THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET

FEDERAL REGISTER

OF THE UNITED STATES
1934

VOLUME 17 NUMBER 159

Washington, Thursday, August 14, 1952

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

SUBPART C—OVERTIME, NIGHT, AND HOLIDAY PAY REGULATIONS

1. Paragraph (a) of § 25.222 is amended to read as follows:

§ 25.222 *Computation of overtime employment.* The computation of the amount of overtime employment of an officer or employee shall be subject to the following conditions:

(a) *Leave with pay.* Absence from duty on authorized leave with pay under the annual and sick leave act of October 30, 1951, as amended, during the time when an employee would otherwise have been required to be on duty during the basic workweek (including authorized absence on legal holidays, nonwork days established by Executive or administrative order, and days of compensatory time off provided for in §§ 25.212 and 25.221 (b)) shall be considered to be employment and shall not have the effect of reducing the amount of overtime compensation to which the employee may be entitled during an administrative workweek. Leave of absence with pay under the act cited shall not be charged for any absence which does not occur during the 40 hours prescribed as the basic workweek.

2. Section 25.232 is amended to read as follows:

§ 25.232 *Computation of night pay differential*—(a) *Absence on leave or holidays, or in travel status.* Payment of a night pay differential is not authorized during any period when the officer or employee is in a leave status or is excused from duty on a holiday or other nonworkday; but it is authorized for all night hours of the employee's regularly scheduled tour of duty while he is in official travel status, whether performing actual duty or not.

(b) *Relation to overtime and holiday pay.* Payment of a night pay differential shall be in addition to any extra overtime or holiday compensation paid in accordance with this subpart. The amount of the night pay differential which an employee earns for working during a night overtime period is not affected by whether the employee is paid in cash or granted compensatory time off for such overtime services. The night pay differential shall not be included in the rate of basic compensation in computing any overtime or holiday compensation to which the officer or employee may be entitled.

(c) *Temporary assignment to different tour of duty.* The payment of the night pay differential is authorized for night work performed when an employee is assigned temporarily to a regularly scheduled tour of duty other than his own regular tour of duty.

3. Section 25.241 is amended to read as follows:

§ 25.241 *Identification of holidays.* The following days shall be holidays:

(a) Subject to the provisions of paragraph (b) of this section, the 1st day of January; the 22d day of February; the 30th day of May; the 4th day of July; the first Monday in September; the 11th day of November; the fourth Thursday in November; the 25th day of December; and any day designated as a holiday by Federal statute or Executive order.

(b) Executive Order 10358 of June 9, 1952, defines "workday" for holiday purposes to mean those hours which comprise in sequence the employee's regular daily tour of duty within any 24-hour period, whether falling entirely within one calendar day or not, and provides that:

(1) Whenever a holiday falls on a Sunday, Federal offices and establishments shall be closed to public business on the following Monday.

(2) Any employee whose basic workweek does not include Sunday and who would ordinarily be excused from work on a holiday falling within his basic workweek shall be excused from work on the next workday of his basic workweek whenever a holiday falls on Sunday.

(3) Any employee whose basic workweek includes Sunday and who would ordinarily be excused from work on a holiday falling within his basic workweek shall be excused from work on the next workday of his basic workweek

(Continued on p. 7383)

CONTENTS

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

whenever a holiday falls on a day that has been designated by the agency as his "regular" weekly non-workday in lieu of Sunday.

(4) Any employee who would ordinarily be excused from work on a holiday falling within his basic workweek shall be excused from work on the next workday of his basic workweek whenever the first Monday of September or the fourth Thursday of November, or any other holiday which always occurs on a specific day of the calendar week (other than Sunday), falls on a day outside the employee's regular basic workweek.

(5) Any employee whose workday covers portions of two calendar days and who would, except for this section, ordinarily be excused from work scheduled for the hours of any calendar day on which a holiday falls, shall instead be excused from work on his entire workday which commences on any such calendar day, or on a day treated as a holiday under subparagraphs (3) or (4) of this paragraph.

(c) In the case of employees whose regularly scheduled basic workweek includes both Sunday and Monday, either day, as determined by the head of the department, but not both days, shall be treated as a holiday when a holiday falls on Sunday. In the case of employees whose regularly scheduled basic workweek includes Sunday but not Monday, only Sunday shall be treated as a holiday when a holiday falls on Sunday.

(Sec. 1101, 63 Stat. 971; 5 U. S. C. 1072)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] C. L. EDWARDS,
Executive Director.

[F. R. Doc. 52-9005; Filed, Aug. 13, 1952; 8:58 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Peach Order 1]

PART 940—PEACHES GROWN IN THE COUNTY OF MESA IN COLORADO

REGULATION BY GRADES AND SIZES

§ 940.304 *Peach Order 1*—(a) *Findings.* (1) Pursuant to the amended marketing agreement and Order No. 40, as amended (7 CFR Part 940), regulating the handling of peaches grown in the County of Mesa in the State of Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of such peaches, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than August 14, 1952. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop and adequate information thereon was not available to the Administrative Committee until July 23, 1952; recommendation as to the need for, and the extent of, regulation of shipments of such peaches was made at the meeting of said committee on July 23, 1952, after consideration of all information then available relative to the supply and demand conditions for such peaches, at which time the recommendation and supporting information was submitted to the Department, and made available to growers and handlers; necessary supplemental information was not available to the Department until August 8, 1952; in order to effectuate the declared policy of the act, the regulation of peach shipments during the present fiscal year should, insofar as practicable, be applicable to all shipments of such peaches; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., m. s. t., August 14, 1952, and ending at 12:01 a. m., m. s. t., October 16, 1952, no handler shall ship:

(i) Any peaches which do not grade at least U. S. No. 1, or

(ii) Any peaches which are of a size smaller than 2 inches in diameter: *Provided,* That any lot of peaches shall be deemed to be of a size not smaller than 2 inches in diameter (*a*) if not more than 10 percent, by count, of the peaches in such lot are smaller than 2 inches in diameter and if not more than 15 percent, by count, of the peaches contained in any individual container in such lot are smaller than 2 inches in diameter; or (*b*) if the peaches in such lot are shipped in peach boxes and the peaches are of a size not smaller than a size that will pack, in accordance with the specifications of a standard pack, a count of 78 peaches in a peach box, except that the tolerance for variations incident to proper packing, provided in such pack specifications, shall not permit a variation of more than 4 peaches in any such box.

(2) *Definitions.* As used in this section, "peaches," "handler," and "ship" shall have the same meaning as when used in the aforesaid amended marketing agreement and order; "U. S. No. 1," "diameter," "count," and "standard pack" shall have the same meaning as when used in the United States Standards for Peaches (7 CFR 51.312); and "peach box" shall mean a box of the following inside dimensions: 4½–5" x 11½" x 16⅛".

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of August 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-9016; Filed, Aug. 13, 1952; 9:03 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 74]

PART 600—DESIGNATION OF CIVIL AIRWAYS

ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 600 is amended as follows:

1. Section 600.602 *Blue civil airway No. 2 (Montgomery, Ala., to Erie, Pa.)* is amended by changing the first portion to read: "From the intersection of the north course of the Crestview, Fla., radio range and the southeast course of the Craig, Ala., AFB, radio range via the intersection of the southeast course of the Craig, Ala., AFB, radio range and the south course of the Birmingham, Ala., radio range; Birmingham, Ala., radio range station;"

2. Section 600.6006 *VOR civil airway No. 6 (Oakland, Calif., to New York, N. Y.)* is amended by deleting "Iowa City omnirange 253° True" and by adding in lieu thereof "Iowa City omnirange 252° True".

3. Section 600.6008 *VOR civil airway No. 8 (Long Beach, Calif., to Washington, D. C.)* is amended by deleting "Iowa City omnirange 253° True" and by adding in lieu thereof "Iowa City omnirange 252° True".

4. Section 600.6016 *VOR civil airway No. 16 (Los Angeles, Calif., to Nashville, Tenn.)* is amended between the Ontario, Calif., omnirange station and the El Paso, Tex., omnirange station to read: "That airspace over United States territory from the Ontario, Calif., omnirange station via the intersection of the Ontario omnirange 91° True and the Blythe omnirange 288° True radials; Blythe, Calif., omnirange station to the Hassayampa, Ariz., omnirange station. From the Tucson, Ariz., omnirange station via the Cochise, Ariz., omnirange station; Columbus, N. Mex., omnirange station; El Paso, Tex., omnirange station, including a north alternate;"

5. Section 600.6039 is amended by changing the caption to read: "*VOR civil airway No. 39 (Gordonsville, Va., to Boston, Mass.)*", and by adding the following last portion to read: "From the Gardner, Mass., omnirange station to the Boston, Mass., omnirange station."

6. Section 600.6097 *VOR civil airway No. 97 (Charleston, S. C., to Minneapolis, Minn.)* is amended between Lone Rock, Wis., omnirange station and Minneapolis, Minn., omnirange station to read: "Lone Rock, Wis., omnirange station, including a west alternate; LaCrosse, Wis., omnirange station to the Minneapolis, Minn., omnirange station."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001, e. s. t., August 19, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-8986; Filed, Aug. 13, 1952; 8:54 a. m.]

[Amdt. 79]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 601 is amended as follows:

1. Section 601.1039 is amended to read:

§ 601.1039 *Control area extension (Portland, Oreg.)*. All that airspace within a 20-mile radius of the Portland, Oreg., radio range station lying within the southeast, southwest and northwest quadrants of the radio range including that airspace within 5 miles either side of the Portland, Oreg., ILS localizer course extending from the Sauvies Island non-directional radio beacon to a point 15 miles northwest of the non-directional beacon, and within 5 miles either side of the west course of the Portland, Oreg., radio range to a point 30 miles west of the radio range station.

2. Section 601.1294 is added to read:

§ 601.1294 *Control area extension (Everett, Wash.)*. All that airspace bounded on the north by a line 5 miles north of and parallel to the east course of the Everett, Wash., radio range, on the northeast by an arc of a circle 5 miles in radius centered on the intersection of the east course of the Everett, Wash., radio range and the northeast course of the Seattle, Wash., radio range, on the southeast by a line 5 miles southeast of and parallel to the northeast course of the Seattle, Wash., radio range, on the south by Green civil airway No. 2 and on the west by Amber civil airway No. 1.

3. Section 601.4016 *Green civil airway No. 6 (Laredo, Tex., to Norfolk, Va.)* is amended after "Palacios, Tex., radio range station;" by adding the following reporting point: "the intersection of the northeast course of the Galveston, Tex., radio range and the south course of the Beaumont, Tex., radio range;"

4. Section 601.4217 *Red civil airway No. 17 (St. Louis, Mo., to Baltimore, Md.)* is amended by deleting the following reporting point: "Martinsburg, W. Va., radio range station;"

5. Section 601.4261 is amended to read:

§ 601.4261 *Red civil airway No. 61 (Butler, Pa., to Washington, D. C.)*. The intersection of the northwest course of the Arcola, Va., radio range and the west course of the Martinsburg, W. Va., radio range.

6. Section 601.6039 is amended to read:

§ 601.6039 *VOR civil airway No. 39 control areas (Gordonsville, Va., to Boston, Mass.)*. All of VOR civil airway No. 39.

7. Section 601.6097 is amended to read:

§ 601.6097 *VOR civil airway No. 97 control areas (Charleston, S. C., to Minneapolis, Minn.)*. All of VOR civil airway No. 97 including an east alternate and west alternates.

8. Section 601.7001 *VOR reporting points* is amended by adding the following reporting point: "Mt. Lola intersection: The intersection of the Reno, Nev., omnirange 268° True and the Sacramento, Calif., omnirange 40° True radials."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001, e. s. t., August 19, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-8987; Filed, Aug. 13, 1952; 8:54 a. m.]

[Amdt. 16]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURE

USE OF RADIO RANGES REQUIRING FLIGHT CHECK

The purpose of this amendment is to indicate that VHF radio ranges will be shut down when they are "ground checked only, awaiting flight check." The amendment of § 609.3 (d), published on December 22, 1951, in 16 F. R. 12865, provided that only the navigational feature of a VHF radio range would be shut down when the range had been ground checked only and was awaiting flight check. Transmission of the radio range identification was continued, and radio broadcasts and ground to air communication services remained operative. It developed that some pilots attempted to use these facilities for navigational guidance during the time the navigational feature was shut down and were misled by the indications they received. Complete shutdown of the radio range (consisting of the navigational, voice, and identification features) is therefore necessary.

This amendment is adopted to become effective when indicated in order to provide for the protection of air traffic. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and therefore is not required.

Section 609.3 (d) is amended to read:

§ 609.3 *Introduction.* * * *

(d) *Use of radio ranges requiring flight check.* When a flight check of a radio range is required, the following will apply:

(1) If the radio range is a very high frequency type (112.1 through 117.9 mcs) range, the entire radio range (consisting of the navigational, voice, and identification features) will be shut down. A NOTAM will be issued stating: "QAROS (meaning 'radio range out of service for an unknown duration'), ground checked only, awaiting flight check."

(2) If the radio range is a low frequency type (200 through 400 kcs) nonsimultaneous range, the navigational feature will be shut down, and no utilization for navigational purposes will be authorized. A NOTAM will be issued stating: "Ground checked only, awaiting flight check."

(3) If the radio range is a low frequency type (200 through 400 kcs) simultaneous range, it may be used as a homing facility only. A NOTAM will be issued stating: "Ground checked only, awaiting flight check."

(i) In addition, this type of radio range may be used as an ADF approach aid by scheduled air carriers, provided that their operations specifications authorize an ADF instrument approach to the airport concerned.

(ii) Irregular air carriers and other operators may use this type of radio range as an ADF instrument approach aid if an ADF procedure for the airport concerned is prescribed by the Administrator, or if an approach is conducted using the same course for an ADF track as that specified in the approved range procedure and with identical altitudes as used in the range approach.

This paragraph shall not apply in the Territory of Alaska, including the Aleutian Islands, or in the central and western Pacific islands under United States jurisdiction, including the Territory of Hawaii and the islands of Canton, Wake and Guam until further notice.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective September 1, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-8988; Filed, Aug. 13, 1952; 8:54 a. m.]

[Amdt. 2]

PART 612—AERONAUTICAL FIXED COMMUNICATIONS

ASSESSMENT OF FEES

This amendment reduces the rate for transmitting Category B messages, reduces the number of words in a message unit, and reduces the communications tax to be collected on national messages. A proprietary function of the Government is involved. Therefore, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Section 612.3 is revised to read:

§ 612.3 *Assessment of fees.* No fee shall be assessed for the transmission of a message which is of a type or types specified in § 612.2 (a) (1) through (7) or (b). A separate fee shall be assessed for the transmission to each addressee of a message which contains, in whole or in part, matter related to any of that described in § 612.2 (a) (8) or (c).

Transmission of such a message to an addressee may in some cases consist of receipt of the message from a non-CAA communications station and the forwarding of that message without additional use of the CAA communications system. Only one fee per addressee shall be assessed regardless of the number of CAA communications stations through which the message may be sent. Each fee shall be computed on the basis of twenty-five cents for each ten words or portion thereof contained in the text and signature of the message. If delivery of the message involves refiling with a non-CAA communications facility, such refiling will be accomplished on a "Collect" basis at no additional cost to, or assumption of liability by, the CAA. Local telecommunications facilities required for the acceptance or delivery of messages will be provided by the user without expense to the CAA.

NOTE: The Internal Revenue Code provides that there shall be imposed on the amount paid within the states of the United States, the Territories of Alaska and Hawaii, and the District of Columbia, for each telegraph, cable, or radio dispatch or message, a tax equal to (a) fifteen percent of the amount so paid, or (b) ten percent of the amount so paid in the case of an international communication. (Sec. 3797 (a) (9), 53 Stat. 469, Sec. 3465 (a) (1) (B), 56 Stat. 975; 26 U. S. C. 3797, 3465)

(Sec. 205, 52 Stat. 984, as amended, sec. 10, 62 Stat. 453; 49 U. S. C. and Sup. 425, 1159. Interpret or apply secs. 301, 302, 52 Stat. 985, sec. 606, 56 Stat. 1067; 49 U. S. C. 451, 452, 5 U. S. C. 606)

This amendment shall become effective September 1, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-8958; Filed, Aug. 13, 1952; 8:49 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

Subchapter E—Regulations Under Natural Gas Act

[Docket No. R-120]

PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT AS AMENDED

OPERATION, SALES, SERVICE, CONSTRUCTION, EXTENSION OR ACQUISITION FOR WHICH A CERTIFICATE IS REQUESTED

JULY 28, 1952.

In the matter of Amendment of Part 157 of Subchapter E, Regulations Under Natural Gas Act, to prescribe requirements for form and filing of applications for certificates of public convenience and necessity under section 7 of the Natural Gas Act; Docket No. R-120.

In this proceeding the Commission has under consideration the amendment of Part 157, entitled "Applications for Certificates of Public Convenience and Necessity Under Section 7 of the Natural Gas Act as Amended" of Subchapter E, Regulations under Natural Gas Act, Chapter I of Title 18, Code of Federal Regulations.

General public notice of the proposed rule-making in the above-entitled matter was given by publication of notice in the FEDERAL REGISTER on March 14, 1951 (16 F. R. 2400), and by mailing notices to interested persons, including natural-gas companies, and to State and Federal regulatory agencies. A supplemental notice of proposed rule-making was published in the FEDERAL REGISTER on May 14, 1952 (17 F. R. 4388), and similarly mailed to such interested persons.

In response to the original and supplemental notices numerous suggestions and comments were submitted by interested persons respecting the changes in the Commission's rules therein proposed. All such suggestions and comments have been carefully considered and, to the extent deemed pertinent and desirable, have been embodied in the amendments herein adopted.

The Commission finds:

(1) Adoption and promulgation of the proposed amendments, as revised, will effect needed changes in the requirements for form and filing of applications for certificates of public convenience under section 7 of the Natural Gas Act.

(2) The amendments as hereinafter adopted are necessary and appropriate to carry out the provisions of the Natural Gas Act.

The Commission, acting pursuant to the authority granted by the Natural Gas Act, particularly sections 7 and 16 thereof (52 Stat. 824, 830; 15 U. S. C. 717f and 717o), orders:

(A) Part 157, Applications for Certificates of Public Convenience and Necessity Under Section 7 of the Natural Gas Act as Amended, Subchapter E, Regulations Under Natural Gas Act, Chapter I of Title 18, Code of Federal Regulations, be and the same is hereby amended so that § 157.5 to 157.22 of Part 157 will read as set forth below.

(B) The new and amended rules and regulations herein prescribed be and they are hereby made effective on and after September 15, 1952.

(C) The Secretary of the Commission shall cause publication of this order to be made in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT CONCERNING ANY OPERATION, SALES, SERVICE, CONSTRUCTION, EXTENSION, OR ACQUISITION

AUTHORITY: §§ 157.5 to 157.22 issued under sec. 16, 52 Stat. 830; 15 U. S. C. 717o. Interpret or apply sec. 7, 52 Stat. 824, as amended; 15 U. S. C. and Sup. 717f.

APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT CONCERNING ANY OPERATION, SALES, SERVICE, CONSTRUCTION, EXTENSION, OR ACQUISITION

§ 157.5 *Purpose and intent of rules.* (a) Applications under section 7 of the Natural Gas Act shall set forth all information necessary to advise the Commission fully concerning the operation, sales, service, construction, extension, or acquisition for which a certificate is requested. Some applications may relate to facilities which are additions to existing facilities or facilities of such character that an abbreviated application may be justified under the provisions of § 157.7. However, every applicant shall file all pertinent data and information necessary for a full and complete understanding of the proposed project as well as its effect upon applicant's present and future operations.

(b) Every requirement of this part shall be considered as a forthright obligation of the applicant which can only be avoided by a definite and positive showing that the information or data called for by the applicable rules is not necessary for the consideration and ultimate determination of the application.

(c) This part will be strictly applied to all applications as submitted and the burden of adequate presentation in intelligible form as well as justification for omitted data or information rests with the applicant.

§ 157.6 *Applications; general requirements*—(a) *Applicable rules.* Applications shall conform to the requirements of §§ 157.5 through 157.14, and other applicable requirements of the Commission's rules of practice and procedure, particularly §§ 1.5, 1.15, 1.16, and 1.17 of this chapter. Amendments to or withdrawals of applications shall conform to the requirements of § 1.11 of this chapter. If the application involves an acquisition of facilities, it shall conform to the additional requirements prescribed by §§ 157.15 and 157.16.

(b) *General content of application.* Each application filed shall set forth the following information:

(1) The exact legal name of applicant; its principal place of business; whether an individual, partnership, corporation, or otherwise; State under the laws of which organized or authorized; and the name, title, and mailing address of the person or persons to whom communications concerning the application are to be addressed.

(2) The facts relied upon by applicant to show that the proposed service, sale, operation, construction, extension, or acquisition is or will be required by the present or future public convenience and necessity.

(3) A concise description of applicant's existing operations.

(4) A concise description of the proposed service, sale, operation, construction, extension, or acquisition, including the proposed dates for the beginning and completion of construction, the commencement of operations and of acquisition, where involved.

(5) A full statement as to whether any other application to supplement or effectuate applicant's proposals must be or is to be filed by applicant, or any other person, with any other Federal, State, or other regulatory body; and if so, the nature and status of each such application.

(6) A table of contents which shall list all exhibits and documents filed in compliance with §§ 157.5 through 157.16, as well as all other documents and exhibits otherwise filed, identifying them by their appropriate titles and alphabetical letter designations: *Provided, however,* That alphabetical letter designations specified in §§ 157.14 and 157.16 must be strictly adhered to and extra exhibits submitted at the volition of applicant shall be designated in sequence under the letter X (X 1, X 2, X 3, etc.).

(c) *Requests for shortened procedure.* If shortened procedure is desired a request therefor shall be made in conformity with § 1.32 (b) of this chapter, and may be included in the application or filed separately.

§ 157.7 *Abbreviated applications.* When the operations, sales, service, construction, extensions, or acquisitions proposed by an application do not require all the data and information specified by §§ 157.5 through 157.16 to disclose fully the nature and extent of the proposed undertaking, an abbreviated application may be filed provided it contains all information and supporting data necessary to explain fully the proposed project, its economic justification, its effect upon applicant's present and future operations and upon the public proposed to be served, and is otherwise in conformity with the applicable requirements of §§ 157.5 through 157.16 regarding form, manner of presentation, and filing. Such an application shall (a) state that it is an abbreviated application; (b) specify which of the data and information required by §§ 157.5 through 157.16 are omitted; and (c) relate the facts relied upon to justify separately each such omission.

§ 157.8 *Acceptance for filing or rejection of applications.* Applications will be docketed when received and the applicant so advised. Any application which does not conform to the requirements of §§ 157.5 through 157.16 will be rejected by the Secretary as provided by § 1.14 of this chapter. All copies of a rejected application will be returned. An application which relates to an operation, sale, service, construction, extension, or acquisition, concerning which a prior application has been filed and rejected, shall be docketed as a new application. Such new application shall state the docket number of the prior rejected application.

§ 157.9 *Notice of application.* Notice of each application filed, except when rejected in accordance with § 157.8, will be published in the FEDERAL REGISTER and copies of such notice mailed to States affected thereby. Persons desiring to receive a copy of the notice of every application shall so advise the Secretary.

§ 157.10 *Protests and interventions.* Notices of applications, as provided by §157.9, will fix the time within which any person desiring to participate in the proceeding or to file a protest regarding the application, may file a petition to intervene or protest, and within which any interested regulatory agency, as provided by § 1.8 of this chapter, desiring to intervene may file its notice of intervention. Failure to make timely filing will constitute ground for denial of participation, in the absence of extraordinary circumstances for good cause shown. See §§ 1.7, 1.8, 1.10, and 1.37 (f) of this chapter. A copy of each application, supplement, and amendment thereto, except exhibits required by §§ 157.14 and 157.16, shall upon request be promptly supplied by the applicant to anyone who has filed a petition for leave to intervene or given notice of intervention. A person entitled to receive a copy of the application, as herein provided, shall be promptly supplied by applicant with a copy of such of the exhibits required by §§ 157.14 and 157.16 as such person shall specifically request.

§ 157.11 *Hearings*—(a) *General.* The Commission will schedule each application for public hearing at the earliest date possible giving due consideration to statutory requirements and other matters pending, with notice thereof as provided by § 1.19 (b) of this chapter: *Provided, however,* That when an application is filed less than fifteen days prior to the commencement of a hearing theretofore ordered on a pending application and seeks authority to serve some or all of the markets sought in such pending application or is otherwise competitive with such pending application, the Commission will not schedule the new application for hearing until it has rendered its final decision on such pending application, except when, on its own motion, or on appropriate application, it finds that the public interest requires otherwise.

(b) *Shortened procedure.* If no protest or petition to intervene raises an issue of substance, the Commission may upon request of the applicant dispose of an application in accordance with the provisions of § 1.32 (b) of this chapter.

§ 157.12 *Dismissal of application.* Except for good cause shown, failure of an applicant to go forward on the date set for hearing and present its full case in support of its application will constitute ground for the summary dismissal of the application and the termination of the proceedings.

§ 157.13 *Form of exhibits to be attached to applications.* Each exhibit attached to an application must conform to the following requirements:

(a) *General requirements.* Each exhibit shall contain a title page showing applicant's name, docket number (to be left blank), title of the exhibit, the proper letter designation of the exhibit, and, if of 10 or more pages, a table of contents, citing by page, section number or subdivision, the component elements or matters therein contained.

(b) *Reference to previous applications.* An application may refer to previous applications provided the docket number and the portions thereof referred to are specified with particularity and the exact page or exhibit numbers are stated, including the page numbers in any exhibit to which reference is made. No part of a rejected application may be incorporated by reference.

(c) *Interdependent applications.* When an application considered alone is incomplete and depends vitally upon information in another application, it will not be accepted for filing until the supporting application has been filed. When applications are interdependent, they shall be filed concurrently.

(d) *Measurement base and B. t. u. content.* All gas volumes shall be stated upon a uniform pressure of 14.73 psia, at 60° F. temperature, and shall also show the B. t. u. content by proper reference.

§ 157.14 *Exhibits*—(a) *To be attached to each application.* All exhibits specified shall accompany each application when tendered for filing.

(1) *Exhibit A—Articles of incorporation and bylaws.* If applicant is not an individual, a conformed copy of its articles of incorporation and bylaws, or other similar documents.

(2) *Exhibit B—State authorization.* For each State where applicant is authorized to do business, a statement showing the date of authorization, the scope of the business applicant is authorized to carry on and all limitations, if any, including expiration dates and renewal obligations. A conformed copy of applicant's authorization to do business in each State affected shall be supplied upon request.

(3) *Exhibit C—Company officials.* A list of the names and business addresses of applicant's officers and directors, or similar officials if applicant is not a corporation.

(4) *Exhibit D—Subsidiaries and affiliation.* If applicant or any of its officers or directors, directly or indirectly, owns, controls, or holds with power to vote, 10 percent or more of the outstanding voting securities of any other person or organized group of persons engaged in production, transportation, distribution, or sale of natural gas, or of any person or organized group of persons engaged in the construction or financing of such enterprises or operations, a detailed explanation of each such relationship, including the percentage of voting strength represented by such ownership of securities. If any person or organized group of persons, directly or indirectly, owns, controls, or holds with power to vote, 10 percent or more of the outstanding voting securities of applicant—a detailed explanation of each such relationship.

(5) *Exhibit E—Corporate authorization.* A certified copy of the resolution or other instrument of the board of directors authorizing (i) the proposed project, and (ii) the filing of the application.

(6) *Exhibit F—Location of facilities.* A geographical map of suitable scale and detail showing, and appropriately differentiating between, all of the facilities proposed to be constructed or acquired and existing facilities of applicant, the operation or capacity of which will be directly affected by the proposed facilities, including:

(i) Location, length, and size of pipelines.

(ii) Location and size (rated horsepower) of compressor stations.

(iii) Location and designation of each point of connection of existing and proposed facilities with (*a*) main-line industrial customers, gas pipeline or distribution systems, showing towns and communities served and to be served at wholesale and retail, and (*b*) gas-producing and storage fields, or other sources of gas supply.

(7) *Exhibit G—Flow diagram showing daily design capacity and reflecting operation with proposed facilities added.* A flow diagram showing daily design capacity and reflecting operating conditions with proposed facilities and existing facilities in operation, including the following:

(i) Diameter, wall thickness, and length of pipe to be installed.

(ii) For each proposed new compressor station and existing station, the size, type and number of compressor units, horsepower required, horsepower to be installed, volume of gas to be used as fuel, suction and discharge pressures, and compression ratio.

(iii) Pressures and volumes of gas at the main-line inlet and outlet connections at each compressor station.

(iv) Pressures and volumes of gas at each intake and takeoff point and at the beginning and terminus of all proposed facilities.

(8) *Exhibit G-I—Flow diagram reflecting maximum capabilities.* If Exhibit G does not reflect the maximum deliveries of which applicant's existing and proposed facilities would be capable of achieving under most favorable operating conditions, without installation of any facilities in addition to those proposed in the application, include an additional diagram or diagrams to depict such maximum capabilities.

(9) *Exhibit G-II—Flow diagram data.* Exhibits G and G-I shall be accompanied by a statement of engineering design data in explanation and support of the diagrams and the proposed project, setting forth:

(i) Assumptions, bases, formulae, and methods used in the development and preparation of such diagrams and accompanying data.

(ii) A description of the pipe and fittings to be installed, specifying the diameter, wall thickness, yield point, ultimate tensile strength, method of fabrication, and methods of testing proposed.

(iii) When lines are looped, the length and size of the pipe in each loop.

(iv) Type, capacity, and location of each natural gas storage field or facility, and of each dehydration, desulphurization, natural gas liquefaction, hydrocarbon extraction, or other similar plant or facility directly attached to the applicant's system, indicating which of such plants are owned or operated by applicant, and which by others, giving their names and addresses.

(10) *Exhibit H—Total gas supply data.* A statement of the total gas supply committed to, controlled by, or possessed by applicant which is available to it for the acts and the services proposed, together with:

(i) The estimated total volume of proven reserves in place for each reservoir in each field from which applicant takes or proposes to take natural gas, giving names and location of fields (State, county, or parish).

(ii) The estimated total volumes of proven reserves available to applicant by fee or under lease, segregated by gas fields and reservoirs thereof, giving names and locations of fields (State, county, or parish).

(iii) The names and addresses of persons with whom applicant has gas purchase contracts, the effective dates and remaining terms in years of such contracts, and the estimated volumes of gas reserves applicant has available under each contract, segregated by gas fields and reservoirs thereof with names and locations of fields (State, county, or parish).

(iv) A deliverability study, showing the daily volumes of natural gas which can and are proposed to be obtained each year from each source of supply.

(v) A conformed copy of each gas purchase contract upon which applicant proposes to rely.

(vi) A legible and clearly lettered map or maps showing: The location of each gas field; the proven limits of each reservoir; acreage committed to applicant's project; volumes of gas which are or may be withdrawn from each reservoir under existing contracts and identity of pipeline companies or others receiving gas; and all pipelines and other facilities to be utilized to deliver gas to applicant's pipeline system, indicating ownership if other than by applicant. Information respecting different reservoirs in a gas field shall be shown on separate maps except when a single map will clearly show all required information without confusion.

(vii) A study of each proposed gas storage field showing: Location; geology; original and present reserves for each reservoir; original and present pressure of each reservoir; proposed top and base storage pressures; proposed top and base gas volumes to be stored; a deliverability study, including daily and annual injection and withdrawal rates and pressures; and maximum daily deliverability and maximum storage capacity under the proposed plan of development.

(11) *Exhibit I—Market data.* A system-wide estimate of the volumes of gas to be delivered during each of the first 3 full years of operation of the proposed facilities, and actual data of like import

for each of the 3 years next preceding the filing of the application, together with:

(i) Names and locations of customer companies and municipalities, showing the number of residential, commercial, firm industrial, interruptible industrial, residential space-heating, commercial space-heating, and other types of customers for each distribution system to be served at retail or wholesale; and the names and locations of each firm and interruptible direct industrial customer whose estimated consumption totals 10,000 Mcf or more in any calendar month or 100,000 Mcf or more per year.

(ii) Applicant's total annual and peak day gas requirements by classification of service in subdivision (i) of this subparagraph, divided as follows: Gas requirements (*a*) for each distribution area where gas is sold by applicant at retail; (*b*) for each wholesale customer; (*c*) for all main line direct industrial customers; and (*d*) company use and unaccounted-for gas, for both the applicant and each wholesale customer.

(iii) Total past and expected curtailments of service for both applicant and each wholesale customer, all to be listed by the classifications of service in subdivision (i) of this subparagraph.

(iv) Explanation of basic factors used in estimating future requirements, including, for example: Peak-day and annual degree-day deficiencies, annual load factors of applicant's system and of its deliveries to its proposed customers; individual consumer peak-day and annual consumption factors for each class of consumers, with supporting historical data; forecasted saturation of space-heating as related to past experience; and full detail as to all other sources of gas supply available to applicant and to each of its customers, including manufacturing facilities and liquid petroleum gas.

(v) Conformed copy of each contract for sale or transportation of natural gas by means of the proposed facilities.

(vi) A full description of all facilities, other than those covered by the application, necessary to provide service in the communities to be served, the estimated cost of such facilities, by whom they are to be constructed, and evidence of economic feasibility.

(vii) A copy of each market survey made within the past 3 years.

(viii) A statement showing the franchise rights of applicant or other person to distribute gas in each community in which service is proposed.

(ix) When an application requires a statement of total peak-day or annual market requirements of affiliates, whose operations are integrated with those of applicant, to demonstrate applicant's ability to provide the service proposed or to establish a gas supply, estimates and data required by this subparagraph shall also be stated in like detail for such affiliates.

(12) *Exhibit J—Conversion to natural gas.* If manufactured gas service exists in a community proposed to be served, submit with respect to each such community:

(i) Description of existing gas manufacturing facilities and their physical condition, including: the type, size, daily output capacity, and installation date of each gas generating unit; daily sendout capacity of plant; and capacity of storage holders.

(ii) Statement of kind of gas proposed to be distributed; use proposed to be made of gas manufacturing facilities in connection with such service; estimated cost of converting gas manufacturing facilities to high B. t. u. gas production, showing B. t. u. content, whether such conversion of manufacturing facilities is planned, and estimated daily sendout capacity after conversion.

(iii) Study showing estimated cost of converting consumers' appliances to natural gas and the accounting proposed for such cost.

(iv) Description, location, and estimated cost of new facilities, if any, to be constructed for the receipt and distribution of natural gas.

(v) Study showing savings, if any, for each of the first 3 full years of proposed natural gas operation and the basis therefor.

(vi) Study showing any rate reduction and for improvement in service to the ultimate consumers.

(13) *Exhibit K—Cost of facilities.* A detailed estimate of total capital cost of the proposed facilities for which application is made, showing cost of construction by operating units such as compressor stations, main pipelines, laterals, measuring and regulating stations, and separately stating the cost of rights-of-way, damages, surveys, materials, labor, engineering and inspection, administrative overhead, fees for legal and other services, interest during construction, and contingencies.

(14) *Exhibit L—Financing.* Plans for financing the proposed facilities for which the application is filed, together with:

(i) A detailed description of applicant's outstanding and proposed securities and liabilities, showing amount (face value and number), interest or dividend rate, dates of issue and maturity, voting privileges, and principal terms and conditions applicable to each.

(ii) The manner in which applicant proposes to dispose of securities by private sale, competitive bidding or otherwise; the persons, if known, to whom they will be sold or issued, and if not known, the class or classes of such persons.

(iii) A statement showing for each proposed issue, by total amount and by unit, the estimated sale price and estimated net proceeds to the applicant.

(iv) An itemized statement of estimated expenses, fees, and commissions to be paid by applicant in connection with each proposed issue.

(v) A statement showing whether the consent of any holder of any security is necessary to permit the issuance of the additional securities proposed, and whether, as to the proposed issue of securities, a like restriction is to be made applicable to any securities issued thereafter.

(vi) Statement of anticipated cash flow, including provision during the period of construction and the first 3 full years of operation of proposed facilities for interest requirements, dividends, and capital retirements.

(vii) Statement showing, over the life of each issue, the annual amount of securities which applicant expects to retire through operation of a sinking fund or other extinguishment of the obligation.

(viii) A balance sheet and income statement (12 months) of most recent date available.

(ix) Comparative pro forma balance sheets and income statements for the period of construction and each of the first 3 full years of operation, giving effect to the proposed construction and proposed financing of the project.

(x) Conformed copies of all agreements, contracts, mortgages, deeds of trust, indentures, agreements to advance materials or supplies or render services in return for applicant's securities, underwriting agreements, and any other agreements or documents of a similar nature.

(xi) Conformed copies of all reports, letters, or other documents, submitted by applicant to underwriters, insurance companies, or others regarding financing, including business studies, forecasts of earnings, and other similar financial or accounting reports, statements, or documents.

(xii) Conformed copies of all applications and supporting exhibits, registration statements, or other similar submittals, if any, to the Securities and Exchange Commission, including all supplements, changes or modifications of the above.

(xiii) Any additional data and information upon which applicant proposes to rely in showing the adequacy and availability to it of resources for financing its proposed project.

(15) *Exhibit M—Construction, operation, and management.* A concise statement setting forth arrangements for supervision, management, engineering, accounting, legal, or other similar service to be rendered in connection with the construction or operation of the project, if not to be performed by employees of applicant, including reference to any existing or contemplated agreements therefor, together with:

(i) A statement showing affiliation between applicant and any parties to such agreements or arrangements. See Exhibit D, paragraph a (4) of this section.

(ii) Conformed copies of all construction, engineering, management, and other similar service agreements or contracts in any way operative with respect to construction, operation, or financing of facilities which are the subject of the application or will be applicable under system operations.

(16) *Exhibit N—Revenues—Expenses—Income.* Pro forma statements for each of the first 3 full years of operation of the proposed facilities, showing:

(i) Gas system annual revenues and volumes of natural gas related thereto, subdivided by classes of service, and further subdivided by sales to direct industrial customers, sales to other gas utilities, and other sales, indicating billing quantities used for computing charges, e. g., actual demands, billing demands, volumes, heat-content adjustment or other determinants. In addition, if enlargement or extension of facilities is involved, the revenues attributable solely to the proposed facilities shall be stated separately, and the basis and data used in such computation shall be clearly shown.

(ii) Gas system annual operating expenses classified in accordance with the Commission's Uniform System of Accounts for Natural Gas Companies; the annual depreciation, depletion, taxes, utility income, and resulting rate of return on net investment in gas plant, including working capital. In addition, if enlargement or extension of facilities is involved, the cost of service attributable solely to the proposed facilities shall be stated separately with supporting data.

(17) *Exhibit O—Depreciation and depletion.* Depreciation and depletion rates to be established, the method of determination and the justification therefor.

(18) *Exhibit P—Tariff.* (i) A statement of the rates to be charged for the proposed sales or service, including: (*a*) Identification of the applicable presently effective rate schedules, when no additional tariff filings will be required, or (*b*) when changes are required in applicant's presently effective tariff, or if applicant has no tariff, pro forma copies of appropriate changes in or additions to the effective tariff or a pro forma copy of the new gas tariff proposed.

(ii) When new rates or changes in present rates are proposed or when the proposed facilities will result in a material change in applicant's average cost of service, such statement shall be accompanied by supporting data showing:

(*a*) System cost of service for the first calendar year of operation after the proposed facilities are placed in service.

(*b*) An allocation of such costs to each particular service classification, with the basis for each allocation clearly stated.

(*c*) The proposed rate base and rate of return.

(*d*) Gas operating expenses, segregated functionally by accounts.

(*e*) Depletion and depreciation.

(*f*) Taxes with the basis upon which computed.

(b) *Additional exhibits.* Applicant shall submit additional exhibits necessary to support or clarify its application. Such exhibits shall be identified and designated as provided by § 157.6 (b) (6).

(c) *Additional information.* Upon request by the Secretary, prior to or during hearing upon the application, applicant shall submit such additional data, information, exhibits, or other detail as may be specified. Such additional information shall conform to the requirements of §§ 1.15, 1.16, and 1.17 of the rules of practice and procedure unless otherwise directed by the Secretary.

§ 157.15 *Requirements for applications covering acquisitions.* An application for a certificate authorizing acquisition of facilities, in addition to complying with the applicable provisions of §§ 157.5 through 157.14, shall include a statement showing:

(a) The exact legal name of the vendor, lessor, or other party in interest (hereinafter referred to as "vendor"), the State or other laws under which vendor was organized, location of vendor's principal place of business, and a description of the business, operation or property of vendor covered by the application.

(b) Any certificate from the Commission, held by vendor, relating directly to the facilities which applicant seeks to acquire, citing the order, date thereof, docket designation, and title of the proceeding; reference to and designation of any companion applications by vendor for permission and approval pursuant to section 7 (b) of the Natural Gas Act.

(c) The manner in which the facilities are to be acquired, the consideration to be paid, the method of arriving at the amount thereof, and anticipated expenses in addition to the consideration.

(d) The facilities to be acquired, their present use, their proposed use after acquisition, and whether they constitute all of vendor's facilities.

(e) Any franchise, license, or permit respecting the facilities involved, showing expiration date thereof, and the effect of the proposed acquisition thereon.

§ 157.16 *Exhibits relating to acquisitions.* In addition to complying with the applicable requirements of § 157.14, every application involving acquisition of facilities shall be accompanied by the following exhibits:

(a) *Exhibit Q—Effect of acquisition on existing contracts and tariffs.* A statement showing the effect of the proposed transaction upon any agreements for the purchase, sale, or interchange of natural gas, and upon any rate schedules or tariffs on file with this Commission, together with pro forma rate schedule sheets, notices of cancellation, or other tariff filings required to be made with this Commission.

(b) *Exhibit R—Acquisition contracts.* A summary statement of all contracts, agreements or undertakings relating to the proposed acquisition, including:

(1) A conformed copy of each contract or other agreement covering or relating to the acquisition of the facilities.

(2) The names and addresses of all persons employed or to be employed concerning the transaction, including engineering, financial accounting, legal, or other services, and the compensation, fees, or other payments, paid or payable, to such persons.

(3) A disclosure of affiliation between applicant and vendor or between either of them and any other party in interest in the proposed acquisition. See Exhibit D, § 157.14 (a) (4).

(c) *Exhibit S—Accounting.* A statement showing:

(1) The amounts recorded upon the books of the vendor as being applicable to the facilities to be acquired, and the related depreciation, depletion, and amortization reserves.

(2) The original cost of the facilities to be acquired, segregated by accounts prescribed in the Commission's Uniform System of Accounts for Natural Gas Companies; the method by which the original cost was determined; and whether such statement of original cost has been approved by any regulatory body.

(3) If the original cost has not been determined, an estimate thereof, based upon records or data of vendor or its predecessors, together with an explanation of the manner in which such estimate was made and the name and address of the present custodian of all existing pertinent records and data.

(4) The depreciation, depletion, and amortization reserve requirements applicable to the original cost of the facilities to be acquired, estimated service lives, the approximate average age of the facilities to which the depreciation reserve applies, the amortization period, and the depletion rates and estimated gas reserves upon which accruals to the depletion reserve are based.

(5) The amount at which applicant proposes to record the facilities upon its books; the amount of the original cost to be recorded, the depreciation, depletion, and amortization reserves; and the acquisition adjustments, if any, together with applicant's proposed disposition of all adjustments.

(6) Duplicate facilities to be acquired and retired, property which must be extensively rehabilitated, including a clear description of such property, the additional costs to be incurred, and the accounting therefor proposed.

(7) A balance sheet of the company to be acquired as of the most recent date available, if the acquisition involved is by purchase of capital stock and liquidation of the acquired company.

(8) A pro forma consolidating balance sheet, as of the date of the merger if the acquisition is by merger, showing the merging of the accounts and the adjustments relating thereto.

§ 157.17 *Applications for temporary certificates in cases of emergency.* In cases of emergency and pending the determination of an application on file with the Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, application may be made for a temporary certificate authorizing the construction and operation of such extensions of existing facilities and such interconnections of pipeline systems as may be required to assure maintenance of adequate service, or to serve particular customers. Such application shall be submitted in writing, shall be subscribed and verified by a responsible officer of applicant having knowledge of the facts, and shall state clearly and specifically the exact character of the emergency, the proposed method of meeting it, and the facts claimed to warrant issuance of a temporary certificate.

§ 157.20 *General conditions applicable to certificates.* Except as otherwise specifically ordered by the Commission, such of the following terms and conditions, among others, as the Commission shall find is required by the public convenience and necessity, shall attach to the issuance of each certificate and to the exercise of the rights granted thereunder.

(a) The certificate shall be void and without force or effect unless accepted in writing by applicant within 30 days from the issue date of the order issuing such certificate: *Provided, however,* That when an application for rehearing of such order is filed in accordance with section 19 of the Natural Gas Act, such acceptance shall be filed within 30 days from the issue date of the order of the Commission upon the application for rehearing or within 30 days from the date on which such application may be deemed to have been denied when the Commission has not acted on such application within 30 days after it has been filed: *Provided further,* That when a petition for review is filed in accordance with the provisions of section 19 of the Natural Gas Act, such acceptance shall be filed within 30 days after final disposition of the judicial review proceedings thus initiated.

(b) Any authorized construction, extension, or acquisition shall be completed and in actual operation by applicant and any authorized operation, service, or sale shall be actually undertaken and regularly performed by applicant within (period of time to be specified by the Commission in each order) from the issue date of the Commission's order issuing the certificate.

(c) Applicant shall file with the Commission, in writing and under oath, an original and four conformed copies of the following: (1) Within 10 days after the bona fide beginning of construction, notice of the date of such beginning; (2) each 3 months after the date of the issuance of the order granting the certificate, a progress report showing the exact status of authorized construction; (3) within 10 days after authorized facilities have been constructed and placed in service or any authorized operation, sale, or service has commenced, notice of the date of such placement and commencement; and (4) within 6 months after authorized facilities have been constructed and placed in service and authorized operations have commenced, a statement showing the actual cost of constructing authorized facilities by operating units, and showing separately the actual cost of labor, materials, rights-of-way, damages, surveys, engineering, inspection, overhead, interest during construction, contingencies, and all other items of cost, together with a statement showing and explaining the cause for any difference between actual cost and estimates of cost relied upon by applicant in the proceeding in which the certificate is issued.

(d) With respect to an acquisition authorized by the certificate, applicant shall file with the Commission, in writing and under oath, an original and four conformed copies of the following: (1) Each 3 months after the issue date of the Commission's order issuing this certificate, a progress report showing the exact status of the acquisition; (2) within 10 days after acquisition and the beginning of authorized operations, notice of the dates of acquisition and the beginning of operations; and (3) within 6 months after consummation of the acquisition, a statement showing and explaining the cause for any differences between the actual cost of the facilities acquired and the estimates of cost relied upon by applicant in the proceeding in which the certificate is issued.

(e) The certificate issued to applicant is not transferable in any manner and shall be effective only so long as applicant continues the operations authorized by the order issuing such certificate and in accordance with the provisions of the Natural Gas Act, as well as applicable rules, regulations, and orders of the Commission.

§ 157.22 *Exemption of temporary acts and operations.* Public interest does not require the issuance of a certificate for the construction and operation of facilities necessary to assure maintenance of adequate natural-gas service where interruption or serious curtailment of service exists or is threatened because of failure of facilities or failure or curtailment of supply or unusual and unexpected demand on such facilities or supply, and where such acts and operations are limited to a single period of not more than sixty days: *Provided, however,* That:

(a) Every person undertaking any such construction or operation shall immediately advise the Commission and within ten days file a full statement, in writing and under oath, together with four (4) conformed copies thereof, setting forth the purpose and character of the facilities, sales or services involved, a description of the operation and specific facilities constructed, and the anticipated duration of the emergency.

(b) Emergency operations thus undertaken without a certificate shall be discontinued upon expiration of the 60-day period, and all facilities installed for such temporary acts or operations shall be promptly removed and the Commission so advised in writing and under oath within 10 days following expiration of such 60-day period.

Date of Issuance: August 11, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8952; Filed, Aug. 13, 1952; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XVII—Federal Civil Defense Administration

PART 1709—OFFICIAL FEDERAL CIVIL DEFENSE ADMINISTRATION SEAL

The following regulations, which consist of Part 1709, Official Federal Civil Defense Administration Seal, are hereby issued.

AUTHORITY: §§ 1709.1 to 1709.5 issued under sec. 204, 64 Stat. 1254; 50 U. S. C. App. Sup. 2253.

§ 1709.1 *Purpose.* The purpose of this part is to describe the official seal of the Federal Civil Defense Administration and to prescribe its uses.

§ 1709.2 *Description of official seal.* (a) The official seal of the Federal Civil Defense Administration, approved by the President by Executive Order 10350, dated May 14, 1952, is described as follows: On a disk of defenders blue a white triangle superimposed by a shield of the coat of arms of the United States proper, all encircled by a white band edged in defenders blue containing the inscription "Federal Civil Defense Administration" in scarlet letters.

(b) The seal may be reproduced in the above colors, in black and white, or in the color of the surface upon which reproduced and one other color.

§ 1709.3 *Uses of official seal.* (a) The official seal shall be used on all official documents requiring a seal.

(b) Where appropriate, it may be used as follows:

(1) On official reports, publications, documents and letterheads of the Administrator.

(2) On materials, supplies, and equipment of the Federal Civil Defense Administration.

(3) As an identification device by employees of the Federal Civil Defense Administration and such other persons performing emergency civil defense services at the Federal level as the Administrator may deem desirable.

(c) It shall have such additional uses as the Administrator may direct.

§ 1709.4 *Manufacture or reproduction of official seal.* No manufacture or reproduction, or sale of the official seal, or any colorable imitation thereof, shall be made except upon order of the Administrator.

§ 1709.5 *Violations.* Whoever shall manufacture, possess, or wear the official seal of the Federal Civil Defense Administration, or any colorable imitation thereof, except as authorized under this part, shall be subject to a fine of not more than $1,000 or imprisonment of not more than one year, or both.

These regulations shall be effective on August 14, 1952.

J. J. WADSWORTH,
Acting Administrator,
Federal Civil Defense Administration.

[F. R. Doc. 52-8968; Filed, Aug. 13, 1952; 8:50 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Manpower Policy 7]

EMPLOYMENT OF OLDER WORKERS IN THE DEFENSE PROGRAM

Preface. This policy has been recommended by the interagency Manpower Policy Committee and by the national Labor-Management Manpower Policy Committee of the Office of Defense Mobilization. It is issued for information and guidance to labor and management concerned with defense production; and assigns to Government agencies the responsibility for providing assistance and leadership in the fields of action required of them.

I. *Introduction.* Approximately 3½ million additional workers will be needed by the end of 1953 to meet defense production requirements and expected levels of civilian output. Older workers, here considered to be men and women over 45 years, constitute the largest potential source of needed additions to the labor force, with the largest single reserve being among women of these ages.

Traditional employment preference has been for younger workers despite the fact that the proportion of persons in our population who are between 16 and 34 years of age has progressively declined from 1900 to 1950. Obstacles to the employment of available and qualified older workers increase competition for the preferred and less available younger groups, contribute to unnecessary migration and turnover, and other types of community problems, and add unnecessarily to the adjustment problem of older peoples and to the burden of providing financial support for them.

In the field of employment, the older worker's problem is two-fold; first, the most serious, finding a new job once he becomes unemployed; and second, compulsory retirement at an arbitrary age. Older workers who become unemployed often suffer excessively long periods of unemployment as is indicated by a much higher proportion of older workers unemployed for periods of 20 weeks and over and exhausting unemployment insurance benefits. Studies by the Department of Labor show that older workers are at a heavy disadvantage in competition with younger workers. This is true in practically all occupational categories and in all types of labor markets, including tight labor markets. Orders placed with local employment offices restrict referrals of applicants by some maximum age limitation, usually 45 for men and 35 for women, in about 50–70 percent of the cases, depending upon the local area. These data contrast with the common assumption that high employment, with the attendant competition for workers, offers a complete solution to the prolems of older workers. Restrictive conditions are found in areas of tight and surplus labor supply. To the extent that employment policies and practices stand as barriers to the recruitment and effective utilization of older workers, such policies and practices are undesirable from the point of view of employers, employees, and the public as a whole.

II. *Purpose.* It is the purpose of this Manpower Policy to direct attention to the importance of employing and effectively utilizing older workers and to stimulate voluntary action by labor, management, and Government to modify unnecessary restrictions which limit the employment and utilization of older workers in both private and public employment.

III. *Statement of policy.* It is the policy of the Federal Government:

1. To promote the employment and effective utilization of older workers in public employment.

2. To encourage labor and management to adopt policies and practices which will promote the employment and effective utilization of older workers in private employment.

To aid in achieving increased employment opportunity and more effective utilization of older workers, it is recommended that the following policies be adopted and applied as rapidly as possible:

1. That selection of workers for employment or for training be made on the basis of individual ability and qualifications to perform the job, regardless of age.

2. That older women be given equal consideration with men for employment, on the basis of individual ability and qualifications to perform the job.

3. That, when their services are needed, older workers now employed who are eligible for retirement be encouraged to continue working at jobs for which they are qualified and able, and that retired workers who possess needed skills in critical occupations be encouraged to return to work to the greatest extent possible.

4. That workers who are subject to retirement or dismissal upon reaching a specified age be offered, where practicable, an opportunity to continue working at their regular jobs if they are still qualified to perform such jobs; that workers not qualified and able to continue their regular jobs be offered an opportunity to work at less exacting jobs wherever practicable.

5. That good labor standards, including health and safety measures and equal pay for comparable work be maintained as effective means of increasing the employment and effective utilization of older workers.

IV. *Assignment of responsibility.* It is recognized that labor and management share the primary responsibility for action designed to achieve the objectives of this policy. However, the Federal Government, through its appropriate agencies and in cooperation with labor, management, and other private groups, can promote the employment and utilization of older workers by providing assistance and leadership in the following fields of required action:

A. The Civil Service Commission shall:

1. In cooperation with other appropriate agencies of the Federal Government, explore the possibilities of: (a) Further modifying or eliminating maximum age provisions in required qualifications for civilian positions in the Federal Government; and (b) measures designed to increase the opportunities in Federal employment of qualified older workers.

2. With the cooperation of appropriate agencies of the Federal Government, investigate and make recommendations regarding the possibilities of re-employing retired workers whenever such employment would be of value to the Government.

B. The Federal Security Agency shall:

1. In cooperation with other concerned Federal agencies, continue to explore and make recommendations with respect to retirement insurance programs provided for by Federal legislation other than those systems covering Federal employees exclusively as to whether revisions are needed in such legislation to further the policy of the Federal Government to promote the employment and effective utilization of older workers when their services are needed.

2. Working with States and community groups, extend and improve rehabilitation of older workers, including the provision of assistance, encouragement, and retraining to older persons who have important skills which are in short supply (such as nurses and other health personnel, certain types of teachers, etc.).

3. In collaboration with other Federal agencies, primarily through the occupational health program of the U. S. Public Health Service, continue to exercise leadership in the promotion of high levels of health for older workers.

C. The Department of Labor and the Federal Security Agency shall:

1. Provide available information on pertinent provisions of collective bargaining agreements and related pension plans to management and unions desiring to make appropriate changes in private pension plans.

D. The Department of Labor shall:

1. With the cooperation of the Civil Service Commission, the Department of Commerce (National Production Authority), the Department of Defense, and the Federal Security Agency, collect and disseminate widely facts concerning the employment and utilization of older workers to employers and labor groups, and to Federal, state, and local public agencies.

2. Extend and improve counseling, placement and job analysis programs for older workers who are seeking work, are poorly adjusted in work, or are facing compulsory retirement. Special attention should be given to counseling older workers on ways and means of re-entering the labor market.

3. Encourage, provide technical assistance, and undertake studies designed to establish facts regarding the performance of older workers in paid employment and problems arising in connection with their employment. The fields requiring comprehensive study include: Productivity, turnover, absenteeism, accident rates, and mobility.

V. This policy shall take effect on August 14, 1952.

OFFICE OF DEFENSE MOBILIZATION,
JOHN R. STEELMAN,
Acting Director.

[F. R. Doc. 52-9004; Filed, Aug. 12, 1952; 1:21 p. m.]

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Supplementary Regulation 31]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 31—ADJUSTMENTS IN CEILING PRICES OF MIXED FERTILIZERS ON BASIS OF INCREASED FREIGHT RATES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 31 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to Ceiling Price Regulation 22 is issued for the same reasons, and accomplishes the same objectives, as Supplementary Regulation 114 to the General Ceiling Price Regulation. The Statement of Considerations accompanying the issuance of that supplementary regulation is therefore incorporated herein.

Adjustment of Ceiling Price Regulation 22 ceiling prices is authorized under this supplementary regulation to reflect increased transportation costs based on increased freight rates since April 1, 1951, or since July 26, 1951, in the case of those producers of mixed fertilizers whose Ceiling Price Regulation 22 ceiling prices have already been adjusted under the Capehart Amendment.

In the formulation of this supplementary regulation there has been consultation with industry representatives, including industry trade association representatives, to the extent practicable, and consideration has been given to their recommendations. Formal consultation was held with the Mixed Fertilizers Industry Advisory Committee, and consideration has been given to its recommendations.

REGULATORY PROVISIONS

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation applies to you if you are a manufacturer of mixed fertilizers whose ceiling prices for these mixed fertilizers are established under Ceiling Price Regulation 22. It permits you to adjust these ceiling prices to reflect increases in inbound freight costs of your raw materials, and in outbound freight costs incurred in delivering the mixed fertilizers to purchasers. This adjustment of ceiling prices may reflect increases in such freight costs only if these increases resulted from increases in freight rates which occurred since April 1, 1951, and which were approved by a governmental body empowered to do so. However, if your ceiling prices established under Ceiling Price Regulation 22 have been adjusted under Supplementary Regulation 17 or 18 to Ceiling Price Regulation 22 or General Overriding Regulation 20, your adjustments under this supplementary regulation may reflect only increases in freight costs resulting from increases in freight rates since July 26, 1951. The methods for computing the adjustment are set forth in section 2. The term "mixed fertilizer" is defined in section 3.

SEC. 2. *Adjustment of Ceiling Price Regulation 22 ceiling prices.* (a) You may adjust your ceiling prices of mixed fertilizer established under Ceiling Price Regulation 22 by adding to these ceiling prices an amount equal to your inbound freight adjustment or your outbound freight adjustment, as computed under subparagraphs (1) and (2) of this paragraph, or the sum of these adjustments.

(1) *Inbound freight adjustment.* You compute your adjustment for your increased costs of inbound freight for your raw materials used in the making of mixed fertilizer, as set forth below. Raw materials, for the purposes of these calculations, include only the nitrogenous material, superphosphate, potash materials and filler materials used in making the mixed fertilizers. You must calculate your inbound freight adjustment separately for each plant.

(i) Find the dollars and cents difference in the freight rate per ton between April 1, 1951, or July 26, 1951, if your ceiling prices have been adjusted pursuant to Supplementary Regulation 17 or 18 to Ceiling Price Regulation 22, or General Overriding Regulation 20, and the effective date of this regulation, applicable to each of the raw materials which you use in your mixed fertilizers. Determine this freight rate for both periods on the basis of your customary quantities purchased (such as carload, truckload, or bargeload), and your customary method of transportation from the nearest shipping point of your largest volume supplier of that particular raw material during the marketing season ending June 30, 1952.

(ii) Multiply the number of tons of each raw material used by you during your last complete fiscal year in the manufacture of all of your mixed fertilizers by the freight rate increase found in subdivision (i) of this subparagraph applicable to that raw material. The resultant figure will be the total amount of additional freight charges that you would have paid for that raw material had current freight rates been in effect during your entire fiscal year. Add the resultant figures for each raw material to get the total additional inbound freight charges for all of your raw materials.

(iii) Divide the dollars and cents amount which you have found under subdivision (ii) by the adjusted dollar sales of all of your mixed fertilizers during your last complete fiscal year. The resultant percentage will be the percentage of adjustment of the ceiling prices for your mixed fertilizers. Adjusted dollar sales means your gross sales realization, excluding commissions and discounts, but not excluding outbound freight costs contained in the selling price.

(iv) Apply to the ceiling price of each mixed fertilizer the percentage found in subdivision (iii). The resultant dollars and cents amount is your inbound freight adjustment which, together with the outbound freight adjustment computed under subparagraph (2), may be added to your Ceiling Price Regulation 22 ceiling prices for that commodity.

(2) *Outbound freight adjustment.* If you sell mixed fertilizer on a delivered or freight equalized basis, you may make an outbound freight adjustment in your ceiling prices for mixed fertilizer, which you compute in the manner set forth below. Make a separate determination for each marketing area in which you customarily quote a uniform delivered price.

(i) Select the month in 1952, prior to the effective date of this regulation, in which the largest volume of mixed fertilizers was shipped by you by carrier, as that term is defined in section 3, and determine the tonnage shipped by carrier during that month.

(ii) Determine the freight costs for that tonnage at freight rates in effect on April 1, 1951, or July 26, 1951, if your ceiling prices have been adjusted under the provisions of Supplementary Regulation 17 or 18 to Ceiling Price Regulation 22, or General Overriding Regulation 20.

(iii) Make the same determination at freight rates in effect on the effective date of this regulation.

(iv) Subtract the amount found in subdivision (ii) from the amount found in subdivision (iii) of this subparagraph.

(v) Divide the difference found in subdivision (iv) by the adjusted dollar sales of the tonnage of your mixed fertilizers found in subdivision (i). The resultant percentage will be the percentage of adjustment of the ceiling price for your mixed fertilizer. Adjusted dollar sales mean your gross sales realization, excluding commissions and discounts, but not excluding outbound freight costs contained in the selling price.

(vi) Apply to the ceiling price of each mixed fertilizer the percentage found in subdivision (v). The resultant dollars and cents amount is your outbound freight adjustment.

(b) *Rounding of ceiling prices.* You may round your ceiling prices adjusted under paragraph (a) to the nearest five cents. If you elect to round any of your ceiling prices under this paragraph, you must round all of them.

(c) *Records supporting your calculations.* You may not adjust any ceiling prices under paragraph (a) of this section unless your calculations of such adjustments are supported by carriers' invoices, freight bills, or other statements of transportation charges; records of your purchases of raw materials which provided the bases for your calculations under paragraph (a) (1) of this section; and records of your deliveries of mixed fertilizers which provided the bases for your calculations under paragraph (a) (2) of this section. In addition, you must prepare a worksheet showing in detail how you calculated your adjustments. You must keep such invoices, freight bills, statements, records, and worksheets for so long as Title IV of the Defense Production Act of 1950, as amended, is in effect, and for two years thereafter.

SEC. 3. *Definitions and explanations.* When used in this supplementary regulation, the term:

(a) *You.* "You" means a manufacturer of mixed fertilizers. "Your" and "yours" are construed accordingly.

(b) *Person.* "Person" includes any individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and the United States or any other government or their political subdivisions or agencies.

(c) *Manufacturer of mixed fertilizer*. A "manufacturer of mixed fertilizer" is a person who produces, mixes or processes mixed fertilizer.

(d) *Mixed fertilizer*. "Mixed fertilizer" means any substance containing any two or more of the basic fertilizer materials, namely, nitrogenous material, superphosphate and potash, when marketed or sold as an aid to the growth of crops or plants. The term does not include, however, any such substance sold in packages or containers of less than 80 pounds net weight, or containers of a gallon or less.

(e) *Freight rates*. "Freight rates" means the authorized or published tariffs for transportation of commodities by carriers, including excise taxes applicable thereto.

(f) *Carrier*. "Carrier" means a common or contract carrier by rail, or by water, or by truck, or any combination of common or contract carrier, whose rates are established or approved by the Interstate Commerce Commission, or a State regulatory body having jurisdiction by law to establish freight rates for common or contract carriers, or by the Director of Price Stabilization.

(g) *Ton*. "Ton" means 2,000 pounds net weight.

SEC. 4. *Applicability of Ceiling Price Regulation 22*. All the provisions of Ceiling Price Regulation 22 remain applicable to you in your sales of mixed fertilizers covered by this supplementary regulation, except as those provisions are modified and supplemented by this supplementary regulation. The ceiling prices adjusted under this supplementary regulation shall be deemed to be ceiling prices established under Ceiling Price Regulation 22.

Effective date. This supplementary regulation is effective August 13, 1952.

NOTE: The record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 13, 1952.

[F. R. Doc. 52-9064; Filed, Aug. 13, 1952; 12:16 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 114]

GCPR, SR 114—ADJUSTMENTS IN CEILING PRICES OF MIXED FERTILIZERS ON BASIS OF INCREASED FREIGHT RATES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 114 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to the General Ceiling Price Regulation permits all manufacturers of mixed fertilizers, whose ceiling prices for sales of these commodities are established under the General Ceiling Price Regulation, to adjust these ceiling prices to reflect increases in their in-bound freight rates for their raw materials and in their outbound freight costs incurred in delivering the mixed fertilizers to purchasers. The increases which provide the bases for this adjustment are those which result from increases in freight rates between April 1, 1951, and the effective date of this regulation and which have been approved or authorized by a governmental body empowered to do so. Where a manufacturer's ceiling prices for his sales of mixed fertilizers have been adjusted pursuant to General Overriding Regulation 20 or 21, his adjustment under this regulation is based on freight rate increases which occurred since July 26, 1951. The regulation sets forth certain methods for computing the in-bound and out-bound freight adjustments, and permits such adjustments only where certain records are kept which support the manufacturer's calculations of these adjustments.

Increases in rail freight rates, authorized since April 1, 1951, have totaled 15 per cent, with some exceptions. Other freight rates have also increased since that date. Mixed fertilizers are generally sold on a delivered basis. They are bulky materials and the costs of transportation are high. They are, in turn, made from materials of similar characteristics such as nitrogenous materials, superphosphate and potash, and the costs of transporting these raw materials are likewise high. Potash, an essential raw material for mixed fertilizer, is not only a heavy commodity, but is produced in limited areas, such as Carlsbad, New Mexico, and Trona, California, thus requiring long hauls to the points of production of mixed fertilizer.

The raw materials which go into the production of mixed fertilizer account for 50 to 70 per cent of the selling price of the finished product, and one-third of the cost of the raw materials represents the cost of inbound transportation. Outbound freight costs represents from 5 to 12 per cent of the cost of the finished product to the consumer. Both in and outbound freight costs account for 22 to 29 per cent of the final priee charged the consumer for mixed fertilizer. Increases in these costs substantially affect the total costs of producing mixed fertilizer.

In general, producers are requred to absorb both transportation and other cost increases within the limits of the Industry Earnings Standard and the Product Standard. In the case of mixed fertilizer, however, the net increase in transportation cost is a very substantial percentage of the profit margin. Information available to the Director thus far indicates that profit margins have been decreased by approximately 30 to 50 per cent as a result of freight rate increases. This decrease, superimposed upon a decline in unit profits of about 50 per cent since 1947, furnishes grounds for the belief that the earnings of the mixed fertilizer industry have been reduced below the minimum requirements of the Earnings or Product Standard. Ordinarily, in such a situation, the Office of Price Stabilization would make a financial survey of the industry's earnings, or a study of the cost-price relationship, in order to determine the exact amount of any price increase which would be required under these standards. Such studies require a considerable expenditure of the Agency's resources, as well as a considerable amount of time. The importance of mixed fertilizers to the agricultural economy is such as to require that there be no obstacles to maximum production of mixed fertilizers and to a balanced geographical distribution of these commodities. Since these commodities are generally sold on a delivered basis, increases in freight costs induce producers to withdraw from markets distant from their production points, and there are indications that this may already be taking place.

The problem has been discussed with the Industry Advisory Committee and the Committee's members have urged upon this office the need for quick action, and have indicated willingness to absorb other cost increases pending further study, provided quick action is taken on the freight rate increase problem.

On the basis of the advice received from the Industry Advisory Committee and other information now available, the Director of Price Stabilization is of the opinion that a pass-through of the freight rate increases, which have occurred since April 1, 1951, should be allowed, pending further study of the application of the Industry Earnings Standard and the Product Standard. It is believed that this pass-through will afford the industry sufficient relief to permit it to continue maximum production and to maintain its traditional distribution pattern.

The mixed fertilizers covered by this regulation are those sold in large quantities and, for the most part, are used by farmers in the production of crops on a commercial basis. Mixed fertilizers sold in small packages for home garden use are generally specialty products, commanding a higher profit margin than that commanded by most mixed fertilizers sold. Because of this fact, this supplementary regulation does not permit adjustments of the ceiling prices of mixed fertilizers sold in packages of less than 80 pounds net weight or in containers of a gallon or less.

In the formulation of this supplementary regulation there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations. This consultation has included a meeting with the Mixed Fertilizer Industry Advisory Committee, as previously indicated.

A companion supplemental regulation to Ceiling Price Regulation 22 is being issued to afford similar relief to manufacturers of mixed fertilizers whose ceiling prices are established under that regulation.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Adjustment of General Ceiling Price Regulation ceiling prices.
3. Definitions and explanations.
4. Applicability of the General Ceiling Price Regulation.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816 as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation applies to you if you are a manufacturer of mixed fertilizers whose ceiling prices for these mixed fertilizers are established under the General Ceiling Price Regulation. It permits you to adjust these ceiling prices to reflect increases in inbound freight costs of your raw materials, and outbound freight cost incurred in delivering the mixed fertilizers to purchasers. This adjustment of ceiling prices may reflect increases in such freight costs only if these increases resulted from increases in freight rates which occurred since April 1, 1951, and which were approved by a governmental body empowered to do so. If you have adjusted your General Ceiling Price Regulation ceiling prices under the provisions of General Overriding Regulation 20 or 21, your adjustments under the supplementary regulation may reflect only such freight rate increases which occurred after July 26, 1951. The methods for computing the adjustment are set forth in section 2. The term "mixed fertilizer" is defined in section 3.

SEC. 2. *Adjustment of General Ceiling Price Regulation ceiling prices.* (a) You may adjust your ceiling prices established under the General Ceiling Price Regulation for sales of mixed fertilizer by adding to these ceiling prices an amount equal to your inbound freight adjustment or your outbound freight adjustment, as computed under subparagraphs (1) and (2) of this paragraph, or the sum of these adjustments.

(1) *Inbound freight adjustment.* You compute your adjustment for your increased costs of inbound freight for your raw materials used in the making of mixed fertilizer as set forth below. Raw materials, for the purposes of these calculations, include only the nitrogenous material, superphosphate, potash materials and filler materials used in making the mixed fertilizers. You must calculate your inbound freight adjustment separately for each plant.

(i) Find the dollars and cents difference in the freight rate per ton between April 1, 1951 (or July 26, 1951, if your ceiling prices have been adjusted under General Overriding Regulation 20 or 21), and the effective date of this regulation applicable to each of the raw materials which you use in your mixed fertilizers. Determine this freight rate for both periods on the basis of your customary quantities purchased (such as carload, truckload or bargeload), and your customary method of transportation from the nearest shipping point of your largest volume supplier of that particular raw material during the marketing season ending June 30, 1952.

(ii) Multiply the number of tons of each raw material used by you during your last complete fiscal year in the manufacture of all of your mixed fertilizers by the freight rate increase found in subdivision (i) applicable to that raw material. The resultant figure will be the total amount of additional freight charges that you would have paid for that raw material had current freight rates been in effect during your entire fiscal year. Add the resultant figures for each raw material to get the total additional inbound freight charges for all of your raw materials.

(iii) Divide the dollars and cents amount which you have found under subdivision (ii) by the adjusted dollar sales of all of your mixed fertilizers during your last complete fiscal year. The resultant percentage will be the percentage of adjustment of the ceiling prices for your mixed fertilizers. Adjusted dollar sales means your gross sales realization, excluding commissions and discounts, but not excluding outbound freight costs contained in the selling price.

(iv) Apply to the ceiling price of each mixed fertilizer the percentage found in subdivision (iii). The resultant dollars and cents amount is your inbound freight adjustment which, together with the outbound freight adjustment computed under subparagraph (2), may be added to your General Ceiling Price Regulation ceiling prices for that commodity.

(2) *Outbound freight adjustment.* If you sell mixed fertilizer on a delivered or freight equalized basis, you may make an outbound freight adjustment in your ceiling prices for mixed fertilizer, which you compute in the manner set forth below. Make a separate determination for each marketing area in which you customarily quote a uniform delivered price.

(i) Select the month in 1952, prior to the effective date of this regulation, in which the largest volume of mixed fertilizers was shipped by you, by carrier, as that term is defined in section 3, and determine the tonnage shipped by carrier during that month.

(ii) Determine the freight costs for that tonnage at freight rates in effect on April 1, 1951, (or July 26, 1951, if your ceiling prices have been adjusted under General Overriding Regulation 20 or 21).

(iii) Make the same determination at freight rates in effect on the effective date of this regulation.

(iv) Subtract the amount found in subdivision (ii) of this subparagraph from the amount found in subdivision (iii).

(v) Divide the difference found in subdivision (iv) by the adjusted dollar sales of the tonnage of your mixed fertilizers found in subdivision (i). The resultant percentage will be the percentage of adjustment of the ceiling price for your mixed fertilizer. Adjusted dollar sales mean your gross sales realization, excluding commissions and discounts, but not excluding outbound freight costs contained in the selling price.

(vi) Apply to the ceiling price of each mixed fertilizer the percentage found in subdivision (v). The resultant dollars and cents amount is your outbound freight adjustment.

(b) *Rounding of ceiling prices.* You may round your ceiling prices adjusted under paragraph (a) of this section to the nearest five cents. If you elect to round any of your ceiling prices under this paragraph, you must round all of them.

(c) *Records supporting your calculations.* You may not adjust any ceiling prices under paragraph (a) of this section unless your calculations of such adjustments are supported by carriers' invoices, freight bills or other statements of transportation charges; records of your purchases of raw materials which provided the bases for your calculations under paragraph (a) (1) of this section; and records of your deliveries of mixed fertilizers which provided the bases for your calculations under paragraph (a) (2) of this section. In addition, you must prepare a worksheet showing in detail how you calculated your adjustments. You must keep such invoices, freight bills, statements, records, and worksheets for so long as Title IV of the Defense Production Act of 1950, as amended, is in effect, and for two years thereafter.

SEC. 3. *Definitions and explanations.* When used in this supplementary regulation, the term:

(a) *You.* "You" means a manufacturer of mixed fertilizers, "your" and "yours" are construed accordingly.

(b) *Person.* "Person" includes any individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and the United States or any other government or their political subdivisions or agencies.

(c) *Manufacturer of mixed fertilizers.* A "manufacturer of mixed fertilizers" is a person who produces, mixes or processes mixed fertilizer.

(d) *Mixed fertilizer.* "Mixed fertilizer" means any substance containing any two or more of the basic fertilizer materials, namely, nitrogenous material, superphosphate and potash, when marketed or sold as an aid to the growth of crops or plants. The term does not include, however, any such substance sold in packages or containers of less than 80 pounds net weight, or containers of a gallon or less.

(e) *Freight rates.* "Freight rates" means the authorized or published tariffs for transportation of commodities by carriers, including excise taxes applicable thereto.

(f) *Carrier.* "Carrier" means a common or contract carrier by rail, or by water, or by truck, or any combination of common or contract carrier, whose rates are established or approved by the Interstate Commerce Commission, or a State regulatory body having jurisdiction by law to establish freight rates for common or contract carriers, or by the Director of Price Stabilization.

(g) *Ton.* "Ton" means 2,000 pounds net weight.

SEC. 4. *Applicability of the General Ceiling Price Regulation.* All the provisions of the General Ceiling Price Regulation remain applicable to you in your sales of mixed fertilizers covered by this supplementary regulation, except as these provisions are modified and supplemented by this supplementary regulation. The ceiling prices determined under this supplementary regulation shall be deemed to be ceiling prices established under the General Ceiling Price Regulation.

Effective date. This supplementary regulation is effective August 13, 1952.

NOTE: The record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 13, 1952.

[F. R. Doc. 52-9066; Filed, Aug. 13, 1952; 12:16 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board

[Interpretation 5, Amdt. 1]

INT. 5—AUTHORIZED ADJUSTMENTS IN SALARIES AND OTHER COMPENSATION UNDER GENERAL SALARY ORDER 6, AS AMENDED

MISCELLANEOUS AMENDMENTS

This amendment is designed to set forth substitute methods of computation, allowable under section 5 of General Salary Order 6, as amended, of the percentage increase in base compensation granted in a payroll period, which may be used by employers without prior approval of the Office of Salary Stabilization.

Interpretation 5 is amended by the addition of the following paragraphs:

5.2 Q. An employer grants an across-the-board percentage increase in base compensation of the kind specified in paragraph 2.2 to all employees in the Wage Stabilization Board Group in a single payroll period. He grants no other increases of this kind on a non-uniform or non-percentage basis in the same payroll period. In this specific situation, may this percentage increase be used, without further computation, as the percentage increase in base compensation granted to the Wage Stabilization Board Group in this payroll period under the formula set forth in General Salary Order 6, as amended?

A. Yes.

Example: Between January 25, 1951, and June 30, 1952, the Wage Stabilization Board Group received a few scattered individual increases and an across-the-board increase of three (3) percent granted in the payroll period ending June 30, 1952. The employer has not granted any increases in base compensation, of the kind taken into account under GSO-6, to the Salary Stabilization Board Group during this period. He may give a three (3) percent increase to the Salary Stabilization Board Group on June 30, 1952, if, as of June 30, 1952, the gross percentage increase granted to the Wage Stabilization Board Group exceeds the gross percentage increase granted to the Salary Stabilization Board Group by three (3) percent. In determining the gross percentage increase granted to the Wage Stabilization Board Group to June 30, 1952, the employer may, at his option, disregard minor increases granted in other payroll periods during the period covered by the computation. However, by so doing, the employer gives up the right to use these minor increases in any subsequent computation. (See paragraph 2.8.)

5.3 Q. If the percentage increase granted to all the employees in the Wage Stabilization Board Group (see paragraph 5.2) had been based upon the average hourly rate of compensation for these employees rather than their total base compensation during the payroll period, would the employer, without further computation, be able to use the percentage increase in the average hourly rate as the percentage increase granted in the payroll period to the Wage Stabilization Board Group under the formula set forth in General Salary Order 6, as amended?

A. Yes.

5.4 Q. An employer has 50 employees in the Wage Stabilization Board Group and grants a one and one-half ($1\frac{1}{2}$) percent cost-of-living increase to 40 of these employees but does not grant such increase to the remaining ten employees. Based on this increase, how is the percentage increase granted to the entire Wage Stabilization Board Group computed?

A. *Step 1.* Obtain the total dollar amount of the increase granted to the 40 employees by multiplying their combined base compensation by one and one-half ($1\frac{1}{2}$) percent.

Step 2. Divide the figure obtained in Step 1 by the total base compensation of all 50 Wage Stabilization Board Group employees. The resultant figure is the percentage increase granted to the entire Wage Stabilization Board Group.

5.5 Q. An employer has 120 employees in his Wage Stabilization Board Group. One hundred of these employees are in Division A and 20 are in Division B. The average wage for employees in Division A is $70 per week and the average wage for Division B is $40 per week. All employees in Division A receive an increase in base compensation of one percent and all employees in Division B receive an authorized increase in base compensation of four percent. What is the proper method of computation of the percentage increase for the entire Wage Stabilization Board Group?

A. *Step 1.* Compute the total base compensation and the total amount of increase as follows:

	Number of employees	Average base compensation per week	Total base compensation	Percent increase	Amount of increase
Division A	100×	$70=	$7,000×	1%=	$70
Division B	20×	40=	800×	4%=	32
Total Wage Stabilization Board Group			7,800		102

Step 2. Divide the total dollar amount of the increase ($102) by the total base compensation ($7,800). The resultant figure, 1.3 percent, is the percentage increase for the Wage Stabilization Board Group.

5.6 Q. If an employer's records show the base compensation of the Wage Stabilization Board Group most clearly in terms of hourly wage rates, may he compute the percentage increase for the Wage Stabilization Board Group in terms of a percentage increase in the hourly wage rates?

A. Yes.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

Issued by the Office of Salary Stabilization, August 8, 1952.

JOSEPH D. COOPER,
Executive Director.

[F. R. Doc. 52-9062; Filed, Aug. 13, 1952; 11:51 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Reg. 2, Direction 5, as Amended August 13, 1952]

NPA REG. 2—BASIC RULES OF THE PRIORITIES SYSTEM

DIR. 5—RESCHEDULING OF DELIVERIES UNDER NPA DIRECTIVES AFFECTED BY WORK STOPPAGE IN STEEL INDUSTRY

This amended direction to NPA Reg. 2 is found necessary and appropriate to promote the National Defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, as amended, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

REGULATORY PROVISIONS

Sec.
1. What this direction does.
2. Postponement of delivery date.
3. NPA directives issued on or after August 13, 1952.
4. Rescheduling of delivery.
5. Notification to customers and to NPA.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. *What this direction does.* This direction permits any producer of steel or of any other product containing steel to postpone, and requires him to reschedule, the delivery date specified in any NPA directive issued to him prior to August 13, 1952 where his inability to meet the specified delivery date is due to the work stoppage which existed in the steel industry on July 10, 1952 (the date when this direction was originally issued). The effect of this direction is thus to amend such NPA directives with respect to their delivery dates.

SEC. 2. *Postponement of delivery date.* Whenever any producer of steel or of any other product containing steel finds that due to a shortage of steel resulting from the recent work stoppage in the steel industry, he is unable to meet the delivery date specified in any NPA directive issued to him and dated prior to August 13, 1952, he is hereby authorized to postpone such delivery date until such time as he is able to make delivery in accordance with section 4 of this direction.

SEC. 3. *NPA directives issued on or after August 13, 1952.* This direction does not apply to any NPA directive dated on or after August 13, 1952, which may be issued to any producer.

SEC. 4. *Rescheduling of delivery.* As soon as practicable after resumption of steel production (in the case of steel producers) or after resumption of receipts of steel (in the case of producers of other products containing steel), each producer shall reschedule his operations in such a manner as to accomplish delivery on all orders covered by NPA directives issued to him and dated prior to August 13, 1952, in the sequence of their original specified delivery dates.

SEC. 5. *Notification to customers and to NPA.* Upon determination of the rescheduled delivery dates on orders covered by NPA directives, as in this direction provided, the producer shall immediately give written notice of such rescheduled dates to his customers, specifying the NPA directive numbers (if any). Copies of such notices shall be promptly forwarded to the National Production Authority, Washington 25, D. C. The giving of such notice shall have the effect of amending such NPA directives as to delivery date.

This direction, as amended, shall take effect August 13, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-9049; Filed, Aug. 13, 1952; 11:15 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 68 to Schedule A]

[Rent Regulation 2, Amdt. 66 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

NORTH DAKOTA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective August 14, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the item(s) of Schedule A read(s) as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 11th day of August 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
North Dakota				
(223g) Williston	A	Williams County; and that part of McKenzie County north of the south line of Township No. 150.	Apr. 1, 1951	Aug. 14, 1952

[F. R. Doc. 52-8971; Filed, Aug. 13, 1952; 8:50 a. m.]

[Rent Regulation 3, Amdt. 76 to Schedule A]

[Rent Regulation 4, Amdt. 20 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

NORTH DAKOTA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective August 14, 1952, Rent Regulation 3 and Rent Regulation 4 are amended so that the item(s) of Schedule A read(s) as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 11th day of August 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(223g) Williston	North Dakota.	Williams County; and that part of McKenzie County north of the south line of Township No. 150.	Apr. 1, 1951	Aug. 14, 1952

[F. R. Doc. 52-8972; Filed, Aug. 13, 1952; 8:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

1. In Part 6, § 6.115 is revised to read as follows:

§ 6.115 *Cash value, other than 5-year level premium term policy.* Provisions for cash value, paid-up insurance, and extended term insurance, except as provided in § 6.105 (b), shall become effective at the completion of the first policy year on any plan of United States Government life insurance other than the 5-year level premium term plan; all values, reserves, and net single premiums being based on the American Experience Table of Mortality, with interest at the rate of 3½ percent per annum. The cash value at the end of the first policy year and at the end of any policy year thereafter, for which premiums have been paid in full or waived, shall be the reserve together with any dividend accumulations. For each month after the first policy year, for which month a premium has been paid or waived, the reserve at the end of the preceding policy year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the policy with all claims thereunder, made by the insured while the policy is in force, but not later than 3 calendar months from the due date of the premium in default, the United States will pay to the insured the cash value of the policy less any indebtedness, provided the policy has been in force by payment or waiver of the premiums for at least 1 year. A surrender will be deemed completed on the date the check for the cash value is mailed to the insured's last known address of record: *Provided*, That the application has not been revoked, or the policy has not matured on or prior to said date: *Provided further*, That if the insurance is surrendered pursuant to section 5 of the Servicemen's Indemnity Act of 1951, the surrender shall be effective as of the date written request therefor is delivered to the Veterans' Administration. If forwarded by mail, properly addressed, the postmark date will be taken as the date of delivery. If forwarded through military channels the date the request is placed in military channels will be taken as the date of delivery. The provisions of the "cash value" clause in United States Government life insurance policies are hereby amended accordingly.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 6, Pub. Law 23, 82d Cong.; 38 U. S. C. 11a, 426, 707. Interpret or apply secs. 300, 301, 43 Stat. 624, as amended; 38 U. S. C. 511, 512)

2. In Part 8, § 8.27 is revised to read as follows:

§ 8.27 *Cash value*—(a) *Cash value on National Service life insurance other than insurance issued under section 620 of the National Service Life Insurance Act, as amended.* Provisions for cash value, paid-up insurance, and extended term insurance, except as provided in § 8.29 (b), shall become effective at the completion of the first policy year on any plan of National Service Life Insurance other than the 5-year level premium term plan; all values, reserves, and net single premiums being based on the American Experience Table of Mortality, with interest at the rate of 3 percent per annum. The cash value at the end of the first policy year and at the end of any policy year thereafter, for which premiums have been paid in full, shall be the reserve together with any dividend accumulations. For each month after the first policy year for which month a premium has been paid or waived, the reserve at the end of the preceding policy year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the policy with all claims thereunder, the United States will pay to the insured the cash value of the policy less any indebtedness, provided the policy has been in force by payment or waiver of the premiums for at least 1 year. A surrender will be deemed completed on the date the check for the cash value is mailed to the insured's last known address of record: *Provided*, That the application has not been revoked, or the policy has not matured on or prior to said date: *Provided further*, That if the insurance is surrendered pursuant to section 5 of the Servicemen's Indemnity Act of 1951, the surrender shall be effective as of the date written request therefor is delivered to the Veterans' Administration. If forwarded by mail, properly addressed, the postmark date will be taken as the date of delivery. If forwarded through military channels the date the request is placed in military channels will be taken as the date of delivery. The provisions of the "net cash value" clause in National Service life insurance policies are hereby amended accordingly.

(b) *Cash value on insurance issued under the provisions of section 620 of the National Service Life Insurance Act, as amended April 25, 1951.* Provisions for cash value, paid-up insurance, and extended term insurance, except as provided in § 8.29 (b), shall become effective at the completion of the first policy year on any plan of National Service life insurance other than the 5-year level premium term plan issued under the provisions of section 620 of the act, as amended; all values on such insurance, reserves, and net single premiums being based on the Commissioners 1941 Standard Ordinary Table of Mortality, with interest at the rate of 2¼ percent per annum. The cash value at the end of the first policy year and at the end of any policy year thereafter, for which premiums have been paid in full, shall be the reserve. For each month after the first policy year for which month a premium has been paid or waived, the reserve at the end of the preceding policy year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the policy with all claims thereunder, the United States will pay to the insured the cash value of the policy less any indebtedness, provided the policy has been in force by payment or waiver of premiums for at least one year. A surrender will be deemed completed on the date the check for the cash value is mailed to the insured's last known address of record: *Provided*, That the application has not been revoked, or the policy has not matured on or prior to said date: *Provided further*, That if the insurance is surrendered pursuant to section 5 of the Servicemen's Indemnity Act of 1951, the surrender shall be effective as of the date written request therefor is delivered to the Veterans' Administration. If forwarded by mail, properly addressed, the postmark date will be taken as the date of delivery. If forwarded through military channels the date the request is placed in military channels will be taken as the date of delivery. The provisions of the "net cash value" clause in National Service life insurance policies are hereby amended accordingly. (Sec. 10, Pub. Law 23, 82d Cong.).

(Sec. 608, 54 Stat. 1012, as amended, sec. 6, Pub. Law 23, 82d Cong.; 38 U. S. C. 808. Interpret or apply sec. 602, 54 Stat. 1009, as amended; 38 U. S. C. 802)

This regulation effective July 25, 1952.

[SEAL] H. V. STIRLING,
Deputy Administrator.

[F. R. Doc. 52-8974; Filed, Aug. 13, 1952; 8:52 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter B—Hunting and Possession of Wildlife

PART 6—MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

In the document appearing in the July 31, 1952, issue of the FEDERAL REGISTER (F. R. Doc. 52-8345), "Section 6.4 (b)" in amendatory provision 1 should read "Section 6.3 (b)".

JOEL D. WOLFSOHN,
Acting Secretary.

AUGUST 11, 1952.

[F. R. Doc. 52-9000; Filed, Aug. 13, 1952; 8:57 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Ch. I]

IMPORTATION OF WILD BIRD FEATHERS

NOTICE OF PROPOSED RULE MAKING

The act of July 17, 1952 (Pub. Law 580, 82d Cong., 66 Stat. 755), which will become effective at midnight, August 16, 1952, amends paragraph 1518 of the Tariff Act of 1930 (19 U. S. C., sec. 1001, par. 1518), so as to effect certain changes in the provisions thereof which prohibit the importation of the feathers of wild birds. Section 1 of the act amends paragraph 1518 by inserting "(a)" after "1518." and by striking out the two provisos at the end of the first subparagraph and all of the second subparagraph, and by inserting in lieu thereof new subparagraphs (b) to (f), inclusive.

Subparagraph (b) prohibits the importation of the feathers or skin of any bird except as provided in subparagraphs (c) and (d). Subparagraph (c) provides that the prohibition against importation shall not apply in certain designated circumstances which are not material for the purposes of this notice. Subparagraph (d) provides that there may be entered, or withdrawn from warehouse, for consumption in each calendar year the following quotas of skins bearing feathers:

(1) For use in the manufacture of artificial flies used for fishing: (A) not more than 5,000 skins of grey jungle fowl (Gallus sonneratii), and (B) not more than 1,000 skins of mandarin duck (Dendronessa galericulata); and

(2) For use in the manufacture of artificial flies used for fishing, or for millinery purposes, not more than 45,000 skins, in the aggregate, of the following species of pheasant: Lady Amherst pheasant (Chrysolophus amherstiae), golden pheasant (Chrysolophus pictus), silver pheasant (Lophura nycthemera), Reeves pheasant (Syrmaticus reevesii), blue-eared pheasant (Crossoptilon auritum), and brown-eared pheasant (Crossoptilon mantchuricum).

Under the terms of section 4 of the act, the import quotas set out above, which ordinarily would be for a full calendar year, will be available for the period beginning on August 17, 1952, and ending on December 31, 1952.

Subparagraph (e) provides that no article specified in subparagraph (d) shall be entered, or withdrawn from warehouse, for consumption except under a permit issued by the Secretary of the Interior. The said subparagraph (e) further provides that the Secretary of the Interior shall prescribe such regulations as may be necessary to carry out the purposes and provisions of subparagraph (d), including regulations providing for equitable allocation among qualified applicants of the import quotas established by such subparagraph.

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237), and in anticipation of the effective date, midnight, August 16, 1952, of the amendments to paragraph 1518 of the Tariff Act of 1930 made by the said act of July 17, 1952, notice is hereby given that the Secretary of the Interior proposes to take the following action:

To devise and adopt procedures under which permits may be applied for and issued for the entry, or withdrawal from warehouse for consumption, of the articles specified in subparagraph (d), and to adopt regulations providing for equitable allocation among qualified applicants of the import quotas established by such subparagraph.

The public generally and, in particular, importers, dealers, distributors, processors, manufacturers, and others who, directly or indirectly, may be interested or engaged in the manufacture of artificial flies used for fishing, or the manufacture of millinery products, and may desire to share in the allocation ultimately to be made of the import quotas established by the said subparagraph (d), are hereby invited to participate in the preparation of the proposed regulations by submitting their views, data, or arguments in writing to Albert M. Day, Director, Fish and Wildlife Service, Washington 25, D. C., on or before September 2, 1952.

Issued at Washington, D. C., this eighth day of August 1952.

JOEL D. WOLFSOHN,
Acting Secretary of the Interior.

[F. R. Doc. 52-8942; Filed, Aug. 13, 1952; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 909]

HANDLING OF ALMONDS GROWN IN CALIFORNIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO SALABLE AND SURPLUS PERCENTAGES

Notice is hereby given that the Department is considering the issuance of the proposed administrative rule herein set forth pursuant to the provisions of Marketing Agreement No. 119 and Order No. 9, regulating the handling of almonds grown in California (7 CFR 1951 Sup., Part 909), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Prior to the final issuance of such rule, consideration will be given to data, views, or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., and which are received not later than the close of business on the tenth day after publication of this notice in the FEDERAL REGISTER, except that if the tenth day after publication should fall on a holiday, Saturday, or Sunday, such submission may be received by the Director not later than the close of business on the next following work day.

Pursuant to the provisions of the aforesaid agreement and order, the Almond Control Board, the administrative agency thereunder, has transmitted to the Secretary of Agriculture its estimates relating to production, handler carryover, trade demand for almonds, and its recommendation as to salable and surplus percentages to be fixed for the crop year beginning July 1, 1952.

The Department has considered the Almond Control Board's estimates, and the following summary of the almond supply and demand situation, in terms of kernel weight, is based on such estimates and other available information: (1) 1952 California production 37,000,000 pounds; (2) trade demand for California almonds for the crop year beginning July 1, 1952, 39,950,000 pounds; (3) carry in by packers and shellers on July 1, 1952, 11,500,000 pounds; (4) portion of trade demand to be satisfied from 1952 California crop (item 2 minus item 3) 28,450,000 pounds; (5) quantity of 1952 California crop available for handling, with salable percentage of 85 percent (85 percent of item 1) 31,450,000 pounds; (6) estimated carry out June 30, 1953 (item 5 minus item 4) 3,000,000 pounds.

On the basis of information now available to the Department, a salable percentage of 85 percent would make sufficient almonds available to satisfy the estimated trade demand and provide an adequate quantity to be carried over by handlers on June 30, 1953.

Therefore, such proposed administrative rule is as follows:

§ 909.202 *Salable and surplus percentages for almonds during the crop year beginning July 1, 1952.* The salable and surplus percentages during the crop year beginning July 1, 1952, applicable to almonds, edible kernel weight basis, received by handlers for their own accounts, shall be 85 percent and 15 percent, respectively.

Issued at Washington, D. C., this 8th day of August 1952.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 52-8983; Filed, Aug. 13, 1952; 8:52 a. m.]

[7 CFR Part 940]

PEACHES GROWN IN THE COUNTY OF MESA IN COLORADO

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1952-53 FISCAL YEAR

Consideration is being given to the following proposals which were submitted by the Administrative Committee, established under the marketing agreement, as amended, and Order No. 40, as amended (7 CFR Part 940), regulating the handling of peaches grown in the County of Mesa in the State of Colorado, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $5,600.00 are likely to be incurred by said committee during the fiscal year beginning March 1, 1952, and ending February 28, 1953, both dates inclusive, for its maintenance and functioning under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the pro rata share of such expenses which each handler shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid fiscal year, the rate of assessment at $0.007 per bushel basket of peaches, or its equivalent of peaches in other containers or in bulk, shipped by such handler during said fiscal year.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued this 11th day of August 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch Production and Marketing Administration.

[F. R. Doc. 52-8985; Filed, Aug. 13, 1952; 8:53 a. m.]

[7 CFR Part 951]

TOKAY GRAPES GROWN IN THE STATE OF CALIFORNIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1952-53 SEASON

Consideration is being given to the following proposals which were submitted by the Industry Committee, established under the marketing agreement, as amended, and Order No. 51, as amended (7 CFR Part 951), regulating the handling of Tokay grapes grown in the State of California, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $39,520.00 are likely to be incurred by said committee during the season beginning April 1, 1952, and ending March 31, 1953, both dates inclusive, for its maintenance and functioning under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the share of such expenses which each handler who first ships grapes shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid season, the rate of assessment at $0.025 per hundred pounds of Tokay grapes shipped by such handler during said season.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued this 11th day of August 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-8984; Filed, Aug. 13, 1952; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

[Treasury Department Order No. 154; CGFR 52-40]

COMMANDANT, U. S. COAST GUARD

DELEGATION OF AUTHORITY TO MAKE FINAL DETERMINATIONS IN PHYSICAL DISABILITY RETIREMENT CASES

By virtue of the authority vested in me by Reorganization Plan No. 26 of 1950 and 14 U. S. C. 631, the powers, duties, and functions vested in me by Title IV of the Career Compensation Act of 1949, as amended, to make final determinations and to take final action in cases of members of the United States Coast Guard processed for physical disability retirement are hereby transferred and conferred upon the Commandant, United States Coast Guard.

Dated: August 7, 1952.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 52-8970; Filed, Aug. 13, 1952; 8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

NOTICE OF FILING OF PLAT OF RESURVEY AND EXTENSION SURVEY

AUGUST 6, 1952.

Notice is given that the plat accepted March 24, 1952, of (1) resurvey comprising secs. 1, 2, 3, NE¼ secs. 4, 10, 11 and 12, T. 40 N., R. 27 E., delineating a retracement and reestablishment of portions of the original survey as shown upon the plat approved December 27, 1873, and (2) extension survey of lands hereinafter described will be officially filed in the Land and Survey Office, Reno, Nevada, effective at 10:00 a. m., on the 35th day after the date of this notice.

The lands affected by this notice are described as follows:

MOUNT DIABLO MERIDIAN

T. 40 N., R. 27 E.,
Sec. 4, lots 5 through 15, inclusive, and SW¼SW¼.
Sec. 9, all.

The areas described aggregate 1,121.22 acres.

Available data indicates the described lands are rough, mountainous land.

No application for the above-described lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public land laws, unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference (under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Reno, Nevada, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Bureau of Land Management, Reno, Nevada.

A. L. SIMPSON,
Manager.

[F. R. Doc. 52-8943; Filed, Aug. 13, 1952; 8:45 a. m.]

DEPARTMENT OF COMMERCE

National Production Authority

[Suspension Order 18, Docket No. 18]

CHANDEYSSON ELECTRIC CO.

SUSPENSION ORDER

A hearing having been held in the above-entitled matter on the 10th day of June 1952 before Honorable Frederick J. Moreau, a Hearing Commissioner of the National Production Authority, on the statement of charges made by the National Production Authority pursuant to General Administrative Order 16-06 (16 F. R. 8628) dated July 21, 1951, and Implementation 1 thereto (16 F. R. 8799); and Respondent Chandeysson Electric Company having been duly apprised of the specific violations charged, and having been fully informed of the rules and procedures which govern these proceedings and the administrative action which may be taken; and Chandeysson Electric Company having appeared herein by its attorney, R. Forder Buckley, 506 Olive Street, St. Louis, Mo., and Chandeysson Electric Company having stipulated on the 10th day of June 1952 to a stipulation of facts to be filed in these proceedings in lieu of the presentation of other evidence in support and in opposition to the statement of charges; and said stipulation and the respective statements of counsel having been duly considered, it is hereby determined as follows:

Findings of fact. 1. That during the period commencing December 12, 1951, and ending May 26, 1952, Chandeysson Electric Company, a Missouri Corporation, accepted deliveries of items of carbon steel and items of copper, upon the receipt of which its inventory of said items and each of them became and were in excess of the quantities of such items necessary to meet its deliveries, supply its services, and perform its operations on the basis of its then currently scheduled method and rate of operation, resulting in excess inventories of items of steel amounting to 281 tons and excess inventories in items of copper amounting to 91,948 pounds.

2. That Exhibit II attached to the stipulation of facts received in evidence herein further discloses that Respondent's inventories of the aforesaid controlled materials listed by size and shape exceeded its estimated requirements through the third quarter 1952 in the amount therein stated, except as to the following items as to each of which Respondent's inventory as of May 26, 1952, is below a reasonable estimate of its requirements through said third quarter of 1952, to wit:

Description	Inventory May 26, 1952	Future receipts	Total inventory	Estimated usage through Sept. 30, 1952	Estimated quantity in excess
	Carbon steel bars—Flat				
¾" x 1"	652		652	652	
¾" x 3½"	1,716		1,716	1,716	
¾" x 4"	326		326	326	
	Carbon steel plate				
1" x 48 1/16"		15,680	15,680	15,680	
1¼" x 10¼"	8,160		8,160	8,160	
	Commutator copper bars				
0.3366" x 0.4412" x 2"	1,439		1,439	1,439	
	Magnet wire—square D. C. C.—In pounds				
No. 5½	2,025		2,025	2,025	
No. 12½	1,125		1,125	1,125	
	Magnet wire—rectangular D. C. C.				
0.162" x 0.138"	2,868	4,800	7,668	7,668	

3. That during the period commencing December 12, 1951, and ending May 26, 1952, Chandeysson Electric Company committed acts prohibited by sections 3 (a) and 3 (b) by CMP Regulation No. 2 dated May 10, 1951, and as amended October 12, 1951 (16 F. R. 4370; 16 F. R. 10489), in that it accepted deliveries of the aforesaid items of the aforesaid controlled materials, upon receipt of which its inventory of said items became and were in excess of the quantities of such items necessary to meet its delivery, supply its services, and perform its operation on the basis of its then currently scheduled method and rate of operation, and that the receipt of said items and each of them was in violation of the said provisions of said sections of CMP Regulation No. 2.

In order to correct excess inventories of the aforesaid items of steel and copper occasioned by the aforesaid unauthorized receipts,

It is accordingly ordered: That all allocations and allotments of carbon steel, copper bars, and magnet wire which have been or may be granted to Chandeysson Electric Company, its successors and assigns, for use during the third quarter of 1952 and the fourth quarter of 1952, be and the same hereby are suspended; and the said Chandeysson Electric Company, its successors and assigns, are prohibited during each of said periods from accepting any delivery of the aforesaid items of the aforesaid controlled materials, except as follows, to wit:

The Chandeysson Electric Company, notwithstanding any provision of this order, shall be entitled to issue purchase orders against its allotments and receive deliveries thereon as to each of the items listed by size and shape in paragraph 2 supra of this order, to the extent necessary to bring its inventories of said items and each of them up to amounts necessary to meet its deliveries, supply its services, and perform its operations on the basis of its currently scheduled method and rate of operations with respect to said items: *Provided, however,* That such receipts do not result in inventories of said items or any of them in violation of the provisions of the aforesaid CMP Regulation No. 2: *And provided further,* That said Chandeysson Electric Company shall be permitted to receive delivery on the following purchase orders now outstanding for third quarter delivery, to wit:

Size	Quantity (pounds)	Purchase order No.	Delivery schedule
	Carbon steel bars—flat		
1" x 4"	14,000	68727	July.
1" x 4½"	16,000	68727	July.
	Carbon steel plate		
1" x 48 1/16"	15,680	68728	July.
1¼" x 48 1/16"	6,720	68728	July.
1¾" x 48 1/16"	9,140	68728	July.
2¼" x 60"	7,320	68728	July.
	Carbon steel sheets		
0.0625"	40,000	68726	July.
	Commutator copper bars		
0.7335" x 0.9131" x 2"	5,000	68062	July.
0.7732" x 0.9128" x 2"	5,000	68062	July.
	Magnet wire—square D. C. C.		
No. 8	2,000	68331	September.
No. 11	1,000	68331	September.
No. 12	1,000	68331	September.

Issued this 10th day of June 1952 at St. Louis, Mo.

NATIONAL PRODUCTION AUTHORITY,
By FRED J. MOREAU,
Hearing Commissioner.

[F. R. Doc. 52-9050; Filed, Aug. 13, 1952; 11:15 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4603 et al.]

MID-CONTINENT AIRLINES AND OZARK AIRLINES; REOPENED NORTH CENTRAL ROUTE INVESTIGATION CASE

NOTICE OF HEARING

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 (h) and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on September 3, 1952, at 10:00 a. m., eastern daylight time, in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Barron Fredericks.

Without limiting the scope of the issues raised by the Board's order serial number E-5952 reopening the proceeding, particular attention will be directed to the questions (a) whether the public convenience and necessity require the suspension of Mid-Continent Airlines' temporary certificate of public convenience and necessity for route No. 106 insofar as such certificate authorizes service to Milwaukee, Wis., and (b) whether the public convenience and necessity require the amendment of Ozark Airlines' temporary certificate of public convenience and necessity so as to extend the St. Louis, Mo.-Rockford, Ill. segments (segment number 1) of said route to Milwaukee, Wis.

For further details concerning the issues involved in the proceeding, interested persons are referred to the above-mentioned reopening order and to the report of the prehearing conference held on May 19, 1952, which are on file with the Civil Aeronautics Board.

Notice is further given that any person, other than a party of record, desiring to be heard in this proceeding must file with the Board on or before September 3, 1952, a written statement setting forth such relevant propositions of fact or law as he desires to advance, and that upon such filing such person may participate in the hearing as provided in Rule 14 of the Board's rules of practice.

Dated at Washington, D. C., August 8, 1952.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F. R. Doc. 52-8973; Filed, Aug. 13, 1952; 8:51 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

SPECIAL REPRESENTATIVES OF HOUSING AND HOME FINANCE ADMINISTRATOR

DELEGATION OF AUTHORITY TO PERFORM FUNCTIONS IN CONNECTION WITH RELAXATION OF HOUSING CREDIT CONTROLS IN AREAS AFFECTED BY SAVANNAH RIVER (S. C. AND GA.), PADUCAH (KY.), AND REACTOR TESTING STATION (IDAHO) INSTALLATIONS OF ATOMIC ENERGY COMMISSION

The delegation of authority, effective June 20, 1951 (16 F. R. 6779), as amended, effective December 4, 1951 (16 F. R. 12407) and February 13, 1952 (17 F. R. 1400), is hereby further amended to read as follows:

The following representatives of the Housing and Home Finance Administrator are hereby authorized each in his respective assigned area to take any action (including the making of any determination and the approval of any application) which it is necessary or appropriate for the Housing and Home Finance Administrator to take in the administration of Housing and Home Finance Agency Regulation CR 2, 16 F. R. 11728 (1951), as now or hereafter amended, which regulation pertains to the processing and approval, for the areas affected by the Savannah River (S. C. and Ga.), Paducah (Ky.), and Reactor Testing Station (Idaho) installations of the Atomic Energy Commission, of exceptions from residential credit restrictions otherwise applicable and to the terms and conditions attached to such approval:

McClellan Ratchford (Savannah River Office, Aiken, S. C.),
John McCollum (Paducah, Ky.), and
Lindley R. Durkee or his designee (Idaho Falls, Idaho).

Each of said representatives is hereby authorized, in his respective assigned area, to take any action necessary with respect to one-family or two-family dwellings to release applicants or their successors in interest from their obligation under CR 2 to hold any such dwelling for rent.

Any action taken by any of the aforementioned delegates in this connection is hereby ratified, confirmed and adopted.

(Reorganization Plan No. 3 of 1947, 61 Stat. 954; Title V of the Housing Act of 1948, as amended, 12 U. S. C. 1701c; Titles VI and VII of the Defense Production Act of 1950, as amended, 50 U. S. C. 2131 et seq.; Executive Order 10161, as amended, 50 U. S. C. App. 2071, Note; sec. 6 (p) of Regulation X, as amended, 32A CFR Chapter XV; HHFA CR 1, as amended, and HHFA CR 2, as amended, 32A CFR Chapter XVII)

Effective as of the 14th day of August 1952.

RAYMOND M. FOLEY, *Housing and Home Finance Administrator.*

[F. R. Doc. 52-8969; Filed, Aug. 13, 1952; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1169]

POTOMAC GAS CO.

NOTICE OF ORDER DISMISSING APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

AUGUST 8, 1952.

Notice is hereby given that on August 5, 1952, the Federal Power Commission issued its order entered July 31, 1952, dismissing application for certificate of public convenience and necessity and terminating proceeding in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8944; Filed, Aug. 13, 1952; 8:45 a. m.]

[Docket No. G-1556]

SOUTHERN CALIFORNIA GAS CO.

NOTICE OF ORDER DENYING APPLICATION FOR TRANSFER OF AMOUNTS TO EARNED SURPLUS AND AUTHORIZING TRANSFER TO OTHER RESERVES ACCOUNT

AUGUST 8, 1952.

Notice is hereby given that on August 6, 1952, the Federal Power Commission issued its order entered July 31, 1952, denying application for transfer of amounts to earned surplus and authorizing transfer to other reserves account in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8945; Filed, Aug. 13, 1952; 8:46 a. m.]

[Docket No. G-1930]

TENNESSEE GAS TRANSMISSION CO.

ORDER FIXING DATE OF HEARING

JULY 31, 1952.

On March 31, 1952, Tennessee Gas Transmission Company (Applicant), a Delaware corporation with its principal place of business in Houston, Texas, filed an application as amended on July 1, 1952, pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas transmission pipeline facilities.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a public hearing be held commencing on September 2, 1952, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) [18 CFR 1.8 and 1.37 (f)] of the Commission's rules of practice and procedure.

Date of issuance: August 8, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8949; Filed, Aug. 13, 1952; 8:47 a. m.]

[Docket Nos. G-1960, G-1975]

TEXAS EASTERN TRANSMISSION CORP. ET AL.

NOTICE OF FINDINGS AND ORDERS

AUGUST 8, 1952.

In the matters of Texas Eastern Transmission Corporation, Docket No. G-1960; Mississippi River Fuel Corporation, Docket No. G-1975.

Notice is hereby given that on August 7, 1952, the Federal Power Commission issued its orders entered July 31, 1952, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8946; Filed, Aug. 13, 1952; 8:46 a. m.]

[Docket No. G-1993]

SOUTHERN NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

JULY 31, 1952.

On July 3, 1952, Southern Natural Gas Company (Applicant), a Delaware corporation having its principal place of business at Birmingham, Alabama, filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural-gas transmission pipeline facilities or in the alternative requests an order by the Commission disclaiming jurisdiction with respect to the proposed facilities.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a public hearing be held commencing on September 4, 1952, at 10: 00 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: August 8, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8950; Filed, Aug. 13, 1952; 8:47 a. m.]

[Docket No. G-2010]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

AUGUST 7, 1952.

Take notice that Northern Natural Gas Company (Applicant), a Delaware corporation with its principal office at 2223 Dodge Street, Omaha, Nebraska, filed on July 22, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of the following natural-gas transmission pipeline facilities:

(A) *Pipelines.*

(1) [9 miles of 24 inch pipeline which forms a segment of] 36.3 Miles 16"-20"-24" Trunkline Texas Co., Oklahoma AGP (Stonebraker) Acreage.

(2) [12 miles of 26-inch pipeline which forms a segment of] 28.2 Miles 16"-24"-26" Trunkline Morton-Stevens Co., Kansas AGP Acreage.

(3) 41.0 Miles 24" Trunkline Hugoton Field Sta. to Kearny-Grant Trunkline.

(4) 2.5 Miles 20" Suction and Discharge Lines Tate Field Station.

(5) 2.0 Miles 26" Second Suction Line Holcomb Sta.

(6) 4.16 Miles 24" Trunkline Morton Co., Kansas Continuation of Item (1) above.

(B) *Compressor Stations.*

(1) Hugoton—13,200 H. P. Station.

(2) Tate—880 H. P. Station.

(3) Tate—1-440 H. P. Addition.

(C) *Transmission System.*

(1) 19.4 Miles 16" Second Branch Line—Omaha.

(2) Increase Branch Capacity for Old Communities.

(3) 0.3 Mile Albert Lea, Minnesota Line Extension.

(4) River Undercrossing Replacements (Solomon, Salt, Saline, and Stevens Creek).

(5) Replace 7,500 Feet 12" with 20" High Bridge Power Plant Line.

(6) 2.0 Miles Fourth Line to Minneapolis.

(7) Little Blue River Bridge Extension.

(D) *Town Border & Main Lines Sales Meas. Stations.*

(1) Omaha Second Measuring Station.

(2) Des Moines Second Measuring Station.

(3) Albert Lea, Minn., New Measuring Station.

(4) Relocate and Replace High Bridge Power Plant Measuring Station.

Applicant states that it is the purpose of this application to comply with conditions set forth in subparagraph (C) (8) (a) and (C) (8) (b) of the Commission's Opinion No. 230 and order issued June 24, 1952. In the Matter of Northern Natural Gas Company, Docket No. G-1618. Applicant further states that this application, in compliance with the condition contained in subparagraph (C) (8) (a) of the Commission's aforesaid opinion and order in Docket No. G-1618, seeks authorization for the facilities described in (A) and (B) above, and in compliance with the condition contained in subparagraph (C) (8) (b) of the Commission's aforesaid opinion and order, sets forth facts upon which Applicant requests the Commission to find that the facilities described in (C) and (D) above do not require certificate authorization, or, in the alternative, to grant certificate authorization therefor.

The estimated cost of facilities for which Applicant seeks certificate authorization and which are described in (A) and (B), above, is $7,827,407, and of the facilities described in (C) and (D) above for which Applicant requests the Commission to find that no certificate authorization is required, or, in the alternative, to grant certificate authorization therefor, is $3,865,140.

Applicant states that its application is unusual in character in that the facilities involved have already been considered by the Commission and sanctioned to the extent that they form an essential part of the overall project described and approved by the Commission in its Opinion No. 230 and order issued June 24, 1952 in Docket No. G-1618. For such reason Applicant refers to the showings made in that docket and to the findings of the Commission therein and requests that the Commission consider the same in connection with its determination of the instant application.

Applicant requests that the intermediate decision procedure be omitted and waives oral hearing and opportunity for filing exceptions to the decision of the Commission, and requests that its application be disposed of pursuant to the shortened procedure provided for in § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)).

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 27th day of August 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8951; Filed, Aug. 13, 1952; 8:47 a. m.]

[Docket No. IT-5519]

BONNEVILLE PROJECT COLUMBIA RIVER, WASHINGTON-OREGON

NOTICE OF SUPPLEMENTAL ORDER CONFIRMING AND APPROVING RATES FOR EXPERIMENTAL SERVICE

AUGUST 8, 1952.

Notice is hereby given that on August 6, 1952, the Federal Power Commission issued its order entered July 31, 1952, confirming and approving rates for experimental service in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8947; Filed, Aug. 13, 1952; 8:46 a. m.]

CENTRAL LOUISIANA ELECTRIC CO., INC.; SUCCESSOR TO GULF PUBLIC SERVICE CO., INC.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS

AUGUST 8, 1952.

Notice is hereby given that on August 7, 1952, the Federal Power Commission issued its order entered July 31, 1952, approving and directing disposition of amounts classified in Account 100.5 and Account 107 in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8948; Filed, Aug. 13, 1952; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2389]

DELAWARE POWER & LIGHT CO. AND EASTERN SHORE PUBLIC SERVICE CO. OF MARYLAND

SUPPLEMENTAL ORDER WITH RESPECT TO ISSUANCE AND SALE OF PROMISSORY NOTES AND COMMON STOCK BY SUBSIDIARY COMPANY AND ACQUISITION OF SUCH SECURITIES BY PARENT COMPANY

AUGUST 8, 1952.

The Commission having on December 6, 1951, issued its order extending the time to December 31, 1952, within which Eastern Shore Public Service Company of Maryland ("Maryland"), a wholly owned subsidiary of Delaware Power & Light Company ("Delaware"), a registered holding company, was authorized to issue and sell to Delaware $1,000,000 principal amount of its 4 percent promissory notes and 10,000 shares of its common stock; and

The joint applicants-declarants on July 30, 1952, having filed a supplemental amendment with this Commission stating that none of the above-mentioned notes or common stock have been issued or sold, and having requested the Commission to approve a revised form of note to be used in the issuance and sale of such notes, which differs from the form of note filed with the original application-declaration in this proceeding; and

The Commission having considered the revised form of note which Maryland proposes to issue to Delaware and it appearing to the Commission that the revised form of note is not inconsistent with the standards of the act or the rules and regulations promulgated thereunder and that the application-declaration as supplemented be granted and permitted to become effective:

It is ordered, That the application-declaration, as supplemented by supplemental amendment dated July 30, 1952, be and the same is hereby granted and permitted to become effective forthwith, subject to the conditions prescribed in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 52-8954; Filed, Aug. 13, 1952; 8:48 a. m.]

[File No. 70-2816]

DELAWARE POWER & LIGHT CO. AND EASTERN SHORE PUBLIC SERVICE CO. OF VIRGINIA

SUPPLEMENTAL ORDER WITH RESPECT TO ISSUANCE AND SALE OF PROMISSORY NOTES AND COMMON STOCK BY SUBSIDIARY COMPANY AND ACQUISITION OF SUCH SECURITIES BY PARENT COMPANY

AUGUST 8, 1952.

The Commission having on March 27, 1952, issued its Order authorizing Eastern Shore Public Service Company of Virginia ("Virginia"), a wholly-owned subsidiary of Delaware Power & Light Company ("Delaware"), a registered holding company, to issue and sell to Delaware prior to December 31, 1953, its 4 percent promissory notes in the total principal amount of not to exceed $700,000 and its common stock in a total of not to exceed 7,000 shares; and

The joint applicants-declarants on July 30, 1952, having filed a supplemental amendment with this Commission stating that none of the above-mentioned notes or common stock have been issued or sold, and having requested the Commission to approve a revised form of note to be used in the issuance and sale of such notes, which differs from the form of note which was filed with the original application-declaration in this proceeding; and

The Commission having considered the revised form of note which Virginia proposes to issue to Delaware in accordance with its order dated March 27, 1952, approving the transaction, and it appearing to the Commission that the revised form of note is not inconsistent with the standards of the act or the rules and regulations promulgated thereunder and that the application-declaration as supplemented be granted and permitted to become effective:

It is ordered, That the application-declaration, as supplemented by supplemental amendment dated July 30, 1952, be and the same is hereby granted and permitted to become effective forthwith, subject to the conditions prescribed in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 52-8955; Filed, Aug. 13, 1952; 8:49 a. m.]

[File No. 70-2904]

PHILADELPHIA CO.

ORDER GRANTING AUTHORITY TO RENEW BANK LOAN NOTES

AUGUST 8, 1952.

Philadelphia Company ("Philadelphia"), a registered holding company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, having filed a declaration pursuant to sections 6 (a) and 7 of the act with respect to the following transaction:

On August 21, 1950, the Commission issued its findings, opinion, and order (Holding Company Act Release No. 10044), which among other things permitted Philadelphia to issue bank loan notes, aggregating $17,500,000 to Mellon National Bank and Trust Co. of Pittsburgh, Pennsylvania, Chase National Bank of the City of New York, New York, Continental Illinois National Bank and Trust Company of Chicago, Illinois, and Harris Trust and Savings Bank of Chicago, Illinois. The notes, which were issued on August 23, 1950, provide for maturity one year after issuance, with an option on Philadelphia's part to renew them for two further periods of one year each, and for an interest rate of 2 percent per annum for the first year and, if renewed, 2⅛ percent thereafter. Said order of August 21, 1950, prohibited Philadelphia from extending the maturity of any of the bank loan notes without securing a further order of this Commission permitting such extension.

On July 31, 1951, Philadelphia prepaid $1,500,000 of said bank loan notes. On August 23, 1951, it renewed the remainder of said notes, in accordance with an order of this Commission, dated August 10, 1951 (Holding Company Act Release No. 10718), in the aggregate amount of $16,000,000, for a further period of one year from August 23, 1951. Philadelphia now proposes to renew such notes, in accordance with their terms, for another period of one year from August 23, 1952.

Philadelphia states that the expenses in connection with the proposed transaction will be nominal. It requests that the Commission's order herein become effective upon issuance.

Appropriate notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the declaration that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 52-8953; Filed, Aug. 13, 1952; 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region I, Redelegation of Authority No. 38, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 1, and pursuant to Delegation of Authority No. 61, Revision 1 (17 F. R. 6424), this revision of Redelegation of Authority No. 38 (17 F. R. 4268) is hereby issued.

Authority to act under CPR 134. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization in Region I, to act under sections 4 (a) (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of CPR 134.

This revised redelegation of authority shall take effect as of July 21, 1952.

JOSEPH M. MCDONOUGH,
Regional Director, Region I.

AUGUST 14, 1952.

[F. R. Doc. 52-8979; Filed, Aug. 11, 1952; 4:50 p. m.]

[Region I, Redelegation of Authority No. 46]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT ON FINAL PRICING METHOD AND ADJUSTMENT PROVISIONS OF CPR 13

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 1, and pursuant to Delegation of Authority No. 62 (17 F. R. 3258), this redelegation of authority is hereby issued.

Authority is hereby redelegated to each District Director of the Office of Price Stabilization in Region I:

(a) To request of any seller of petroleum products who is covered by Ceiling Price Regulation 13 further information regarding such seller's filing of a price under the provisions of sections 13 and 18 of Ceiling Price Regulation 13, or regarding his application for adjustment under the provisions of sections 16 and 17 of Ceiling Price Regulation 13;

(b) To grant, revise or deny applications for adjustment made under the provisions of sections 16 and 17 of Ceiling Price Regulation 13;

(c) To approve, disapprove or revise ceiling prices determined under the provisions of sections 13 and 18 of Ceiling Price Regulation 13.

This redelegation of authority shall take effect as of July 21, 1952.

JOSEPH M. MCDONOUGH,
Regional Director, Region I.

AUGUST 11, 1952.

[F. R. Doc. 52-8978; Filed, Aug. 11, 1952; 4:50 p. m.]

[Region V, Redelegation of Authority No. 29, Revised]

DIRECTORS OF DISTRICT OFFICES, REGION V, ATLANTA, GA.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134, AS AMENDED

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, Region V, Atlanta, Georgia, pursuant to Delegation of Authority 61, Revision 1 (17 F. R. 6424), this revised redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region V, located in Birmingham and Montgomery in the State of Alabama, Jacksonville and Miami in the State of Florida, Atlanta and Savannah in the State of Georgia, Jackson in the State of Mississippi, Columbia in the State of South Carolina, and Memphis and Nashville in the State of Tennessee, to act under sections 4 (a) (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of CPR 134.

This revised redelegation of authority shall take effect as of July 30, 1952.

MAURICE S. CULP,
Acting Director of Regional Office V.

AUGUST 11, 1952.

[F. R. Doc. 52-8980; Filed, Aug. 11, 1952; 4:51 p. m.]

[Region XIV, Redelegation of Authority No. 19]

TERRITORIAL DIRECTOR FOR HAWAII

REDELEGATION OF AUTHORITY TO APPROVE CEILING PRICES PROPOSED UNDER SECTION 8 OF CPR 72

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XIV, pursuant to Delegation of Authority No. 7, Revision 2 (17 F. R. 7062), this redelegation of authority is hereby issued.

1. Authority is hereby delegated to the Office of Price Stabilization Territorial Director for Hawaii, to act under section 8 of CPR 72 to approve or revise downward ceiling prices proposed under section 8 of CPR 72 so as to bring them in line with ceiling prices otherwise established by this regulation.

This redelegation of authority shall take effect on August 12, 1952.

WILLIAM T. CARROLL,
Regional Director.

AUGUST 11, 1952.

[F. R. Doc. 52-8982; Filed, Aug. 11, 1952; 4:51 p. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27297]

MIXED CARLOADS OF MERCHANDISE FROM ASHBORO, N. C., TO CHICAGO AND EAST ST. LOUIS, ILL., AND ST. LOUIS, MO.

APPLICATION FOR RELIEF

AUGUST 11, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: J. G. Kerr, Agent, for carriers parties to Agent C. A. Spaninger's tariff ICC No. 1305.

Commodities involved: Merchandise, in mixed carloads.

From: Ashboro, N. C.

To: Chicago and East St. Louis, Ill., and St. Louis, Mo.

Grounds for relief: Competition with rail carriers, circuitous routes, competition with motor carriers.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 1305, supp. 4.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-8959; Filed, Aug. 13, 1952; 8:49 a. m.]

[4th Sec. Application 27298]

NEWSPRINT PAPER FROM ONTARIO AND QUEBEC, CANADA, TO OMAHA, NEBR., AND HIAWATHA, KANS.

APPLICATION FOR RELIEF

AUGUST 11, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to schedules listed below.

Commodities involved: Newsprint paper, carloads.

From: Points in Ontario and Quebec, Canada.

To: Omaha, Nebr., and Hiawatha, Kans.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: Canadian National Railways tariff ICC No. E-447, supl. 103, Canadian Pacific Railway tariff ICC No. E-2550, supl. 87.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-8960; Filed, Aug. 13, 1952; 8:49 a. m.]