President, Southeastern Association of Educational Opportunity Program Personnel (SAEOPP), P.O. Box 112, Pembroke State University, Pembroke, North Carolina 28372

Mr. Robert Norris, President, Western Association of Educational Opportunity Programs (WESTOP), University of San Francisco, 2130 Fulton Street, San Francisco, California 94117

Dr. Earl V. Farrow, President, Association for Equality and Excellence in Education, Inc. (AEEE), Livingston College-Lucy Stone Hall, Rutgers University, New Brunswick, New Jersey 08903

Mr. Robert Carter, Mid-America Association of Educational Opportunity Program Personnel (MAEOPP), Director of Educational Development Programs, Associated Colleges of the Midwest, 18 South Michigan Avenue #1010, Chicago, Illinois 60603

Mr. Augustine Chavez, National Association of Equal Educational Opportunities (NAEEO), EOP-Minority Affairs Director, California State University, 5194 College Avenue, San Diego, CA 92215

Ms. Pearl Hill, President, Northwest Association of Special Programs (NASP), Director of Upward Bound, University of Oregon, 32 Condon Hall, Eugene, Oregon 97403

Mr. Oscar Hernandez, Southwest Association of Student Assistance Programs (SWASAP), Project STAY, Inc., 700 South Zarzamora, Suite 108, San Antonio, Texas 78207

Mr. Jon H. Westby, National Association of Veterans Upward Bound Project Personnel, Metropolitan Community College, 1501 Hennepin Avenue, Minneapolis, Minnesota 55403

Ms. Cindy Colby, Association of Handicapped Student Services Programs in Postsecondary Institutions, Wayne State University, Detroit, Michigan 48202

Mr. Mario Anglada, Executive Director, ASPIRA of America, 1201 Connecticut Avenue, NW., Washington, D.C.

Mr. Antonia Martinez, Special Services Project, Puerto Rican Association of EOPP, University of Puerto Rico, Rio Piedras, Puerto Rico 00931

Alaska Federation of Natives, 550 W. Eighth Avenue, Anchorage, Alaska 99501

Coastal Plains Regional Commission, Mr. Claud Anderson, 1725 K Street, NW., Room 413, Washington, D.C. 20006

New England Regional Commission, Mr. J. Joseph Grandmaison, Main Commerce Building, Room 2606, Washington, D.C. 20230

Ozarks Regional Commission, Ms. Patsy Danner, Main Commerce Building, Room 2099B, Washington, D.C. 20230

Mr. Jose Longaria, Executive Director, League of United Latin American Citizens (LULAC), 400 1st Street NW., Room 6716, Washington, D.C. 20001

Ms. Mildred Olay, President, Northwest Association of EOPP, Seattle Central Community College, Seattle Washington 98122

Hispanic Higher Education Coalition Secretariat: Mexican American Legal Defense and Educational Fund (MALDEF), 1411 K Street, NW., Suite 300, Washington, D.C. 20005

Appalachian Regional Commission, Mr. Harold Morse, Education Department, 1666 Connecticut Avenue, NW., Washington, D.C. 20235

Four Corners Regional Commission, Mr. F. Kenneth Baskette, Main Commerce Building, Room 1998C, Washington, D.C. 20230

Old West Regional Commission, Mr. George McCarthy, 1730 K Street, NW., Suite 426, Washington, D.C. 20006

Pacific Northwest Regional Commission, Mr. Patrick J. Vaughan, 2435 Virginia Avenue, NW., Washington, D.C. 20036

Upper Great Lakes Regional Commission, Mr. William R. Bechtel, Main Commerce Building, Room 2013, Washington, D.C. 20230

Dr. Niles White, United Negro College Fund, 1029 Vermont Avenue, NW., Washington, D.C. 20005

National Scholarship Service and Fund for Negro Students, 1501 Broadway, New York, New York 10036

National Alliance of Black Schools Educators, 1401 14th Street, NW., Washington, D.C. 20005

Southwest Border Regional Commission, Mr. Cristobal P. Aldrete, 1111 20th Street, NW., Room 306, Washington, D.C. 20036

Dr. Sam H. Johnson, National Scholarship Service and Fund for Negro Students, S.E. Regional Office, 965 Martin Luther King Jr. Avenue, Atlanta, Georgia 30314

Dr. Ken S. Tollett, Director, Institute for the Study of Educational Policy, Dumbarton Campus—Howard University, 2935 Upton Street, NW., Washington, D.C. 20008

Dr. Samuel L. Myers, Executive Director, National Association for Equal Opportunity in Higher Education, 2001 S Street, NW., Washington, D.C. 20009

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS		DOT/FHWA	USDA/SCS
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/MA	LABOR		DOT/MA	LABOR
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DOT/UMTA			DOT/UMTA	

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.

REMINDERS

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.**

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