AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Pages 9411–9474

FEDERAL REGISTER

VOLUME 28 NUMBER 168

Washington, Wednesday, August 28, 1963

Contents

THE PRESIDENT

Memorandum

National Communications System; establishment 9413

EXECUTIVE AGENCIES

Agricultural Marketing Service

RULES AND REGULATIONS:

Fruit:
- Texas; oranges and grapefruit in Lower Rio Grande Valley; limitation of shipments and termination of container regulation 9417
- Washington:
  - Apricots; expenses and assessment rates, 1963–64 fiscal period, and carryover of unexpended funds 9418
  - Cherries, sweet; expenses and assessment rate, 1963–64 fiscal period 9419
  - Peaches, shipments limitation 9418

Milk in certain marketing areas; orders suspending certain provisions:
- Knoxville, Tenn 9419
- Ozarks 9419

Agriculture Department

See Agricultural Marketing Service; Commodity Credit Corporation; Forest Service.

Alien Property Office

NOTICES:

Intention to return vested property:
- Dohnansky, Vincent, et al 9471
- Framarin, Francesco 9471
- Jiskra, Zdenek 9471
- Vesely, Karel 9471

Civil Aeronautics Board

NOTICES:

IATA; agreements relating to specific commodity rates (2 documents) 9447

Civil Service Commission

RULES AND REGULATIONS:

Exceptions from competitive service:
- Navy Department 9417
- Treasury Department 9417

Commerce Department

See also International Commerce Bureau.

NOTICES:

Civil Reserve Air Fleet Program; memorandum of understanding by and between Secretary of Defense and Secretary of Commerce 9446

Commodity Credit Corporation

RULES AND REGULATIONS:

Loans, purchases, and other operations:
- Cotton; provisions for participation of commercial banks in pools of CCC price support loans; increase in rate of interest 9420
- Grains and related commodities:
  - Dry edible bean loan and purchase agreement program, 1963 crop 9420
  - Provisions for participation of financial institutions in pools of CCC price support loans on certain commodities; increase in rate of interest 9420

Rice export program 9420

Defense Department

NOTICES:

Civil Reserve Air Fleet Program; memorandum of understanding by and between Secretary of Defense and Secretary of Commerce 9444

RULES AND REGULATIONS:

Military personnel; reserve forces active duty for training for basic training 9434

Preference to blind persons in operating vending stands 9434

Federal Aviation Agency

NOTICES:

Winnebago Television Corp.; determination of hazard to air navigation 9447

PROPOSED RULE MAKING:

Control zones and transition areas; alterations and designations (2 documents) 9438, 9439

Control zones, control area extension and transition areas; alteration, revocation and designation 9437

Federal airways, associated control areas and reporting points; alteration and designation 9440

Restricted area; alteration 9441

Restricted area and controlled airspace; alteration 9441

RULES AND REGULATIONS:

Control area extension; revocation 9424

Control zones, control area extensions, and transition areas; alterations, designations, and revocations (5 documents) 9424–9426

Control zones and transition areas; alterations and designations (5 documents) 9425–9428

Federal airway; correction 9430

Federal airways and associated control areas; alterations and designations (3 documents) 9427, 9428

Federal airways, associated control areas, and reporting points; alteration, revocation, and designations (2 documents) 9428

Federal airway and reporting point; designation 9428

Restricted areas:
- Alteration 9430
- Revocation 9430

Transition area; designation 9429

Federal Maritime Commission

NOTICES:

J. B. Wood Shipping Co., Inc., et al.; agreements filed for approval 9448

(*Continued on next page*)

Federal Power Commission

NOTICES:

Hearings, etc.:

Alabama-Tennessee Natural Gas Co. and Tennessee Gas Transmission Co. 9449
Cleveland-Cliffs Iron Co. 9450
Duke Power Co. 9450
Finch, Pruyn & Co., Inc. 9451
Gulf Oil Corp. et al. 9451
San Jacinto Oil and Gas Co. et al. 9451

Federal Reserve System

RULES AND REGULATIONS:

Corporations engaged in foreign banking and financing under Federal Reserve Act 9421

Federal Trade Commission

RULES AND REGULATIONS:

Prohibited trade practices:
Baracuta, Inc., et al. 9432
Samuel A. Mannis and Co. et al. 9430
Sessions Co. et al. 9431
Universal Interchange, Inc., et al 9431

Fish and Wildlife Service

RULES AND REGULATIONS:

Hunting of big game in wildlife refuge areas:
Montana; Medicine Lake 9436
North Dakota; Snake Creek 9436

Food and Drug Administration

NOTICES:

Food additives; filing of petitions:
Eastman Chemical Products, Inc. 9446
Rubber Corporation of America 9446

Forest Service

NOTICES:

Santa Fe National Forest; removal of trespassing horses 9444

Health, Education, and Welfare Department

See Food and Drug Administration.

Interior Department

See Fish and Wildlife Service; Outdoor Recreation Bureau.

Internal Revenue Service

PROPOSED RULE MAKING:

Manufacturers and retailers excise taxes; power supply units; hearing 9437

International Commerce Bureau

NOTICES:

Handelsonderneming J. H. Vos et al.; order temporarily denying export privileges 9445

Interstate Commerce Commission

NOTICES:

Fourth section applications for relief 9470
Grain in single-car shipments; river crossings to the South:
Hearing 9470
Investigation 9470
Motor carrier:
Alternate route deviation notices 9455
Applications and certain other proceedings 9456
Intrastate applications 9470
Transfer proceedings 9469

PROPOSED RULE MAKING:

Rules of practice affecting witnesses and witness examination at oral hearings; extension of time for filing representations 9443
Substituted service; charges and practices of for-hire carriers and freight forwarders; piggyback service; trailer-on-flatcar transportation 9442

RULES AND REGULATIONS:

Administrative interpretation; authorization for adjustment of claims for damages resulting from misrouting 9435

Justice Department

See Alien Property Office.

Labor Department

See Wage and Hour Division.

Outdoor Recreation Bureau

NOTICES:

Assistant and Field Directors; authority delegations 9444

Securities and Exchange Commission

NOTICES:

Hearings, etc.:

Atlas Corp 9454
Columbia Gas System, Inc., et al 9453
Continental Vending Machine Corp 9454

RULES AND REGULATIONS:

Recovery of short term trading profits; exemptions 9433

State Department

RULES AND REGULATIONS:

Foreign and territorial compensation; differentials and cost-of-living allowances payable in nonforeign areas; definitions, and payment of differentials and allowances 9417

Treasury Department

See Internal Revenue Service.

Wage and Hour Division

RULES AND REGULATIONS:

Industries of seasonal nature; cotton factor branch, Memphis, Tenn. 9433

Codification Guide

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

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

3 CFR

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:

Memorandum, Aug. 21, 1963 9413

5 CFR

6 (2 documents) 9417
350 9417

7 CFR

906 9417
921 9418
922 9418
923 9419
1067 9419
1101 9419
1421 (2 documents) 9420
1427 9420
1481 9420

12 CFR

211 9421

14 CFR

71 [New] (19 documents) 9424–9430
73 [New] (3 documents) 9430

PROPOSED RULES:

71 [New] (5 documents) 9437–9441
73 [New] (2 documents) 9441

16 CFR

13 (4 documents) 9430–9432

17 CFR

240 9433

26 CFR

PROPOSED RULES:

48 9437

29 CFR

526 9433

32 CFR

132 9434
260 9434

49 CFR

9a 9435

PROPOSED RULES:

1 9443
1—450 9442

50 CFR

32 (2 documents) 9436

Presidential Documents

Title 3—THE PRESIDENT

Memorandum of August 21, 1963

ESTABLISHMENT OF THE NATIONAL COMMUNICATIONS SYSTEM

Memorandum to the Heads of Executive Departments and Agencies

THE WHITE HOUSE,
Washington, August 21, 1963.

CONCEPT AND OBJECTIVES

In order to strengthen the communications support of all major functions of government there is need to establish a unified governmental communications system which will be called the National Communications System (NCS). It shall be established and developed by linking together, improving, and extending on an evolutionary basis the communications facilities and components of the various Federal agencies.

The objective of the NCS will be to provide necessary communications for the Federal Government under all conditions ranging from a normal situation to national emergencies and international crises, including nuclear attack. The system will be developed and operated to be responsive to the variety of needs of the national command and user agencies and be capable of meeting priority requirements under emergency or war conditions through use of reserve capacity and additional private facilities. The NCS will also provide the necessary combinations of hardness, mobility, and circuit redundancy to obtain survivability of essential communications in all circumstances.

Initial emphasis in developing the NCS will be on meeting the most critical needs for communications in national security programs, particularly to overseas areas. As rapidly as is consistent with meeting critical needs, other Government needs will be examined and satisfied, as warranted, in the context of the NCS. The extent and character of the system require careful consideration in light of the priorities of need, the benefits to be obtained, and the costs involved.

Although no complete definition of the NCS can be made in advance of design studies and evolution in practice, it is generally conceived that the NCS would be comprised primarily of the long haul, point-to-point, trunk communications which can serve one or more agencies.

The President has directed the following organizational arrangements relating to the establishment and effective operation of the NCS.

EXECUTIVE OFFICE RESPONSIBILITIES

In carrying out his functions pursuant to Executive Orders 10705 and 10995 and under this memorandum, the Director of Telecommunications Management shall be responsible for policy direction of the development and operation of a National Communications System. In this capacity, he shall also serve as a Special Assistant to the President for Telecommunications and shall:

a. Advise with respect to communication requirements to be supplied through the NCS; the responsibilities of the agencies in implementing and utilizing the NCS; the guidance to be given to the Secretary of Defense as Executive Agent for the NCS with respect to the design and operation of the NCS; and the adequacy of system designs developed by the Executive Agent to provide, on a priority basis and under varying conditions of emergency, communications to the users of the NCS.

b. Identify those requirements unique to the needs of the Presidency.

c. Formulate and issue to the Executive Agent guidance as to the relative priorities of requirements.

d. Exercise review and surveillance of actions to insure compliance with policy determinations and guidance.

e. Ensure that there is adequate planning to meet future needs of the NCS.

f. Assist the President with respect to his coordinating and other functions under the Communications Satellite Act of 1962 as may be specified by Executive Order or otherwise.

In performing these functions, the Special Assistant to the President for Telecommunications will work closely with the Special Assistant to the President for National Security Affairs; he will consult with the Director of the Office of Science and Technology and the Director of the Bureau of the Budget, as appropriate; will establish arrangements for inter-agency consultation to ensure that the NCS will meet the essential needs of all Government agencies; and will be responsible for carrying on the work of the Subcommittee on Communications of the Executive Committee of the National Security Council which is hereby abolished. In addition to staff regularly assigned, he is authorized to arrange for the assignment of communications and other specialists from any agency by detail or temporary assignment.

The Bureau of the Budget, in consultation with the Special Assistant to the President for Telecommunications, the Executive Agent and the Administrator of General Services, will prescribe general guidelines and procedures for reviewing the financing of the NCS within the budgetary process and for preparation of budget estimates by the participating agencies.

Executive Agent Responsibilities

To obtain the benefits of unified technical planning and operations, a single Executive Agent for the NCS is necessary. The President has designated the Secretary of Defense to serve in this capacity. He shall:

a. Design, for the approval of the President, the NCS, taking into consideration the communication needs and resources of all Federal agencies.

b. Develop plans for fulfilling approved requirements and priority determinations, and recommend assignments of implementation responsibilities to user agencies.

c. Assist the user agencies and the General Services Administrator with respect to the Federal Telecommunications System to accomplish their respective undertakings in the development and operation of the system.

d. Allocate, reallocate, and arrange for restoration of communications facilities to authorized users based on approved requirements and priorities.

e. Develop operational plans and provide operational guidance with respect to all elements of the NCS, including (1) the prescription of standards and practices as to operation, maintenance, and installation; (2) the maintenance of necessary records to ensure effective utilization of the NCS; (3) the request of assignments of radio frequencies for the NCS; (4) the monitoring of frequency utilization; and (5) the exercise and test of system effectiveness.

f. Within general policy guidance, carry on long range planning to ensure the NCS meets future Government needs, especially in the national security area, and conduct and coordinate research and development in support of the NCS to ensure that the NCS reflects advancements in the art of communications.

The Secretary of Defense may delegate these functions within the Department of Defense subject at all times to his direction, authority, and control. In carrying out his responsibilities for design, development and operation of the NCS, the Secretary will make appropriate arrangements for participation of staff of other agencies.

RESPONSIBILITIES OF THE ADMINISTRATOR OF GENERAL SERVICES

The Federal Telecommunications System, established with the approval of the President under authority of the Federal Property and Administrative Services Act of 1949, as amended, to provide communications services to certain agencies in the Fifty States, the Commonwealth of Puerto Rico and the Virgin Islands, shall be a part of the NCS and shall be implemented and developed in accordance with approved plans and policies developed pursuant to this memorandum. The Executive Agent and the Administrator of General Services shall be responsible for establishing arrangements to avoid duplication in requests for cost, traffic, and other information needed from agencies served by the FPS.

Nothing contained herein shall affect the responsibilities of the Administrator of General Services under the Federal Property and Administrative Services Act of 1949, as amended, with respect to the representation of agencies in negotiations with carriers and in proceedings before Federal and state regulatory bodies; prescription of policies and methods of procurement; and the procurement either directly or by delegation of authority to other agencies of public utility communications services.

AGENCY RESPONSIBILITIES

All agencies are directed by the President to cooperate with and assist the Special Assistant to the President for Telecommunications, the Executive Agent, and the Administrator of General Services in the performance of the functions set forth above.

This memorandum shall be published in the FEDERAL REGISTER.

JOHN F. KENNEDY

[F.R. Doc. 63-9317; Filed, Aug. 26, 1963; 3:49 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of the Navy

Effective upon publication in the FEDERAL REGISTER, subparagraph (7) is added to paragraph (a) of § 6.106 as set out below.

§ 6.106 **Department of the Navy.**

* * * * *

(a) *General.* * * *

(7) One Staff Assistant to the Naval Aide to the President.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 63-9256; Filed, Aug. 27, 1963; 8:54 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Treasury Department

Effective upon publication in the FEDERAL REGISTER, subparagraph (3) is added to paragraph (c) of § 6.303 as set out below.

§ 6.303 **Treasury Department.**

* * * * *

(c) *Bureau of Customs.* * * *

(3) One Confidential Assistant to the Commissioner of Customs.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 63-9257; Filed, Aug. 27, 1963; 8:54 a.m.]

Chapter III—Foreign and Territorial Compensation

PART 350—DIFFERENTIALS AND COST-OF-LIVING ALLOWANCES PAYABLE IN NON-FOREIGN AREAS

Miscellaneous Amendments

Effective upon publication in the FEDERAL REGISTER, paragraph (h) of § 350.1 and paragraph (b)(2) of § 350.6 are amended as set out below.

§ 350.1 **Definitions.**

* * * * *

(h) "Non-foreign area" means the States of Alaska and Hawaii, the Commonwealth of Puerto Rico, territories of the United States, and such additional areas located outside the continental United States as the Secretary of State shall designate as being within the scope of Part II of Executive Order 10000, as amended.

§ 350.6 **Payment of differentials and allowances.**

* * * * *

(b) * * *

(2) *Leave.* Payment of allowances at the rate prescribed for the post of regular assignment shall continue for all periods of temporary absence from the post on leave, including transit time. Payment of differentials at the rate prescribed for the post of regular assignment shall continue for the first 42 consecutive days of temporary absence from the post on leave, including transit time. Payment of allowances and differentials under this subparagraph is authorized only if the employee returns to a post of regular assignment in a foreign or nonforeign area, unless

(i) the department or agency concerned determines that it is in the public interest not to return the employee to a post of regular assignment, or

(ii) the department or agency concerned determines that the employee's failure to return to a post of regular assignment was due to compelling personal reasons, such as health of the employee or his family, or to circumstances over which the employee has no control.

(Sec. 207, 62 Stat. 194, as amended; 5 U.S.C. 118h; sec. 202, E.O. 10000, 13 F.R. 5453, 3 CFR, 1948 Supp.; E.O. 10636, 20 F.R. 7025, 3 CFR, 1955 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 63-9247; Filed, Aug. 27, 1963; 8:53 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

PART 906—ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Limitation of Shipments and Termination of Container Regulation

§ 906.308 **Minimum standards.**

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 906 (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation of the Texas Valley Citrus Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitations of shipments of oranges and grapefruit, as hereinafter provided, will establish and maintain such minimum standards of quality and maturity and such grading and inspection requirements as will tend to effectuate such orderly marketing of such fruits as will be in the public interest, will tend to effectuate the declared policy of the act, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under 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 section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must because effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Texas Valley Citrus Committee on August 19, 1963; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information concerning the committee's recommendation for regulation, including the effective time recommended, has been disseminated among handlers of such oranges and grapefruit; the provisions of the act and this regulatory program authorize only minimum standards of quality and maturity, as set forth herein, during periods when the seasonal average price to growers of the particular fruit will exceed the parity level specified in section 2(1) of the act; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth and at the commencement thereof, so as not to permit the unrestricted shipment thereafter of oranges and grapefruit, as such unrestricted shipments would not be conducive to the orderly marketing of such oranges and grapefruit as will be in the public interest and would not tend

to effectuate the declared policy of the act; compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof; and relieves restrictions on container requirements.

(b) *Order.* (1) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; and terms relating to grade and diameter, when used herein, shall have the same meaning as is given to the respective term in the applicable United States Standards for Grapefruit (Texas and States other than Florida, California, and Arizona) (7 CFR 51.620–51.658) and the United States Standards for Oranges (Texas and States other than Florida, California, and Arizona) (7 CFR 51.680–51.712).

(2) Subpart—Container Regulation (7 CFR 906.322) is hereby terminated at 12:01 a.m., c.s.t., September 1, 1963.

(3) During the period beginning at 12:01 a.m., c.s.t., September 1, 1963, and ending at 12:01 a.m., c.s.t., August 2, 1964, no handler shall handle:

(i) Any oranges of any variety, grown in the production area, unless such oranges grade at least U.S. No. 3;

(ii) Any oranges of any variety, grown as aforesaid, which are of a size smaller than 2$\frac{3}{16}$ inches in diameter, except that not more than ten (10) percent, by count, of such oranges in any lot of containers, and not more than fifteen (15) percent, by count, of such oranges in any individual container in such lot may be of a size smaller than 2$\frac{3}{16}$ inches in diameter;

(iii) Any grapefruit of any variety, grown in the production area, unless such grapefruit grade at least U.S. No. 3; or

(iv) Any grapefruit of any variety, grown as aforesaid, which are of a size smaller than 3 inches in diameter, except that not more than ten (10) percent, by count, of such grapefruit in any lot of containers, and not more than fifteen (15) percent, by count, of such grapefruit in any individual container in such lot, may be of a size smaller than 3 inches in diameter.

(v) Any fruit of any variety, grown in the production area, for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto not more than 48 hours prior to the time of shipment.

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

Dated: August 23, 1963.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63–9293; Filed, Aug 27, 1963; 8:47 a.m.]

[Peach Reg. 2, Amdt. 1]

PART 921—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement and Order No. 921 (7 CFR Part 921), regulating the handling of fresh peaches grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Washington Fresh Peach Marketing Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments regulation, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restriction on the handling of fresh peaches grown in Washington.

Order. In § 921.302 (Peach Regulation 2, 28 F.R. 6674) delete subparagraph (1) of paragraph (b) and substitute in lieu thereof new subparagraph (1) as set forth below:

§ 921.302 Peach Regulation 2.

* * * * *

(b) * * *

(1) *Minimum grade requirement.* Such peaches shall grade at least Washington No. 1: *Provided,* That peaches of any variety which are damaged but not seriously damaged by hail injury, healed open seams, or rough suture growth may be shipped if they otherwise grade at least Washington No. 1: and *Provided further,* That peaches of the J. H. Hale variety which grade at least Washington No. 2 may be shipped if such peaches are (i) wrapped packed in a standard peach box, or (ii) loose or jumble packed in an unlidded container of a capacity equal to or greater than that of the western lugs (boxes with inside dimensions of 7 inches by 11½ inches by 18 inches).

* * * * *

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

Dated August 23, 1963, to be effective on and after 12:01 a.m., P.s.t., August 24, 1963.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63–9294; Filed, Aug. 27, 1963; 8:47 a.m.]

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Determination Relative to Expenses and Fixing of Rate of Assessment for 1963–64 Fiscal Period and Carryover of Unexpended Funds

Pursuant to the marketing agreement, as amended, and Order No. 922, as amended (7 CFR Part 922), regulating the handling of apricots grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the proposals submitted by the Washington Apricot Marketing Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 922.202 Expenses and rate of assessment for the 1963–64 fiscal period.

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by the Washington Apricot Marketing Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning April 1, 1963, and ending March 31, 1964, will amount to $4,874.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles apricots shall pay as his pro rate share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order is hereby fixed at seventy-five cents ($0.75) per ton of apricots so handled by such handler during such fiscal period.

(c) *Reserve.* Unexpended assessment funds, in excess of expenses incurred during the fiscal year ending March 31, 1963, shall be carried over as a reserve in accordance with the applicable provisions of § 922.42 of the said marketing agreement and order.

It is hereby further found that it is impracticable unnecessary, and contrary to the public interest to give preliminary notice, and engage in public rule-making procedure, and good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) shipments of apricots are now being

made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable apricots from the beginning of such period; and (3) the current fiscal period began on April 1, 1963, and the rate of assessment herein fixed will automatically apply to all assessable apricots beginning with such date.

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.

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

Dated: August 26, 1963.

PAUL A. NICHOLSON,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63–9291; Filed, Aug. 27, 1963; 8:47 a.m.]

PART 923—SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Determination Relative to Expenses and Fixing of Rate of Assessment for 1963–64 Fiscal Period

Pursuant to the marketing agreement and Order No. 923 (7 CFR Part 923), regulating the handling of sweet cherries grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the proposals submitted by the Washington Cherry Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 923.202 **Expenses and rate of assessment for the 1963–64 fiscal period.**

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by the Washington Cherry Marketing Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning April 1, 1963, and ending March 31, 1964, will amount to $7,640.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles cherries shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said marketing agreement and order is hereby fixed at sixty cents ($0.60) per ton of cherries so handled by such handler during such fiscal period.

(c) *Reserve.* Unexpended assessment funds, in excess of expenses incurred during the fiscal period ended March 31, 1963, shall be carried over as a reserve in accordance with the applicable provisions of § 923.42 of the marketing agreement and order.

It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, and engage in public rule-making procedure, and good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that: (1) Shipments are now being made in volume; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable cherries from the beginning of such period; and (3) the current fiscal period began on April 1, 1963, and the rate of assessment herein fixed will automatically apply to all assessable cherries beginning with such date.

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

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

Dated: August 26, 1963.

PAUL A. NICHOLSON,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63–9292; Filed, Aug. 27, 1963; 8:47 a.m.]

Chapter X—Agricultural Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 67]

PART 1067—MILK IN OZARKS MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Ozarks marketing area (7 CFR Part 1067), it is hereby found and determined that:

(a) The following provisions of the order no longer tend to effectuate the declared policy of the Act for the month of September 1963:

(1) In § 1067.7(b), the provision, "during any of the months of February through July, or to the extent of not more than 10 days' production during any of the months of August through January"; and

(2) In the table of § 1067.11(b) opposite the month of September, the following: "35".

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) These provisions relate to the limit on diversion of producer milk and the shipping requirement for a supply plant to maintain pool status for the month of September 1963.

(4) This action has been requested by a cooperative association in the market. The action will enable the cooperative to maintain pool status for its supply plant and facilitate the orderly disposition of the market's reserve supply of milk which, as seems likely, will not be needed during the month of September 1963.

(5) A like suspension of these provisions for the month of August 1963 was issued August 2, 1963 (28 F.R. 8018). It appears that the conditions which necessitated such suspension for the month of August will continue to prevail during the month of September.

Therefore, good cause exists for making this order effective September 1, 1963.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the month of September 1963.

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

Effective date: September 1, 1963.

Signed at Washington, D.C., on August 22, 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63–9228; Filed, Aug. 27, 1963; 8:49 a.m.]

[Milk Order 101]

PART 1101—MILK IN KNOXVILLE, TENNESSEE, MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Knoxville, Tennessee, marketing area (7 CFR Part 1101), it is hereby found and determined that:

(a) The following provision of the order appearing in § 1101.12 does not tend to effectuate the declared policy of the Act for the period of September 1963 through February 1964:

(a) Any day during the months of March through August, or (b) on not more than 10 days during the month in any of the other months of the year.

(b) Thirty days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension order will allow, for the effective period, more efficient handling of milk in excess of the fluid needs of the market.

(4) Interested parties were afforded opportunity to file written data, views or arguments concerning this suspension

(28 F.R. 8376). None were filed in opposition to the proposed suspension.

Therefore, good cause exists for making this order effective September 1, 1963.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the period September 1963 through February 1964.

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

Effective date: September 1, 1963.

Signed at Washington, D.C., on August 22, 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63–9229; Filed, Aug. 27, 1963; 8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Amdt. 1]

PART 1421—GRAINS AND RELATED COMMODITIES

Subpart—Provisions for Participation of Financial Institutions in Pools of CCC Price Support Loans on Certain Commodities

INCREASE IN RATE OF INTEREST

The regulations issued by the Commodity Credit Corporation published in 28 F.R. 2489, containing the terms and conditions for participation in pools of CCC price support loans on certain commodities are hereby amended to increase from 3 to 3½ percent per annum, effective September 1, 1963, the rate of interest on certificates evidencing participation in financing price support loans.

1. Section 1421.3806(a) is amended to read as follows:

§ 1421.3806 Rate of interest and basis of computation of interest earned.

(a) *Rate of interest.* Certificates evidencing participation in financing price support program loans shall earn interest at the rate of 3 percent per annum through and including August 31, 1963, and 3½ percent thereafter.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; 15 U.S.C. 714c)

Signed at Washington, D.C., on August 23, 1963.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 63–9259; Filed, Aug. 27, 1963; 8:55 a.m.]

[C.C.C. Grain Price Support Regs., 1963-Crop Dry Edible Bean Supp.]

PART 1421—GRAINS AND RELATED COMMODITIES

Subpart—1963-Crop Dry Edible Bean Loan and Purchase Agreement Program; Correction

The date of January 31, 1963 contained in § 1421.2402 of the 1963-Crop Dry Edible Bean Loan and Purchase Agreement Program appearing in 28 F.R. 7215 (July 13, 1963) is hereby corrected to read January 31, 1964.

The first sentence in paragraph (a) of § 1421.2408 of the 1963-Crop Dry Edible Bean Loan and Purchase Agreement Program appearing in 28 F.R. 7215 (July 13, 1963) which reads: "Prior to the time that the beans are placed under warehouse-storage loans, or acquired by CCC, the producer shall arrange for payment of storage, bagging, processing, inspection and all other charges (except in the warehouse in which the beans are acquired by CCC) receiving and loading out charges, accruing through the maturity date for loans", is hereby corrected to read "Prior to the time that the beans are placed under warehouse-storage loans, or acquired by CCC, the producer shall arrange for payment of storage, bagging, processing, inspection and all other charges (except receiving and loading out charges in the warehouse in which the beans are acquired by CCC) accruing through the maturity date for loans".

(Sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 23, 1963.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 63–9260; Filed, Aug. 27, 1963; 8:55 a.m.]

[Amdt. 2]

PART 1427—COTTON

Subpart—Provisions for Participation of Commercial Banks in Pools of CCC Price Support Loans on Cotton

INCREASE IN RATE OF INTEREST

The regulations issued by the Commodity Credit Corporation published in 26 F.R. 6192, as amended, containing the terms and conditions under which commercial banks may participate in pools of CCC price support loans on cotton are hereby further amended to increase from 3 to 3½ percent per annum, effective September 1, 1963, the rate of interest on certificates evidencing participation in financing cotton price support loans.

Section 1427.1238 is amended to read as follows:

§ 1427.1238 Rate of interest and basis of computation of interest earned.

Certificates shall earn interest at the rate of 3 percent per annum through and including August 31, 1963, and 3½ percent thereafter. This interest rate of 3½ percent may be increased or decreased by CCC upon publication in the FEDERAL REGISTER of an amendment to these regulations providing for such increase or decrease: *Provided,* That with respect to any decrease in the interest rate, the effective date of such decrease shall be at least 15 days subsequent to the date of publication of such amendment in the FEDERAL REGISTER. Interest earned will be paid on a 365-day basis from and including the date shown on the certificate to, but not including, the maturity date of the certificate, the date the certificate is purchased by CCC, or the date the certificate is to be presented to CCC for purchase in accordance with notice given the holder of record pursuant to § 1427.1237, whichever date first occurs. If the amount of accrued interest on a certificate presented for purchase is $3.00 or less, CCC shall not be obligated to pay any interest on the certificate.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; 15 U.S.C. 714c)

Signed at Washington, D.C., on August 23, 1963.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 63–9258; Filed, Aug. 27, 1963; 8:54 a.m.]

SUBCHAPTER C—EXPORT PROGRAMS

[Payment-In-Kind (GR–369); Rev. II; Amdt. II]

PART 1481—RICE

Subpart—Rice Export Program

MISCELLANEOUS AMENDMENT

The United States Department of Agriculture announced in a press release issued on July 26, 1963, that rice payment-in-kind export certificates earned on rice exported on or after August 1, 1963, would be redeemable in cash as well as in CCC-owned rice and feed grains. In accordance with that press release, the terms and conditions of the Rice Export Program—Payment-In-Kind (GR–369), Revision II (27 F.R. 10931), as amended (28 F.R. 543), are amended as follows:

§ 1481.101 [Amendment]

Section 1481.101 is amended by substituting the following for the first sentence of the section: "Commodity Credit Corporation (referred to in this subpart as "CCC") will conduct an export program pursuant to the following terms and conditions (referred to in this subpart as the "program") under which an exporter may agree to export milled rice and brown rice, as defined in § 1481.153, and after exportation may apply for an export payment in the form of a certificate which is redeemable in rice owned by CCC, or in corn, oats, rye, barley, or grain sorghums (such grains, except rice, are hereinafter referred to as feed grains), owned by CCC, or in cash as provided in §§ 1481.120 and 1481.121."

§ 1481.120 [Amendment]

Section 1481.120 is amended by inserting the following sentence after the first sentence of the section: "The certificate will also be redeemable in cash on and after the 61st day after the export of the rice."

Section 1481.121 is amended to read as follows:

§ 1481.121 Redemption value of certificates.

(a) A certificate earned on rice exported pursuant to a contract with CCC resulting from an offer submitted or a notice of sale filed on or after the date of publication of this amendment in the FEDERAL REGISTER will be redeemed at face value if applied to the purchase of rice under this program or the purchase of feed grains pursuant to Revision I of the Feed Grain Program—Payment-In-Kind (GR–368) and any amendments thereto, under a purchase contract with CCC, or will be redeemed in cash by CCC at face value in accordance with § 1481.120, if presented to the ASCS Commodity Office which issued the certificate. Such certificate shall be presented for redemption not later than the 365th day after date of export or the 120th day after date of issuance, whichever is later, unless before or after such later date, the Executive Vice President of CCC or his designee authorizes an extension of the period for redemption.

(b) A certificate earned on rice exported on or after August 1, 1963, pursuant to a contract with CCC resulting from an offer submitted or a notice of sale filed prior to the date of publication of this amendment in the FEDERAL REGISTER will be accepted by CCC in accordance with the provisions of the program in effect on the date of submission of such offer or filing of such notice of sale. An exporter may avail himself of the terms of § 1481.120 of this amendment by informing CCC in writing within 60 days of the day of export that he elects to have such certificate redeemable in rice, feed grains or cash. In the event of such election, the certificate must be presented for redemption not later than the 365th day after such date of export or the 120th day after the date of issuance, whichever is later, unless before or after such later date, the Executive Vice President of CCC or his designee authorizes an extension of the period for cash redemption. If such certificate (1) is applied to a purchase contract with CCC which specifies a date of sale by CCC more than 60 days after the date of export shown on the certificate, or (2) is redeemed in cash, the value at which the certificate will be accepted or redeemed will be the face value reduced by 1/50 of one percent for each day beginning on the 61st day after such date of export and ending on the date of sale specified in the CCC purchase contract to which it is applied or on the date of redemption in cash.

(Sec. 5, 62 Stat. 1072; 15 U.S.C. 714c. Interpret or apply sec. 407, 63 Stat. 1055, as amended; sec. 201(a), 70 Stat. 188; 7 U.S.C. 1427, 1851)

Effective date: On date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 22, 1963.

RAYMOND A. IOANES,
Vice President, Commodity Credit Corporation, Administrator, Foreign Agricultural Service.

[F.R. Doc. 63–9261; Filed, Aug. 27, 1963; 8:55 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. K]

PART 211—CORPORATIONS ENGAGED IN FOREIGN BANKING AND FINANCING UNDER THE FEDERAL RESERVE ACT

1. Effective September 1, 1963, Part 211 is revised to read as follows:

Sec.
211.1 Authority, scope, and national purpose.
211.2 Definitions.
211.3 Organization and ownership of shares.
211.4 Issuance of obligations.
211.5 Underwriting, sale, and distribution of securities.
211.6 Branches and agencies.
211.7 Limited operations in the United States.
211.8 Investments in shares of other corporations.
211.9 Limitations and restrictions.
211.10 Corporations with agreements under section 25 of the Act.

AUTHORITY: §§ 211.1 to 211.10 issued under 12 U.S.C. 248(i). Interprets or applies 12 U.S.C. 611–631; 12 U.S.C. 601–604a.

§ 211.1 Authority, scope, and national purpose.

(a) *Authority and scope.* This part is issued by the Board of Governors of the Federal Reserve System (the "Board") under authority of the Federal Reserve Act (the "Act"). It applies to corporations organized under section 25 (a) of the Act (12 U.S.C. 611–631) and, to the extent specified in § 211.10, to corporations having an agreement or undertaking with the Board under section 25 of the Act (12 U.S.C. 601–604a).

(b) *National purpose.* (1) The Congress, in enacting section 25(a) of the Act, provided for the establishment of international banking and financial corporations operating under Federal supervision with powers sufficiently broad to enable them to compete effectively with similar foreign-owned institutions and to afford to the United States exporter and importer in particular—and to United States commerce, industry, and agriculture in general—at all times a means of financing international trade.

(2) In light of the public purposes involved, Corporations should be able in their activities abroad to operate, as best meets their corporate policies, through branches, agencies, and correspondents or through direct and indirect ownership in foreign-chartered companies engaged in banking or other international or foreign operations, so long as their credit and other activities are in the interest of the United States. Corporations shall confine the scope of their operations both in the United States and abroad to practices consistent with high standards of banking or financial prudence. Activities in the United States shall be restricted to operations clearly related to international or foreign business.

§ 211.2 Definitions.

For the purposes of this part, unless the context otherwise requires—

(a) "Abroad", "foreign", or "foreign country" refers to one or more foreign nations or colonies, dependencies, or possessions thereof, overseas territories, dependencies, or insular possessions of the United States, or the Commonwealth of Puerto Rico.

(b) "Capital and surplus" means paid-in and unimpaired capital and surplus.

(c) "Corporation" when spelled with a capital "C" means a corporation organized under section 25(a) of the Act.

(d) A Corporation is "engaged in banking" whenever it has aggregate demand deposits and acceptance liabilities exceeding its capital and surplus.

(e) "Person" includes an individual or an organization.

(f) "Organization" includes a corporation, government, partnership or association, or any other legal or commercial entity.

§ 211.3 Organization and ownership of shares.

(a) *Organization.* A proposed Corporation shall become a body corporate upon issuance by the Board of a preliminary permit approving its name, articles of association, and organization certificate.[1] The name shall include "international", "foreign", "overseas", or some similar word, but may not resemble the name of any other organization to an extent that might mislead or deceive the public. After issuance of its preliminary permit, a Corporation may (1) elect officers and otherwise complete its organization and (2) invest in obligations of the United States Government; but none of its other powers may be exercised until the Board has issued to it a final permit to commence business. No amendment to the articles of association shall become effective until approved by the Board.

(b) *Ownership of shares.* Shares of stock in a Corporation (which may not include no-par value shares) shall be issuable and transferable only on its books, and no issue or transfer that would cause a violation of section 25(a) of the Act shall be so effected. A Corporation shall notify the Board as soon as possible of any change in status of a shareholder which causes a violation of said section 25(a) and shall take such action with respect thereto as the Board may direct. Each class of shares shall be so named and described in the share certificates as to indicate its character and any unusual attributes, and such certificates shall conspicuously set forth the substance of (1) limitations upon the rights of ownership and transfer of shares imposed by said section 25(a) and this part and (2) rules which the Corporation shall prescribe in its by-laws to insure compliance with this paragraph.

[1] Appropriate forms for articles of association and organization certificate (F.R. 151 and 152, Revised 9–1–63), filed as part of the original document, may be obtained from the Federal Reserve Bank of the district in which the home office of the Corporation is to be located.

§ 211.4 Issuance of obligations.

Except in accordance with prior Board approval, no Corporation may issue or have outstanding any debentures, bonds, promissory notes (other than notes due within one year), or similar obligations.

§ 211.5 Underwriting, sale, and distribution of securities.

(a) *General.* Except as permissible for member banks under section 5136 of the Revised Statutes (12 U.S.C. 24), a Corporation engaged in banking may not engage in the business of underwriting, selling, or distributing securities other than obligations of the national government of a foreign country in which it has a branch or agency.[2]

(b) *In the United States.* No Corporation may (1) engage in the business of selling or distributing securities in the United States (except private placements of participations in its investments or extensions of credit) or underwrite any portion thereof so sold or distributed or (2) act in the United States as trustee, registrar, or in any similar capacity, with respect to securities distributed in the United States.

§ 211.6 Branches and agencies.

(a) *In the United States.* A Corporation may not establish any branch in the United States, but with prior Board approval may establish agencies in the United States for specific purposes, but not generally to carry on its business.

(b) *Abroad.* With prior Board approval, a Corporation may establish branches or agencies abroad. If a Corporation has established a branch or agency in a foreign country, it may, unless otherwise advised by the Board, establish other branches or agencies in that country after thirty days' notice to the Board with respect to each such branch or agency.

(c) *Suspending operations abroad during disturbed conditions.* The officer in charge of a branch or agency abroad may suspend its operations during disturbed conditions which, in his judgment, make conduct of such operations impracticable; but every effort shall be made before and during such suspension to serve its depositors and customers. Full information concerning any such suspension shall be promptly reported to the home office of the Corporation, which shall immediately send a copy thereof to the Board through the Federal Reserve Bank of its district.

§ 211.7 Limited operations in the United States.

(a) *General policy.* It is the Board's general policy to permit Corporations to transact, subject to section 25(a) of the Act and this part, such limited business in the United States as is usual in financing international commerce, including deposit facilities; loan, overdraft, advance, acceptance, and other credit facilities; commercial letters of credit; foreign collections; purchase and sale of foreign exchange; remittance of funds abroad; purchase, sale, and custody of securities and acceptance for account of customers abroad; and foreign credit information.

(b) *Employment of funds.* Funds of a Corporation not currently employed in its international or foreign business, if held or invested in the United States, shall be only in the form of (1) cash, (2) deposits with banks, (3) bankers' acceptances, or (4) obligations of, or obligations fully and unconditionally guaranteed by, the United States, any State thereof, or any department, agency, or establishment of, or corporation wholly owned by, the United States.

(c) *Receipt of deposits.* It will ordinarily be considered incidental to or for the purpose of carrying out transactions abroad for a Corporation to receive in the United States demand and time (but not savings) deposits that are not to be used to pay expenses in the United States of an office or representative therein—

(1) From foreign governments, persons conducting business principally at their offices or establishments abroad, and individuals resident abroad and

(2) From any other person if the deposit (i) is to be transmitted abroad, (ii) is to provide collateral or payment for extensions of credit by the Corporation, (iii) represents proceeds of collections abroad which are to be used to pay for goods exported or imported or for other direct costs of export or import, or periodically transferred to the depositor's account at another financial institution, or (iv) represents proceeds of extensions of credit by the Corporation.

Such deposits shall be subject to Parts 204 (Reg. D) and 217 (Reg. Q), of this chapter, and be reported in the same manner as if the Corporation were a member bank of the Federal Reserve System; but in no event shall reserves against such deposits be less in the aggregate than 10 percent.

(d) *Other permissible activities.* It will ordinarily be considered incidental to the international or foreign business of a Corporation for it to engage in the following transactions in the United States:

(1) Finance the following types of transactions, including payments or costs (but not expenses in the United States of an office or representative therein) incident thereto: (i) Contracts, projects, or activities performed abroad, (ii) the importation into or exportation from the United States of goods, (iii) the delivery through domestic transport facilities of goods so imported or their assembly or packaging for resale without essential change therein, if the Corporation financed the importation, and (iv) the domestic shipment or temporary storage (but not production) of goods being exported or accumulated for export, if the Corporation is financing their exportation;

(2) Take over or acquire subsequent participations in extensions of credit, or acquire obligations, growing out of transactons it could have financed at inception under subparagraph (1) of this paragraph;

(3) Guarantee customers' debts or otherwise agree for their benefit to make payments on the occurrence of readily ascertainable events,[3] if the guarantee or agreement specifies its maximum monetary liability thereunder and is related to a type of transaction described in subparagraph (1) of this paragraph;

(4) Buy and sell spot and future foreign exchange;

(5) Receive checks, bills, drafts, acceptances, notes, bonds, coupons, and other securities for collection abroad, and collect such instruments in the United States for customers abroad;

(6) Hold securities in safekeeping for, or buy and sell securities upon the order and for the account and risk of, customers abroad;

(7) Act as paying agent for securities issued by foreign governments or other organizations organized under foreign law and not qualified under the laws of the United States or any State or the District of Columbia to do business in the United States.

§ 211.8 Investments in shares of other corporations.

(a) *General consent.* Subject to section 25(a) of the Act[4] and this part, the Board hereby grants its general consent for any Corporation to acquire (other than through a broker, dealer, or stock exchange firm or representative) and hold the shares of corporations organized under foreign law if such acquisition (1) is incidental to an extension of credit by the Corporation to the corporation whose shares are acquired, (2) consists of shares in a foreign bank, or (3) is otherwise likely to further the development of United States foreign commerce; but no acquisition under this paragraph may cause a Corporation to hold 25 percent or more of the voting shares[5] of a foreign bank and the aggregate amount invested in the shares of any other corporation under subparagraph (3) of this paragraph may not exceed $200,000 or its equivalent. A Corporation may request an advisory opinion of the Board as to whether a particular acquisition is covered by the preceding sentence.

(b) *Specific consent.* Prior specific consent of the Board is required with respect to the acquisition of any shares by a Corporation in any situation not covered by § 211.8(a) or the ninth paragraph of section 25(a) of the Act.

(c) *Conditions.* (1) Shares of stock in a corporation shall be disposed of as promptly as practicable if (i) such corporation should engage in the business of underwriting, selling, or distributing securities in the United States or (ii) the Corporation is advised by the Board that their holding is inappropriate under section 25(a) of the Act or this part.

(2) In computing the amount which may be invested in the shares of any corporation under section 25(a) of the Act or § 211.8(a), there shall be included any such investments in other corporations controlled by such corporation. Unless otherwise specified, "shares" in this section includes any rights to acquire shares.

[2] Including obligations issued by any agency or instrumentality, and supported by the full faith and credit, of such a government.

[3] Including, but not limited to, such types of events as nonpayment of taxes, rentals, customs duties, or costs of transport and loss or nonconformance of shipping documents.

[4] Including the limitations therein based on capital and surplus.

[5] Exclusive of rights to acquire shares.

(d) *Reports.* A Corporation shall inform the Board through the Federal Reserve Bank of its district within thirty days after the close of each quarter with respect to any acquisition or disposition of shares during that quarter, including the following information concerning any corporation whose shares it acquired for the first time (unless previously furnished): (1) Recent balance sheet and income statement, (2) brief descriptions of the corporation's business (including full information concerning any such business transacted in the United States), the shares acquired, and any related credit transaction, (3) lists of directors and principal officers (with address and principal business affiliation of each) and of all shareholders (known to the issuing corporation) holding 10 percent or more of any class of the corporation's shares (and the amount held by each), and (4) information concerning the rights and privileges of the various classes of shares outstanding.

§ 211.9 Limitations and restrictions.

(a) *Acceptances.* A Corporation shall be and remain fully secured as to (1) 50 percent of all acceptances outstanding in excess of the amount of its capital and surplus, (2) all acceptances in excess of twice such amount, and (3) all acceptances for any one person in excess of 10 percent of such amount, except to the extent any such excess represents the international shipment of goods and is fully covered by primary obligations to reimburse it which are also guaranteed by banks or bankers.

(b) *Liabilities of one borrower.* Except as the Board may otherwise specify, the total liabilities to a Corporation of any person shall at no time exceed 50 percent of the Corporation's capital and surplus, or 10 percent thereof if it is engaged in banking. In this paragraph "liabilities" includes: any obligations for money borrowed and shares of stock; unsecured liabilities resulting from issuance by the Corporation of guarantees or similar agreements (described in § 211.7(d)(3)), the aggregate of which liabilities incurred for any person may in no event exceed 10 percent of any Corporation's capital and surplus; in the case of a partnership or firm, liabilities of the members thereof; in the case of a corporation, liabilities incurred for its benefit by other corporations which it controls; and in the case of a foreign government, the liabilities of its departments or agencies deriving their current funds principally from its general tax revenues. The limitations of this paragraph shall not apply to (1) bills or drafts drawn in good faith against actually existing values, (2) obligations arising out of the discount of commercial business paper actually owned by the negotiator, (3) any acceptance made by a Corporation which has not matured and is not held by it, or (4) obligations to the extent supported by the full faith and credit of the following:

(i) The United States or any department, agency, or establishment thereof or corporation wholly owned thereby, the International Bank for Reconstruction and Development, the International Finance Corporation, the International Development Association, or the Inter-American Development Bank;

(ii) A foreign national government or its appropriate financial or central banking authority, if at least 25 percent of such an obligation or of the total credit is also supported by the full faith and credit of, or participated in by, any institution designated in subdivision (i) of this subparagraph in such manner that default to the Corporation will necessarily include default to such institution;

(iii) The national government of any foreign country in which the Corporation has a branch or agency with at least equal outstanding liabilities payable in the same currency;

(iv) Any person if the Corporation is not engaged in banking and the obligations or total credit are subject to 25 percent support or participation of the type described in subdivision (ii) of this subparagraph; but the total liabilities of such person to the Corporation shall at no time exceed 100 percent of its capital and surplus.

(c) *Aggregate liabilities.* Except with prior Board permission, a Corporation's aggregate outstanding liabilities on account of acceptances, monthly average deposits, borrowings, guarantees, endorsements, debentures, bonds, notes, and other such obligations shall not exceed ten times its capital and surplus; provided that aggregate outstanding unsecured liabilities under guarantees or similar agreements (described in § 211.7(d)(3)) may in no event exceed 50 percent of its capital and surplus. In this paragraph "liabilities" does not include endorsements of bills having not more than six months to run, drawn and accepted by others.

(d) *Relations with banks.* A Corporation controlled by a bank may not incur any liability to such bank that would cause (1) the total of such liabilities to exceed 10 percent of the bank's capital and surplus or (2) the total liabilities to such bank of all Corporations which it controls to exceed 20 percent thereof. A Corporation incurs a liability to a bank under this paragraph whenever such bank or any organization controlled by such bank (other than the Corporation or any organization controlled by it) makes (i) any investment in, or advance on the security of, the shares or obligations of such Corporation or any organization controlled by it or (ii) any extension of credit to, or any purchase under repurchase agreement from, such Corporation or any organization controlled by it.

(e) *Endorsement or guaranty.* A Corporation which endorses or guarantees any securities, notes, bills, drafts, acceptances, or other evidences of indebtedness shall enter on its books proper records thereof, describing in detail each such instrument, including its amount, its maturity, the parties thereto, and the nature of the Corporation's liability thereon. Every financial statement of the Corporation submitted to the Board or made public in any way shall show the aggregate of such liabilities outstanding as of the date such statement purports to show the Corporation's financial condition.

(f) *Reports.* Each Corporation shall make at least two reports annually to the Board at such times and in such form as the Board may prescribe. The Board may require that statements of condition or other reports be published or made available for public inspection.

(g) *Examinations.* Examiners appointed by the Board will examine each Corporation at least once a year. Each Corporation shall obtain and make available to such examiners, among other things, information as to the earnings, finances, management, and other relevant aspects of any organization whose shares it holds. When required by the Board, a Corporation shall cause any organization controlled by it to submit to examination by examiners selected or auditors approved by the Board. The cost of examinations shall be fixed by the Board and paid by the Corporation.

§ 211.10 Corporations with agreements under section 25 of the Act.

In addition to any other requirements to which it may be subject, no corporation having an agreement or undertaking with the Board under section 25 of the Act shall purchase or hold any asset or otherwise exercise any power in the United States or abroad in any manner not permissible for a Corporation engaged in banking.

2a. The purposes of this revision are (1) to clarify, simplify, and condense this part and to delete therefrom provisions which merely reiterate statutory requirements, (2) to incorporate for the first time statements of national purpose and of general policy concerning operations in the United States, (3) to eliminate in large measure the former distinction between "Banking" and "Financing" Corporations, (4) to require prior Board approval for the issuance of debentures or similar obligations by any Corporation, (5) to liberalize the procedure under which Corporations may invest in the shares of other corporations, (6) to simplify the procedure for establishing branches or agencies abroad, (7) to modify restrictions regarding receipt of deposits in the United States, (8) to permit subsequent financing of transactions which a Corporation could have financed at inception, (9) to impose tighter restrictions on permissible investment of funds in the United States, (10) to prescribe limitations on exercise of the guarantee power, and (11) otherwise to modify this part as seems appropriate.

b. This part was the subject of a notice of proposed rule making published in the FEDERAL REGISTER (28 F.R. 2588, March 16, 1963) and was adopted by the Board after consideration of all relevant material, including responses received from interested persons pursuant to said notice. The prior publication described in section 4(c) of the Administrative Procedure Act is unnecessary in connection with this part for the reasons and good cause found as

stated in § 262.1(e) of this chapter, and especially because this part operates mainly to relieve restrictions otherwise applicable and such prior publication would not aid the persons affected or otherwise serve any useful purpose and would prevent this part from becoming effective as promptly as desirable for the convenience of the institutions affected.

Dated at Washington, D.C., this 23d day of August 1963.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] KENNETH A. KENYON,
Assistant Secretary.

[F.R. Doc. 63-9272; Filed, Aug. 27, 1963; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-CE-21]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Revocation of Control Area Extensions, Alteration of Control Zone and Designation of Transition Area

On June 1, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5436) stating that the Federal Aviation Agency proposed to revoke the Saginaw and Flint, Mich., control area extensions, designate a transition area at Saginaw, and alter the Saginaw control zone.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published, and for the reasons stated in the notice, the following actions are taken:

1. In § 71.165 (27 F.R. 220-59, November 10, 1962), the Saginaw and Flint, Mich., control area extensions are revoked.

2. Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by adding the following:

Saginaw, Mich.
That airspace extending upward from 1,200 feet above the surface, within a 14-mile radius of Tri-City Airport (latitude 43°31'-54" N., longitude 84°04'54" W.), within 10 miles SW and 6 miles NE of the Saginaw VOR 317° radial, extending from the 14-mile radius area to 37 miles NW of the VOR, and within the area bounded on the N by latitude 43°36'00" N., and the 14-mile radius area, on the NE by the NE boundary of V-216, on the E by longitude 83°30'00" W, on the S by latitude 43°16'00" N., and on the W by longitude 84°25'00" W.

3. In § 71.171 (27 F.R. 220-91, November 10, 1962), the Saginaw control zone is amended to read:

Saginaw, Mich.
Within a 5-mile radius of Tri-City Airport (latitude 43°31'54" N., longitude 84°04'54" W.), within 2 miles each side of the 347° bearing from the Saginaw RBn, extending from the 5-mile radius zone to 8 miles N of the RBn, and within 2 miles each side of the Saginaw VOR 235°, 310° and 035° radials, extending from the 5-mile radius zone to 8 miles SW, NW and NE of the VOR.

These amendments shall become effective 0001 e.s.t., December 12, 1963.

(Sec. 307(a), 72 Stat. 749, 49 U.S.C. 1348)

Issued in Washington, D.C. on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9206; Filed, Aug. 27, 1963; 8:45 a.m.]

[Airspace Docket No. 62-SW-65]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Revocation of Control Area Extension

In a notice of proposed rule making published in the FEDERAL REGISTER on February 19, 1963 (28 F.R. 1557), it was stated that the Federal Aviation Agency proposed to designate a transition area at Ada, Okla., and revoke the Ada control area extension. A supplemental notice was published on May 8, 1963 (28 F.R. 4622), which altered the original proposal.

Subsequent to the publication of these notices, the instrument approach procedures at the Ada Municipal Airport have been canceled. Therefore, controlled airspace at Ada is no longer required for air traffic control purposes. Accordingly, no action is taken herein to designate the proposed Ada transition area.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments, but no comments were received.

The substance of the proposed amendment having been published and for reasons stated herein and in the notice, the following action is taken:

Section 71.165 (27 F.R. 220-59, November 10, 1962) is amended by revoking the Ada, Okla., control area extension.

This amendment shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9207; Filed, Aug. 27, 1963; 8:45 a.m.]

[Airspace Docket No. 63-CE-19]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone; Designation of Transition Areas; and Revocation of Control Area Extensions

On April 26, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 4140) stating that the Federal Aviation Agency proposed to alter the Rockford, Ill., control zone, designate the Rockford and Janesville, Wis., transition areas, and revoke the Rockford, Janesville and Madison, Wis., control area extensions.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220-91, November 10, 1962) the Rockford, Ill., control zone is amended to read:

Rockford, Ill.
Within a 5-mile radius of the Greater Rockford Airport (latitude 42°11'50" N., longitude 89°05'45" W.), within 2 miles each side of the Rockford ILS localizer S course, extending from the 5-mile radius zone to the OM, and within 2 miles each side of the Rockford VORTAC 117° radial, extending from the 5-mile radius zone to the VORTAC.

2. In § 71.181 (27 F.R. 220-139, November 10, 1962) the following transition areas are added:

Rockford, Ill.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Greater Rockford Airport (latitude 42°11'50" N., longitude 89°05'45" W.), within 8 miles E and 5 miles W of the Rockford ILS localizer S course, extending from the Greater Rockford Airport to 12 miles S of the OM; and that airspace extending upward from 1,200 feet above the surface bounded on the N by latitude 42°45'00" N., on the E by longitude 88°30'00" W., on the S by latitude 41°55'00" N., and on the W by longitude 89°55'00" W.

Janesville, Wis.
That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Rock County Airport, Janesville (latitude 42°37'12" N., longitude 89°-02'25" W.), and within 5 miles SE and 8 miles NW of the Janesville VOR 239° radial, extending from the 8-mile radius area to 12 miles SW of the VOR.

3. In § 71.165 (27 F.R. 220-59, November 10, 1962) the following control area extensions are revoked:

Rockford, Ill.
Janesville, Wis.
Madison, Wis.

These amendments shall become effective 0001 e.s.t., December 12, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9208; Filed, Aug. 27, 1963; 8:46 a.m.]

[Airspace Docket No. 63-CE-20]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration and Designation of Control Zones; Designation of Transition Areas and Revocation of Control Area Extension

On June 5, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5528) stating that the Federal Aviation Agency proposed to alter the Indianapolis, Ind., and Terre Haute, Ind., control zones; designate the Bloomington, Ind., control zone; designate transition areas at Bloomington, Indianapolis, and Terre Haute; and revoke the Terre Haute control area extension.

Subsequent to the publication of the notice, the approach procedure based on the 242° True bearing from the Monroe County Airport, Bloomington, Ind., has been canceled. Therefore, the portion of the proposed Bloomington transition area based on the 242° True bearing from the Monroe County Airport is no longer required for air traffic control purposes and will not be designated.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published, and for the reasons stated herein and in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220-91, November 10, 1962) the following actions are taken:

a. The Indianapolis, Ind., control zone is amended to read:

Indianapolis, Ind.

Within a 5-mile radius of the Weir Cook Municipal Airport, Indianapolis, Ind. (latitude 39°43'35'' N., longitude 86°17'05'' W.); within 2 miles each side of the Indianapolis ILS localizer NE course, extending from the 5-mile radius zone to 7 miles NE of the airport; and within 2 miles each side of the Indianapolis VORTAC 142° radial, extending from the 5-mile radius zone to the VORTAC.

b. The Terre Haute, Ind., control zone is amended to read:

Terre Haute, Ind.

Within a 5-mile radius of Hulman Field, Terre Haute, Ind. (latitude 39°27'05'' N., longitude 87°18'30'' W.); within 2 miles each side of the Terre Haute ILS localizer SW course, extending from the 5-mile radius zone to the OM; and within 2 miles each side of the Terre Haute VOR 051° radial, extending from the 5-mile radius zone to 12 miles NE of the VOR.

c. The following control zone is added:

Bloomington, Ind.

Within a 3-mile radius of the Monroe County Airport, Bloomington, Ind. (latitude 39°08'25'' N., longitude 86°37'00'' W.), and within 2 miles each side of the Bloomington VOR 236° radial, extending from the 3-mile radius zone to 8 miles SW of the VOR, effective from 0600 to 2330 hours local time, daily.

2. Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by adding the following:

Indianapolis, Ind.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Weir Cook Municipal Airport, Indianapolis, Ind. (latitude 39°43'35'' N., longitude 86°17'05'' W.); within 8 miles SE and 5 miles NW of the Indianapolis ILS localizer SW course, extending from the 8-mile radius area to 12 miles SW of the OM; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 40°07'00'' N., longitude 87°12'10'' W.; to latitude 40°07'00'' N., longitude 86°00'00'' W.; to latitude 40°00'00'' N., longitude 86°00'00'' W.; to latitude 40°00'00'' N., longitude 85°30'00'' W.; to latitude 39°30'00'' N., longitude 85°30'00'' W.; to latitude 39°30'00'' N., longitude 86°06'00'' W.; to latitude 38°57'00'' N., longitude 86°06'00'' W.; to latitude 38°57'00'' N., longitude 88°00'00'' W.; to latitude 39°40'10'' N., longitude 88°00'00'' W.; thence to point of beginning.

Terre Haute, Ind.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Hulman Field, Terre Haute, Ind. (latitude 39°27'05'' N., longitude 87°18'30'' W.); within 2 miles each side of the Terre Haute ILS localizer SW course, extending from the 7-mile radius area to 8 miles SW of the OM; within 2 miles each side of the 198° bearing from the Terre Haute LOM, extending from the 7-mile radius area to 8 miles S of the LOM; and within 5 miles SE and 10 miles NW of the Terre Haute VOR 051° radial, extending from the VOR to 13 miles NE.

Bloomington, Ind.

Within a 5-mile radius of Monroe County Airport, Bloomington, Ind. (latitude 39°08'-25'' N., longitude 86°37'00'' W.) and within 2 miles each side of the Bloomington VOR 236° radial, extending from the 5-mile radius area to 8 miles SW of the VOR.

3. Section 71.165 (27 F.R. 220-59, November 10, 1962) is amended by revoking the Terre Haute, Ind., control area extension.

These amendments shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9209; Filed, Aug. 27, 1963; 8:46 a.m.]

[Airspace Docket No. 63-CE-37]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation of Control Zone and Alteration of Transition Area

On May 16, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 4916) stating that the Federal Aviation Agency proposed to designate a control zone and alter the transition area at Chadron, Nebr.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and no adverse comments were received regarding the proposed amendments.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. Section 71.171 (27 F.R. 220-91, November 10, 1962) is amended by adding the following:

Chadron, Nebr.

Within a 5-mile radius of Chadron Municipal Airport (latitude 42°50'00'' N., longitude 103°05'50'' W.), and within 2 miles each side of the 010° bearing from the Chadron Municipal Airport, extending from the 5-mile radius zone to 8 miles N of the airport.

2. In § 71.181 (27 F.R. 220-139, November 10, 1962), the Chadron, Nebr., transition area is amended to read:

Chadron Nebr.

That airspace extending upward from 700 feet above the surface within a 14-mile radius of Chadron Municipal Airport (latitude 42°50'00'' N., longitude 103°05'50'' W.), and within 5 miles each side of the Chadron VOR 030° radial, extending from the 14-mile radius area to the VOR; and that airspace extending upward from 1,200 feet above the surface within 5 miles NW and 8 miles SE of the Chadron VOR 030° and 210° radials, extending from 5 miles NE to 14 miles SW of the VOR.

These amendments shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9210; Filed, Aug. 27, 1963; 8:46 a.m.]

[Airspace Docket No. 63-CE-50]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone, Revocation of Control Area Extension, and Designation of Transition Area

On June 1, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5438) stating that the Federal Aviation Agency proposed to alter the Kirksville, Mo., control zone, revoke the Kirksville control area extension, and designate the Kirksville transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220-91, November 10, 1962), the Kirksville, Mo., control zone is amended to read:

Kirksville, Mo.

Within a 3-mile radius of Kirksville Municipal Airport (latitude 40°05'45'' N., longitude 92°32'50'' W.).

2. Section 71.165 (27 F.R. 220–59, November 10, 1962) is amended by revoking the following control area extension:

Kirksville, Mo.

3. Section 71.181 (27 F.R. 220–139, November 10, 1962) is amended by adding the following:

Kirksville, Mo.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Kirksville Municipal Airport (latitude 40°05'45" N., longitude 92°32'50" W.), and within 2 miles each side of the Kirksville VORTAC 316° radial, extending from the 5-mile radius area to 8 miles NW of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 8 miles SW and 6 miles NE of the Kirksville VORTAC 316° and 136° radials, extending from 12 miles NW to 12 miles SE of the VORTAC.

These amendments shall become effective 0001 e.s.t., November 14, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9211; Filed, Aug. 27, 1963; 8:46 a.m.]

[Airspace Docket No. 62–CE–72]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zones, Designation of Transition Area

On February 22, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 1738) stating that the Federal Aviation Agency (FAA) proposed to alter the Milwaukee, Wis. (General Mitchell Field), and Milwaukee (Timmerman Airport) control zones and designate a transition area at Milwaukee. On June 6, 1963, a supplemental notice of proposed rule making was published amending the original proposal (28 F.R. 5583).

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. Due consideration was given to all relevant matter presented.

The Air Transport Association of America (ATA) advised the FAA that it could not find any justification in the docket requiring the loss of 3,000-foot MSL as a cardinal altitude on the low altitude airways V–9 between the Eden Intersection and the Milwaukee VOR and on V–7 between the Calvary Intersection and the Milwaukee VOR.

In accordance with CAR Amendment 60–21, airway floors are to be designated no less than 1,200 feet above the surface. This upward floor adjustment of airway structures may, in some instances, result in the loss of minimum cardinal altitudes. The retention of 3,000 feet MSL as a minimum cardinal altitude on V–9 between Eden Intersection and the Milwaukee VOR and on V–7 between Calvary Intersection and the Milwaukee VOR would result in a less than 1,200 feet above the surface floor on these airway segments. Therefore, action is taken herein to adopt the amendments proposed in the notices.

The substance of the proposed amendments having been published and for the reasons stated in the notices, the following actions are taken:

1. In § 71.171 (27 F.R. 220–91, November 10, 1962), the Milwaukee (General Mitchell Field) and Milwaukee (Timmerman Airport), Wis., control zones are amended to read as follows:

Milwaukee, Wis. (General Mitchell Field)

Within a 5-mile radius of General Mitchell Field (latitude 42°56'51" N., longitude 87°-53'58" W.) and within 2 miles each side of the Milwaukee ILS localizer S course, extending from the 5-mile radius zone to the OM.

Milwaukee, Wis. (Timmerman Airport)

Within a 3-mile radius of Timmerman Airport (latitude 43°06'40" N., longitude 88°02'05" W.) and within 2 miles each side of the Timmerman VOR 337° radial, extending from the 3-mile radius zone to 7 miles NW of the VOR, effective from 0600 to 2200 hours, local time, daily.

2. In § 71.181 (27 F.R. 220–139, November 10, 1962) the following transition area is added:

Milwaukee, Wis.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of General Mitchell Field, Milwaukee, Wis. (latitude 42°56'51" N., longitude 87°-53'58" W.), within 8 miles E and 5 miles W of the Milwaukee ILS localizer S course, extending from the 8-mile radius area to 12 miles S of the OM, within a 5-mile radius of Horlick-Racine Airport, Racine, Wis. (latitude 42°45'35" N., longitude 87°48'55" W.), within an 8-mile radius of Timmerman Airport, Milwaukee, Wis., within 5 miles NE and 8 miles SW of the Timmerman VOR 337° radial, extending from the 8-mile radius area to 12 miles NW of the VOR, and within a 6-mile radius of Waukesha County Airport, Waukesha, Wis. (latitude 43°02'00" N., longitude 88°14'00" W.); and that airspace extending upward from 1,200 feet above the surface bounded on the N by latitude 43°-30'00" N., on the E by longitude 87°00'00" W., on the S by latitude 42°30'00" N., and on the W by longitude 88°30'00" W. The portion within R–6903 shall be used only after obtaining prior approval from the appropriate authority.

These amendments shall become effective 0001 e.s.t., December 12, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9212; Filed, Aug. 27, 1963; 8:46 a.m.]

[Airspace Docket No. 62–CE–73]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Revocation, Alteration, and Designation of Control Zones, Designation of Transition Areas, and Revocation of Control Area Extensions

On April 19, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 3874) stating that the Federal Aviation Agency proposed to revoke the Detroit, Mich. (Detroit-Metropolitan, Wayne County Airport-Willow Run Airport) control zone, designate separate control zones at the Detroit (Metropolitan Wayne County) and Detroit (Willow Run) Airports, alter the Detroit (Detroit City Airport) and Pontiac, Mich., control zones, designate transition areas at Detroit, Detroit City, Grosse Ile and Pontiac, Mich., and revoke the Grosse Ile, Detroit, Jackson and Litchfield, Mich., control area extensions.

Interested persons were afforded an opportunity to participate in the rulemaking through submission of comments. The single comment received was favorable.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. Section 71.171 (27 F.R. 220–91, November 10, 1962) is amended as follows:

a. The Detroit, Mich. (Detroit Metropolitan, Wayne County Airport-Willow Run Airport) control zone is revoked.

b. The following control zones are added:

Detroit, Mich. (Metropolitan Wayne County Airport)

Within a 5-mile radius of Metropolitan Wayne County Airport (latitude 42°13'05" N., longitude 83°21'00" W.), within 2 miles each side of the Metropolitan Wayne County Airport ILS localizer SW course, extending from the 5-mile radius zone to the OM, and within 2 miles each side of the Metropolitan Wayne County Airport ILS localizer NE course, extending from the 5-mile radius zone to the OM, excluding the portion subtended by a chord drawn between the points of INT of the 5-mile radius zone with the Detroit, Mich. (Willow Run) control zone.

Detroit, Mich. (Willow Run Airport)

Within a 5-mile radius of Willow Run Airport (latitude 42°14'05" N., longitude 83°-31'45" W.), within 2 miles each side of the Willow Run VOR 237° radial, extending from the 5-mile radius zone to 8 miles SW of the VOR, within 2 miles each side of the Willow Run Airport ILS localizer SW course, extending from the 5-mile radius zone to the OM, excluding the portion subtended by a chord drawn between the points of INT of the 5-mile radius zone with the Detroit, Mich. (Metropolitan Wayne County Airport) control zone.

c. The Detroit, Mich. (Detroit City Airport) and the Pontiac, Mich., control zones are amended to read as follows:

Detroit, Mich. (Detroit City Airport)

Within a 5-mile radius of Detroit City Airport (latitude 42°24'35" N., longitude 83°00'35" W.), within 2 miles each side of the 143° bearing from the Detroit City RBn, extending from the 5-mile radius zone to 6 miles NW of the approach end of the Detroit City Airport Runway 15, within 2 miles each side of the Windsor, Ontario, Canada, RR NW course, extending from the 5-mile radius zone to the United States/Canadian border, and within 2 miles each side of the Windsor, Ontario, Canada, VOR 347° radial, extending from the 5-mile radius zone to the United States/Canadian border.

Pontiac, Mich.

Within a 5-mile radius of Pontiac Municipal Airport (latitude 42°39'55" N., longitude 83°25'05" W.), within 2 miles each side of the Pontiac VOR 116° and 271° radials, extending from the 5-mile radius zone to 8

miles W of the VOR, effective from 0600 to 2200 hours, local time, daily.

2. Section 71.181 (27 F.R. 220–139, November 10, 1962) is amended by adding the following:

Detroit, Mich.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Detroit Metropolitan Wayne County Airport (latitude 42°13'05" N., longitude 83°21'00" W.), within an 8-mile radius of Willow Run Airport (latitude 42°14'05" N., longitude 83°31'45" W.), within 2 miles each side of the Metropolitan Wayne County Airport ILS localizer SW course, extending from the 8-mile radius area to 8 miles SW of the OM, and within 2 miles each side of Willow Run VOR 047° radial, extending from the 8-mile radius area to 10 miles NE of the Ford RBN, excluding the portion within the Grosse Ile, Mich., control zone; and that airspace extending upward from 1,200 feet above the surface bounded on the W by longitude 84°05'00" W., on the N by latitude 42°46'00" N., on the E by the E boundary of V-42 E alternate and the United States/Canadian border, and on the S by a line from latitude 41°45'05" N., longitude 84°05'00" W., to latitude 41°45'30" N., longitude 83°19'45" W., to latitude 41°50'39" N., longitude 83°08'47" W., to latitude 41°45'30" N., longitude 83°03'30" W., to the United States/Canadian border at latitude 41°45'30" N., longitude 82°51'00" W.

Grosse Ile, Mich.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the 209° bearing from the Grosse Ile RBN, extending from the RBN to 8 miles SW of the RBN, excluding the portion within the Grosse Ile, Mich., control zone.

Pontiac, Mich.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Pontiac Municipal Airport (latitude 42°39'55" N., longitude 83°25'05" W.) and within 2 miles each side of the Pontiac VOR 271° radial, extending from the 7-mile radius area to 8 miles W of the VOR.

3. In § 71.165 (27 F.R. 220–59, November 10, 1962), the following control area extensions are revoked:

Grosse Ile, Mich.
Detroit, Mich.
Jackson, Mich.
Litchfield, Mich.

These amendments shall become effective 0001 e.s.t., December 12, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9213; Filed, Aug. 27, 1963; 8:46 a.m.]

[Airspace Docket No. 63–SO–5]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone and Designation of Transition Area

On June 5, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5531) stating that the Federal Aviation Agency proposed to alter the Elizabeth City, N.C., control zone and designate the Elizabeth City transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published, and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220–91, November 10, 1962), the Elizabeth City, N.C., control zone is amended to read:

Elizabeth City, N.C.

Within a 5-mile radius of CGAS Elizabeth City (latitude 36°15'50" N., longitude 76°10'40" W.); within 2 miles each side of the 194° radial of the Elizabeth City VOR, extending from the 5-mile radius zone to 8 miles S of the VOR; within 2 miles each side of the Elizabeth City VOR 350° and 357° radials, extending from the 5-mile radius zone to 8 miles N of the VOR; and within a 1.5-mile radius of the Elizabeth City Municipal Airport (latitude 36°14'50" N., longitude 76°15'40" W.).

2. Section 71.181 (27 F.R. 220–139, November 10, 1962) is amended by adding the following:

Elizabeth City, N.C.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of CGAS Elizabeth City (latitude 36°15'50" N., longitiude 76°10'40" W.) and within 2 miles each side of the 127° bearing from the Weeksville RBN, extending from the 7-mile radius area to 8 miles SE of the RBN.

These amendments shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C. on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9214; Filed, Aug. 27, 1963; 8:46 a.m.]

[Airspace Docket No. 63–SW–26]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone and Transition Area

On June 12, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5724) stating that the Federal Aviation Agency proposed to alter the control zone and transition area at Hobbs, N. Mex.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220–91, November 10, 1962), the Hobbs, N. Mex., control zone is amended to read:

Hobbs, N. Mex.

Within a 5-mile radius of Lea County Airport, Hobbs, N. Mex., (latitude 32°41'19" N., longitude 103°13'01" W.), and within 2 miles each side of the Hobbs VOR 225° radial, extending from the 5-mile radius zone to the VOR, excluding the portion within a 1.5-mile radius of Hobbs Municipal Airport (latitude 32°46'05" N., longitude 103°12'50" W.).

2. In § 71.181 (27 F.R. 220–139, November 10, 1962), the Hobbs, N. Mex., transition area is amended to read:

Hobbs, N. Mex.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Lea County Airport (latitude 32°41'19" N., longitude 103°13'01" W.), and within 2 miles each side of the Hobbs VOR 045° radial, extending from the 7-mile radius area to 12 miles NE of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 13-mile radius of the Hobbs VOR; within 6 miles NE and 9 miles SW of the Hobbs VOR 132° radial, extending from the 13-mile radius area to a line through latitude 32°19'35" N., longitude 102°55'10" W. to latitude 32°36'30" N., longitude 102°07'20" W.; within 5 miles each side of the Hobbs VOR 225° radial, extending from the 13-mile radius area to 30 miles SW of the VOR, and within the arc of a 30-mile radius circle centered on the Hobbs VOR, extending clockwise from a line 5 miles NW of and parallel to the Hobbs VOR 025° radial to a line 5 miles SE of and parallel to the Hobbs VOR 045° radial.

These amendments shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C. on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9216; Filed, Aug. 27, 1963; 8:47 a.m.]

[Airspace Docket No. 63–AL–5]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation of Federal Airway and Associated Control Areas and Designation of Reporting Point

On May 22, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5094) stating that the Federal Aviation Agency was considering the designation of a VOR Federal airway from Bettles, Alaska, to Nenana, Alaska, and the designation of Bettles as a reporting point.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments but no comments were received.

In consideration of the foregoing and for the reasons stated in the notice, the following actions are taken:

1. In § 71.125 (27 F.R. 220–36, November 10, 1962) add:

V–504 from Nenana, Alaska, to Bettles, Alaska (beginning at 45 nautical miles from Nenana increasing in width of one mile for every 5 nautical miles in length to 60 nautical miles from Nenana, thence a 14-mile-wide airway to 60 nautical miles from Bettles, thence decreasing in width of one mile for every 5 nautical miles in length to 45 nautical miles from Bettles).

2. In § 71.211 (27 F.R. 220–174, November 10, 1962) add: Bettles, Alaska.

3. In § 71.213 (27 F.R. 220–175, November 10, 1962) add: Bettles, Alaska.

These amendments shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9217; Filed, Aug. 27, 1963; 8:47 a.m.]

[Airspace Docket No. 63–CE–52]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Federal Airways and Associated Control Areas

On June 15, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 6191) stating that the Federal Aviation Agency was considering alterations to VOR Federal airways Nos. 38, 55 west alternate, 144, 177, 853 and 1520 and their associated control areas. These actions are in the airway complex between Chicago, Ill., and Fort Wayne, Ind.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing and for the reasons stated in the notice, the following actions are taken:

1. Section 71.123 (27 F.R. 220–6, November 10, 1962, 27 F.R. 12439, 28 F.R. 907, 967, 7290)

a. In V–38 "Peotone, Ill.;" is deleted and "Peotone, Ill., 8 miles wide to Monterey, Ind.;" is substituted therefor.

b. In V–144 "Peotone;" is deleted and "Peotone, 8 miles wide to Monterey, Ind.;" is substituted therefor.

c. In V–853 "Peotone;" is deleted and "Peotone, 8 miles wide to Monterey" is substituted therefor.

d. V–177 is amended to read:

V–177 From Fort Wayne, Ind., via Monterey, Ind.; 8-miles wide to INT Monterey 276° and Chicago Heights, Ill., 140° radials; to Chicago Heights. From Naperville, Ill.; to Janesville, Wis.

e. In V–55 "including a W alternate via INT of Fort Wayne direct radial to Peotone, Ill., with Goshen 168° radial," is deleted and "including a W alternate via INT Fort Wayne 281° and Goshen 168° radials," is substituted therefor.

2. Section 71.143 (27 F.R. 220–38, November 10, 1962, 28 F.R. 3779) is amended as follows: In V–1520 "12 miles wide Fort Wayne, Ind.;" is deleted and "12 miles wide INT Peotone 096°, Fort Wayne, Ind., 281° radials; Fort Wayne;" is substituted therefor.

These amendments shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9218; Filed, Aug. 27, 1963; 8:47 a.m.]

[Airspace Docket No. 63–PC–1]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation of Federal Airway and Reporting Point

On June 4, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5479) stating that the Federal Aviation Agency (FAA) proposed to designate a VOR Federal airway and reporting point in the vicinity of Hilo, Hawaii.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all relevant matter presented.

The Department of Defense expressed concurrence with the proposed actions, but considered the term "VOR Oceanic Air Route" in lieu of "VOR Federal airway" to more accurately describe the type of service provided and yet avoid the connation of an exercise of U.S. domestic authority in international airspace. This comment was considered and since the term "VOR Federal airway" is a term previously agreed to and coordinated with ICAO member states for airspace in which domestic air traffic control procedures are applied, a change in this concept for a single action could not be considered in this docket.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. In § 71.127 (27 F.R. 220–37, November 10, 1962) the following is added:

V–10 From Hilo, Hawaii, to INT of Hilo 051° and Upolu Point, Hawaii, 081° radials, including the additional airspace between lines diverging at an angle of 5° either side of the Hilo VOR 051° radial, extending from the VOR. The airspace below 1,200 feet MSL from Hilo to the INT of the Hilo 051° and the Upolu Point 093° radials, and the airspace below 2,500 feet MSL from the INT of the Hilo 051° and the Upolu Point 093° radials to the INT of the Hilo 051° and the Upolu Point 081° radials, is excluded.

2. In § 71.215 (27 F.R. 220–176, November 10, 1962) the following is added:

Skipjack INT: INT Hilo, Hawaii, 051°, Upolu Point, Hawaii, 081° radials.

These amendments shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348, 1510, E.O. 10854, 24 F.R. 9565)

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9219; Filed, Aug. 27, 1963; 8:47 a.m.]

[Airspace Docket No. 63–SW–20]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration and Revocation of Federal Airways, and Associated Control Areas and Designation of Reporting Point

On May 15, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 4856) stating that the Federal Aviation Agency proposed to amend Part 71 (New) of the Federal Aviation Regulations as follows:

1. Revoke VOR Federal airway No. 60, its south alternate and associated control areas from Texico VOR, Tex., to Lubbock, Tex.

2. Realign VOR Federal airway No. 62 from Texico via Plainview, Tex., to Lubbock.

3. Redesignate VOR Federal airway No. 81 from Lubbock via Plainview to Amarillo, Tex., including a standard east alternate from Plainview to Amarillo.

4. Realign VOR Federal airway No. 278 from Texico via Plainview to Guthrie, Tex.

5. Designate Plainview as a reporting point on Victor 278 and for only south bound traffic on Victor 81 and 62.

The Air Transport Association of America, Inc., offered no objection to the proposed amendments with the exception of the proposed alignment of Victor 62. They recommended that Victor 62 be aligned via the intersection of the direct radial between Texico and Plainview with the 341° True radial of Lubbock, to provide a shorter route between Texico and Lubbock with additional altitudes for use when the Reese AFB No. 1 training area is activated.

The ATA proposal has been reviewed by the FAA and is not being considered for the following reasons:

1. The latest FAA IFR peak-day airway traffic survey for the segment of Victor 62 and 62 south alternate between Texico and Lubbock showed no aircraft movements on Victor 62 and a maximum of two aircraft movements on Victor 62 south alternate.

2. The route is used for non-pressurized aircraft and cardinal altitudes of 6,000 feet to 11,000 feet MSL inclusive on Victor 62 south alternate are available when Reese AFB No. 1 training area is in use.

3. VOR Federal airway No. 1630, as designated between Texico and Lubbock, closely approximates the present alignment of Victor 62 and is available for pressurized aircraft operating at higher altitudes.

4. The area under consideration will be within controlled airspace and when traffic conditions permit, aircraft could be cleared out of the 341° True radial of Lubbock to intersect Victor 62.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted. Due consideration was given to all relevant matter presented.

The substance of the proposed amendments having been published, and for

the reasons stated herein and in the Notice, the following actions are taken:

1. Section 71.123 (27 F.R. 220–6, November 10, 1962, 28 F.R. 4125, 4435).

a. V–60 is amended to read:

V-60 From Albuquerque, N. Mex., via Otto, N. Mex., including an S alternate; to Las Vegas, N. Mex.

b. In V–62 "INT of Texico 122° and Lubbock, Tex., 088° radials; Lubbock," is deleted and "Plainview, Tex., Lubbock, Tex.," is substituted therefor.

c. In V–81 "Lubbock, Tex.;" is deleted and "Lubbock, Tex.; Plainview, Tex.;" is substituted therefor.

d. In V–278 "INT of Texico 104° and Guthrie, Tex., 293° radials; Guthrie;" is deleted and "Plainview, Tex., Guthrie, Tex.;" is substituted therefor.

2. In § 71.203 (27 F.R. 220–157, November 10, 1962) the following is added:

Plainview, Tex.; V–278, V–62 and V–81 S bound.

These amendments shall become effective 0001 e.s.t., October 17, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C. on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9220; Filed, Aug. 27, 1963; 8:48 a.m.]

[Airspace Docket No. 63–CE–46]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation of Transition Area

On May 16, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 4919) stating that the Federal Aviation Agency proposed to designate a transition area at Minneapolis, Minn.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendment having been published and for the reasons stated in the Notice, § 71.181 (27 F.R. 220–139, November 10, 1962) is amended by adding the following:

Minneapolis, Minn.

That airspace E of Minneapolis extending upward from 5,000 feet MSL bounded on the N by V–78, on the SE by V–26, and on the SW by V–2N; that airspace W of Minneapolis bounded on the N by V–78, on the SE by V–148, and on the SW by V–171; and that airspace W of Farmington, Minn., bounded on the NE by V–171, on the S by V–26, and on the NW by V–148.

This amendment shall become effective 0001 e.s.t., November 14, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C. on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9221; Filed, Aug. 27, 1963; 8:48 a.m.]

[Airspace Docket No. 63–EA–21]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone and Designation of Transition Area

On June 21, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 6406) stating that the Federal Aviation Agency proposed to alter the Chincoteague, Va., control zone and designate the Chincoteague transition area.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220–91, November 10, 1962) the Chincoteague, Va., control zone is amended to read:

Chincoteague, Va.

Within a 5-mile radius of NASA Wallops Station Airport, Chincoteague, Va. (latitude 37°56'15" N., longitude 75°28'15" W.) and within 2 miles each side of the Snow Hill, Md., VOR 181° radial, extending from the 5-mile radius zone to 2.5 miles S of the VOR, excluding the portion within R–6604. This control zone is effective from 0800 to 1700 hours, local time, Monday through Friday, excluding Federal legal holidays.

2. Section 71.181 (27 F.R. 220–139, November 10, 1962) is amended by adding the following:

Chincoteague, Va.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of NASA Wallops Station Airport, Chincoteague, Va. (latitude 37°56'15" N., longitude 75°28'15" W.); and that airspace extending upward from 1,200 feet above the surface within a 12-mile radius of NASA Wallops Station Airport, and the area extending NE from the 12-mile radius area bounded on the NW by the SE boundary of V–139, on the NE by the Salisbury, Md., VOR 114° radial, and on the southeast by a line 3 miles SE of and parallel to the SE boundary of V–139, excluding the portion within R–6604 and the portion outside the United States.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

These amendments shall become effective 0001, e.s.t., October 17, 1963.

Issued in Washington, D.C., on August 22, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9265; Filed, Aug. 27, 1963; 8:45 a.m.]

[Airspace Docket No. 62–EA–79]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Federal Airways and Associated Control Areas

On June 14, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 6091), stating that the Federal Aviation Agency proposed to amend Part 71 [New] of the Federal Aviation Regulations by the following actions:

1. Realign the United States portion of VOR Federal airway No. 42 east alternate from Windsor, Ontario, Canada, to a point southeast of Strongsville, Ohio.

2. Realign the United States portion of VOR Federal airway No. 103 between Windsor and Akron, Ohio.

3. Realign VOR Federal airway No. 232 between Sandusky, Ohio, and Chardon, Ohio.

4. Realign the United States portion of VOR Federal airway No. 1671 between Windsor and Akron.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In reference to Victor 42, the airspace between this airway and its east alternate between Windsor and Cleveland is presently designated as controlled airspace. The notice proposed that this airspace, as associated with the altered airway, not be designated as controlled airspace. Subsequent to publication of the notice, it has been determined that the controlled airspace between Victor 42 and its east alternate is used to provide protection for aircraft executing prescribed holding procedures at the Vermillion, Ohio, Intersection. Accordingly, action is taken herein to retain this controlled airspace.

The substance of the proposed amendments having been published, therefore, for the reasons stated herein and in the notice, the following actions are taken:

1. Section 71.123 (27 F.R. 220–6, November 10, 1962, 28 F.R. 2230) is amended as follows:

a. In V–42 "Cleveland, Ohio, including an E alternate via INT of Carleton, Mich., 097° and Windsor 121° radials; Akron, Ohio;" is deleted and "Cleveland, Ohio, including an E alternate via INT Windsor 131° and Strongsville, Ohio, 342° radials, Strongsville, to INT Strongsville 162° and Akron, Ohio, 289° radials; Akron;" is substituted therefor.

b. In V–103 "From Akron, Ohio, via INT of Akron 319° and Windsor, Ontario, Canada, 121° radials; to Windsor." is deleted and "From Akron, Ohio, to Windsor, Ontario, Canada," is substituted therefor.

c. In V–232 "From Sandusky, Ohio, via INT of Sandusky 063° and Chardon, Ohio, 280° radials;" is deleted and "From Sandusky, Ohio, via INT Sandusky 061° and Chardon, Ohio, 281° radials;" is substituted therefor.

2. Section 71.143 (27 F.R. 220–38, November 10, 1962):

a. In V–1671 "INT Akron 319°, Windsor, Ont., 121° radials;" is deleted.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

These amendments shall become effective 0001, e.s.t., October 17, 1963.

Issued in Washington, D.C., on August 22, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9267; Filed, Aug. 27, 1963; 8:45 a.m.]

[Airspace Docket No. 63-WA-43]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation of Federal Airway and Associated Control Areas

On July 11, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 7100) stating that the Federal Aviation Agency proposed to designate the United States portion of an airway and its associated control areas from Quebec, Province of Quebec, Canada, to Houlton, Maine, and also an intermediate airway to overlie the U.S. portion of this airway.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments but no comments were received.

The substance of the proposed amendments having been published, and for the reasons stated in the notice, the following actions are taken:

1. In § 71.123 (27 F.R. 220-6, November 10, 1962) the following is added:

V-318 From Quebec, Province of Quebec, Canada, R.R.; to Houlton, Maine. The airspace within Canada is excluded.

2. In § 71.143 (27 F.R. 220-38, November 10, 1962) the following is added:

V-1528 Quebec, Province of Quebec; Canada, R.R.; Houlton, Maine, excluding the portion over Canada.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

These amendments shall become effective 0001, e.s.t., October 17, 1963.

Issued in Washington, D.C., on August 22, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9268; Filed, Aug. 27, 1963; 8:46 a.m.]

[Airspace Docket No. 63-EA-45]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE AND REPORTING POINTS [NEW]

PART 73—SPECIAL USE AIRSPACE [NEW]

Federal airways; correction

On August 3, 1963, there was published in the FEDERAL REGISTER (28 F.R. 7936) Amendment No. 2(e) to Part 73 [New] of the Federal Aviation Regulations. This amendment deleted reference to the Camp Springs, Md. (Andrews AFB), Restricted Area/Military Climb Corridor R-4003 from the description of intermediate Federal Airway V-1731. Through inadvertence this amendment was made applicable to § 71.123 instead of § 71.143. Therefore, action is taken herein to amend the proper section.

Since this correction is editorial in nature and imposes no additional burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, the following action is taken:

Section 71.143 (27 F.R. 220-38 November 10, 1962, 28 F.R. 3779) is amended as follows: In V-1731 "The airspace within the Camp Springs, Md., Restricted Area/Military Climb Corridor R-4003 shall be used only after obtaining prior approval from appropriate authority." is deleted.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on August 23, 1963.

LEE E. WARREN,
Director, Air Traffic Service.

[F.R. Doc. 63-9266; Filed, Aug. 27, 1963; 8:45 a.m.]

[Airspace Docket No. 63-WA-58]

PART 73—SPECIAL USE AIRSPACE [NEW]

Revocation of Restricted Area

The purpose of this amendment to § 73.44 of the Federal Aviation Regulations is to revoke Restricted Area R-4403 Pearl River, Mississippi.

The Department of the Navy had advised that R-4403 no longer fulfills their requirements as a general purpose target area and has requested that the area be rescinded. Such action is taken herein.

Since this amendment reduces the burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, the following action is taken: In § 73.44 (28 F.R. 19-28, January 26, 1963), R-4403 Pearl River, Mississippi, is revoked.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on August 23, 1963.

LEE E. WARREN,
Director, Air Traffic Service.

[F.R. Doc. 63-9269; Filed, Aug. 27, 1963; 8:46 a.m.]

[Airspace Docket No. 63-WE-90]

PART 73—SPECIAL USE AIRSPACE [NEW]

Alteration of Restricted Area

The purpose of this amendment to § 73.25 of the Federal Aviation Regulations is to change the using agency of the Salton Sea, Calif., Restricted Area R-2521 from the "Commander, 6511th Test Group (USAF), El Centro, Calif." to the "Commanding Officer, Naval Air Facility, El Centro, Calif."

The Department of the Navy, with Department of the Air Force concurrence, has requested that the using agency of R-2521 be changed to the Commanding Officer, Naval Air Facility, El Centro, Calif. The Navy advises that the Naval Air Facility provides support functions to the 6511th Test Group and is responsible for the scheduling of operations within R-2521. Therefore, action is taken herein to reflect this change.

Since this amendment imposes no additional burden on the public, Notice and public procedure hereon are unnecessary.

In consideration of the foregoing, § 73.25 (28 F.R. 19-8, January 26, 1963), is amended as follows: In R-2521 Salton Sea, Calif., "Using Agency. Commander, 6511th Test Group (USAF), El Centro, Calif." is deleted and "Using Agency. Commanding Officer, Naval Air Facility, El Centro, Calif." is substituted therefor.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on August 23, 1963.

LEE E. WARREN,
Director, Air Traffic Service.

[F.R. Doc. 63-9270; Filed, Aug. 27, 1963; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 8264 o]

PART 13—PROHIBITED TRADE PRACTICES

Samuel A. Mannis et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices;* § 13.155-70 *Percentage savings.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements;* § 13.1852-35 *Fur Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Samuel A. Mannis trading as Samuel A. Mannis and Co., et al., Hollywood, Calif., Docket 8264, Aug. 2, 1963]

In the Matter of Samuel A. Mannis, an Individual Trading as Samuel A. Mannis and Co., and Furs by Mannis

Order requiring one of the largest exclusive retail fur dealers in the Los Angeles metropolitan area to cease violating the Fur Products Labeling Act by advertisements in newspapers which set forth earlier or comparative prices without stating the time they were in effect and failed to set forth required information as provided; and by failing to keep adequate records as a basis for pricing claims.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That Samuel A. Mannis, an individual trading as Samuel A. Mannis and Co., and Furs By Mannis, or under any other trade name, and his representatives, agents and employees,

directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce of fur products, or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which are made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur products" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

1. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

A. Fails to set forth all items of information required by the Fur Products Labeling Act or the rules and regulations promulgated thereunder, in type of equal size and conspicuousness, and in close proximity with each other;

B. Sets forth earlier or former comparative prices without stating the time such prices were in effect.

2. Making claims and representations of the types covered by subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondent full and adequate records disclosing the facts upon which such claims and representations are based.

Subsections (a), (b), (c), and (d) of Rule 44 of said rules and regulations provide as follows:

(a) No person shall, with respect to a fur or fur product, advertise such fur or fur product at alleged wholesale prices or at alleged manufacturers cost or less, unless such representations are true in fact; nor shall any person advertise a fur or fur product at prices purported to be reduced from what are in fact fictitious prices, nor at a purported reduction in price when such purported reduction is in fact fictitious.

(b) No person shall, with respect to a fur or fur product, advertise such fur or fur product with comparative prices and percentage savings claims except on the basis of current market values or unless the time of such compared price is given.

(c) No person shall, with respect to a fur or fur product, advertise such fur or fur product as being "made to sell for," being "worth" or "valued at" a certain price, or by similar statements, unless such claim or representation is true in fact.

(d) No person shall, with respect to a fur or fur product, advertise such fur or fur product as being of a certain value or quality unless such claims or representations are true in fact.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: August 2, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-9222; Filed, Aug. 27, 1963; 8:48 a.m.]

[Docket 7655]

PART 13—PROHIBITED TRADE PRACTICES

Sessions Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections;* § 13.15–260 *Retailer as wholesaler, jobber, factory distributor;* § 13.155 *Prices;* § 13.155–40 *Exaggerated as regular and customary;* § 13.155–80 *Retail as cost, wholesale, discounted, etc.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, The Sessions Company, et al., Dallas, Tex., Docket 7655, Aug. 1, 1963]

In the Matter of The Sessions Company, a Corporation, and Hoyt Sessions, and Kim Cashion, Individually and as Officers of Said Corporation

Order requiring Dallas, Tex., sellers to retailers, jobbers and individual customers of a variety of merchandise including watches, billfolds, jewelry, cameras, small appliances and sporting goods, to cease representing falsely that they sold at wholesale prices by referring to themselves as wholesalers and their prices as wholesale prices in advertising and by use, in their catalog mailed to individuals, of two prices: One a so-called coded selling price stated to be wholesale and the other a higher price designated as "retail".

The order to cease and desist is as follows:

It is ordered, That the individual respondents Hoyt M. Sessions and K. M. (Kim) Cashion, Jr., their agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication:

(a) Through the use of the word "wholesale" or any other word or words of similar import, or in any other manner, that any merchandise is offered for sale or sold at wholesale prices unless the price at which it is offered is, in fact, the price at which said merchandise is usually and customarily sold at wholesale, in the trade area or areas in which the representation is made.

(b) That any amount is the wholesale price of an article of merchandise when such amount is in excess of the price at which said merchandise is usually and customarily sold at wholesale, in the trade area in which the representation is made.

(c) That any amount is the usual and customary retail price of merchandise when such amount is in excess of the price at which such merchandise is usually and customarily sold at retail in the trade area or areas where the representations are made.

(d) That any saving is afforded in the purchase of merchandise from the usual and customary retail price in the trade area or areas in which the representation is made unless the price at which the merchandise is offered constitutes a reduction from the price at which said merchandise is usually and customarily sold at retail in the trade area or areas where the representation is made.

2. Misrepresenting, in any manner, the amount of savings available to purchasers of respondents' merchandise or the amount by which the price of said merchandise has been reduced from the price at which it is usually and customarily sold at retail in the trade area or areas where the representations are made.

It is further ordered, That the complaint be, and the same hereby is, dismissed as to the corporate respondent The Sessions Company, an involuntary bankrupt.

By "Decision of the Commission" etc., order requiring report of compliance is as follows:

It is further ordered, That the respondents Hoyt M. Sessions and K. M. (Kim) Cashion, Jr., shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained in the initial decision.

Issued: August 1, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-9223; Filed, Aug. 27, 1963; 8:48 a.m.]

[Docket 6938]

PART 13—PROHIBITED TRADE PRACTICES

Universal Interchange, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections;* § 13.15–5 *Advertising and promotional services;* § 13.15–30 *Connections or arrangements with others;* § 13.15–255 *Reputation, success, or standing;* § 13.60 *Earnings and profits;* § 13.143 *Opportunities;* § 13.185 *Refunds, repairs, and replacements;* § 13.225 *Services;* § 13.260 *Terms and conditions.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Universal Interchange, Inc. (Los Angeles, Calif.), et al., Docket 6938, Aug. 2, 1963]

In the Matter of Universal Interchange, Inc., a Corporation; Theodore M. Bernardi, Maurice Salomon and Paul M. Guyer, Individually and as Officers of Said Corporation; and United Interchange, Inc., of Illinois, a Corporation; and United Interchange, Inc., of Texas, a Corporation; and Maurice Salomon and Lillian Salomon, Individually and as Officers of Said Corporations; and United Interchange, Inc., of New York, a Corporation; and Theodore M. Bernardi and Pauline B. Bernardi, Individually and as Officers of Said Corporations; and Union Interchange, Inc., of Washington, a Corporation; Union Interchange, Inc., of Colorado, a Corporation; and Union Interchange, Inc., of California, a Corporation; and Paul Guyer and Francelene A. Guyer, Individually and as Officers of Said Corporations

Order requiring eight corporations—with respective offices in Los Angeles, Chicago, Dallas, New York, Boston, Seattle, and Denver—jointly engaged in selling advertising in the "U.S. Buyers Digest", published by first named respondent, and other advertising media, and other services in connection with the sale and purchase of farm and business properties, to cease—in soliciting, and collecting substantial sums of money as fees for, the listing of property for sale and advertisements therefor to be published in said bulletin—making false representations concerning clients' opportunities for sales and profits, services afforded, affiliates, success, refunds, terms, etc., as in the order below set out.

The order to cease and desist is as follows:

It is ordered, That respondents Universal Interchange, Inc., a corporation, its officers, Theodore M. Bernardi, Maurice Salomon, and Paul M. Guyer, individually and as officers of said corporation; United Interchange, Inc., of Illinois and United Interchange, Inc., of Texas, corporations, their officers, Maurice Salomon, individually and as an officer of said corporations, and Lillian Salomon as an officer of said corporations; United Interchange, Inc., of New York and United Interchange, Inc., of Massachusetts, corporations, their officers, Theodore M. Bernardi, individually and as an officer of said corporations, and Pauline B. Bernardi as an officer of said corporations; Union Interchange, Inc., of Washington, Union Interchange, Inc., of Colorado, and Union Interchange, Inc., of California, corporations, their officers, Paul M. Guyer, individually and as an officer of said corporations, and Francelene A. Guyer as an officer of said corporations, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the solicitation, offering for sale or sale of the advertising of business or other properties, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

1. Respondents have available prospective buyers who are interested in the purchase of specific properties;

2. The customer will not be charged for the service unless the advertising results in the sale of the property;

3. Property sought to be advertised will be nationally advertised in newspapers, radio broadcasts, or periodicals or publications other than respondents' own; and

4. Over 1,000 or any other number of real estate brokers are affiliated with respondents.

It is further ordered, That respondents Universal Interchange, Inc., a corporation, its officers, Theodore M. Bernardi, Maurice Salomon, and Paul M. Guyer, individually and as officers of said corporation; United Interchange, Inc., of Illinois and United Interchange, Inc., of Texas, corporations, their officers, Maurice Salomon, individually and as an officer of said corporations, and Lillian Salomon as an officer of said corporations; Union Interchange, Inc., of Washington, Union Interchange, Inc., of Colorado, and Union Interchange, Inc., of California, corporations, their officers, Paul M. Guyer, individually and as an officer of said corporations, and Francelene A. Guyer as an officer of said corporations, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the solicitation, offering for sale, or sale of the advertising of business or other properties, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

1. Property sought to be advertised is underpriced and the asking price should be increased; and

2. Respondents maintain a list of prospective buyers of such property.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: August 2, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-9224; Filed, Aug. 27, 1963; 8:48 a.m.]

[Dockets C-540, C-566]

PART 13—PROHIBITED TRADE PRACTICES

Baracuta, Inc., et al.

Subpart—Discriminating in price under Sec. 2, Clayton Act—Payment for services or facilities for processing or sale under 2(d): § 13.825 *Allowances for services or facilities.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Baracuta, Inc. (New York, N.Y.), et al., Dockets C-540—C-566, Aug. 12, 1963]

In the Matter of Baracuta, Inc., and the Other Respondents Named in the Appendix Attached to These Orders

Consent orders requiring 27 wearing apparel manufacturers to cease discriminating in price among their customers in violation of section 2(d) of the Clayton Act by favoring certain retailers with promotional payments not made proportionally available to competing stores.

The orders to cease and desist, including further orders requiring report of compliance therewith, are as follows:

Decisions and orders. The Federal Trade Commission having initiated an investigation of certain acts and practices of the manufacturers listed in the appendix attached to this order, and subsequently having determined that complaints should issue, and the respondents having entered into agreements containing orders to cease and desist from the practices being investigated and having been furnished copies of a draft of complaint to issue herein charging them with violation of subsection (d) of section 2 of the Clayton Act, as amended, and

The respondents having executed the agreements containing consent orders which agreements contain an admission of all the jurisdictional facts set forth in the complaints to issue herein, and statements that the signing of the said agreements are for settlement purposes only and does not constitute admissions by the respondents that the law has been violated as set forth in such complaints, and also contains the waivers and provisions required by the Commission's rules; and

The Commission, having considered the agreements, hereby accepts the same, issues its complaints, in the form contemplated by said agreements, makes the following jurisdictional findings, and enters the following orders:

1. Respondent manufacturers listed in the attached appendix are corporations organized and existing under the laws of various States, with their offices and principal places of business as given following their names in the appendix.

2. The Federal Trade Commission has jurisdiction of the subject matter of these proceedings and of the respondents.

It is ordered, That respondents listed in the appendix attached to this order, corporations, their officers, directors, agents, representatives and employees, directly or through any corporate or other device, in the course of their business in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from: Paying or contracting for the payment of anything of value to, or for the benefit of, any customer of the respondents as compensation or in consideration for advertising or promotional services, or any other service or facility, furnished by or through such customer in connection with the handling, sale or offering for sale of wearing apparel products manufactured, sold or offered for sale by

respondent, unless such payment or consideration is made available on proportionally equal terms to all other customers competing with such favored customer in the distribution or resale of such products.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of these orders, file with the Commission reports in writing setting forth in detail the manner and form in which they have complied with these orders.

Issued: August 12, 1963.

[SEAL] JOSEPH N. KUZEW,
Acting Secretary.

APPENDIX

The respondents are (addresses are New York City, unless otherwise indicated):

(C-540) Baracuta, Inc., 16 East 40th Street.
(C-541) Blue Jeans Corp., 130 West 34th Street.
(C-542) College-Town Sportswear, 35 Morrisey Boulevard, Boston, Mass.
(C-543) Davis Sportswear Co., Inc., 5 Franklin Street, Lawrence, Mass.
(C-544) Gail Byron Frocks Co., Inc., 463 Seventh Avenue.
(C-545) Girltown, Inc., 35 Morrisey Boulevard, Boston, Mass.
(C-546) C. F. Hathaway Co., 10 Water Street, Waterville, Maine.
(C-547) Junior Accent, Inc., 498 Seventh Avenue.
(C-548) Century Sportswear Co., Inc., 20 Boylston Street, Boston, Mass.
(C-549) Jonathan Logan, Inc., 3901 Liberty Avenue, North Bergen, N.J.
(C-550) The Manhattan Shirt Co., 1271 Avenue of the Americas.
(C-551) Novelty Veiling Co., Inc., 675 Sixth Avenue.
(C-552) Petite Lady Dress Co., Inc., 1375 Broadway.
(C-553) Phillips-Van Heusen Corp., 417 Fifth Avenue.
(C-554) Rosecrest, Inc., 24 Binford Street, Boston, Mass.
(C-555) Boris Smoler & Sons, Inc., 3021 North Pulaski, Chicago, Ill.
(C-556) Alice Stuart, Inc., 525 Seventh Avenue.
(C-557) Sunnyvale, Inc., 1350 Broadway.
(C-558) Tanner of North Carolina, Inc., Rutherfordtown, N.C.
(C-559) Warshauer and Franck, Inc., 75 Kneeland Street, Boston, Mass.
(C-560) Westover Fashions, Inc., 1400 Broadway.
(C-561) Boston Maid, Inc., 560 Harrison Avenue, Boston, Mass.
(C-562) Devonbrook, Inc., 1400 Broadway.
(C-563) R. and M. Kaufman, Inc., 41 Holbrook Street, Aurora, Ill.
(C-564) Linsk of Philadelphia, Inc., 3111 West Allegheny Avenue, Philadelphia, Pa.
(C-565) Modern Juniors, Inc., 1407 Broadway.
(C-566) D. F. Rodgers Manufacturing Co., Inc., 1350 Broadway.

[F.R. Doc. 63-9280; Filed, Aug. 27, 1963; 8:47 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 34-7118]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Recovery of Short Term Trading Profits; Exemptions

On April 11, 1963, in Securities Exchange Act of 1934 Release 7058, and in the FEDERAL REGISTER of April 20, 1963 (28 F.R. 3936), the Securities and Exchange Commission gave notice of a proposed § 240.16b-9 (Rule 16b-9) to exempt from the operation of section 16(b) of the Securities Exchange Act of 1934 certain transactions in which shares of stock are exchanged for similar shares of stock of the same issuer. Section 16(b) provides for the recovery, by or on behalf of the issuer of equity securities registered on a national securities exchange, of short-term trading profits realized by directors, officers and principal security holders of the issuer. The Commission is authorized to exempt from section 16(b) transactions not comprehended within the purpose of that section.

After consideration of all such relevant matter as was presented by interested persons concerning the proposal, the Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act, hereby adopts § 240.16b-9 in the form set forth below, effective August 19, 1963.

The new rule exempts from the operation of section 16(b) any acquisition or disposition of shares of stock of an issuer in exchange for an equivalent number of shares of another class of stock of the same issuer pursuant to a right of conversion under the terms of the issuer's charter or other governing instruments. The exemption is available only if (1) the shares surrendered and those acquired in exchange therefor evidence substantially the same rights and privileges except that the shares surrendered may, in the discretion of the board of directors, receive a lesser dividend than the shares for which they are exchanged and (2) the transaction was effected in contemplation of a public sale of the shares acquired in the exchange. This rule is intended to relate only to the typical Class A and B common equity securities.

Section 240.16b-9, as adopted, reads as follows:

§ 240.16b-9 Exemption from section 16(b) of certain transactions involving an exchange of similar securities.

(a) Any acquisition or disposition of securities made in an exchange of shares of a class (or series thereof) of stock of an issuer for an equivalent number of shares of another class (or series thereof) of stock of the same issuer, pursuant to a right of conversion under the terms of the issuer's charter or other governing instruments shall be exempt from the operation of section 16(b) of the Act if (1) the shares surrendered and those acquired in exchange therefor evidence substantially the same rights and privileges except that, pursuant to the provisions of the issuer's charter or other governing instruments, the board of directors may declare and pay a lesser dividend per share on shares of the class surrendered than on shares of the class acquired in exchange therefor, or may declare and pay no dividend on shares of the class surrendered; and (2) the transaction was effected in contemplation of a public sale of the shares acquired in the exchange: *Provided,* That this section shall not be construed to exempt from the operation of section 16(b) any purchase or sale of shares of the class surrendered and any sale or purchase of shares of the class acquired in the exchange (otherwise than in the transaction of exchange exempted by this section) within a period of less than six months.

(b) The exemption provided by this section shall apply to any transaction occurring before or after the effective date of this section, except that it shall not be deemed to affect judgments rendered prior to such effective date.

(Sec. 16(b), 23(a), 48 Stat. 896, 901, as amended, 15 U.S.C. 78p, 78w)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

AUGUST 19, 1963.

[F.R. Doc. 63-9226; Filed, Aug. 27, 1963; 8:49 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 526—INDUSTRIES OF A SEASONAL NATURE

Cotton Factor Branch, Memphis, Tenn.

In the July 4, 1963, issue of the FEDERAL REGISTER (28 F.R. 6885), there was published a proposal to revoke the determination under paragraph 7(b)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207), that the cotton factor branch of the cotton industry in Memphis, Tennessee, is an industry of a seasonal nature on the basis of an economic study made by members of my staff.

Interested persons were given 15 days to file written statements of data, views,

or arguments, or requests for hearings. None were received.

Now, therefore, in accordance with the procedure described in 29 CFR 526.6, I hereby find that this industry is not of a seasonal nature and I revoke that part of the table in 29 CFR 526.101 which reads: "cotton grading, stapling, and classification for original producer in Memphis, Tennessee—January 22, 1951—16 F.R. 685." The revocation shall become effective September 28, 1963.

Signed at Washington, D.C., this 22d day of August 1963.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 63-9286; Filed, Aug. 27, 1963; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

PART 132—RESERVE FORCES ACTIVE DUTY FOR TRAINING FOR BASIC TRAINING

The Deputy Secretary of Defense approved the following revision of Part 132 on August 1, 1963:

Sec.
132.1 Purpose.
132.2 Applicability.
132.3 Policy.

AUTHORITY: §§ 132.1 to 132.3 issued under 10 U.S.C. 511, 32 U.S.C. 302, 50 app. U.S.C. 456 (c)(2)(A).

§ 132.1 Purpose.

This part prescribes uniform policy:

(a) Governing active-duty-for-training programs established to provide basic training for persons enlisting directly into the Reserve Forces in draft-deferred status.

(b) Pertaining to certain aspects of programs for direct enlistment into the Reserve Forces.

§ 132.2 Applicability.

The provisions of this part apply to all Military Departments offering active-duty-for-training for basic training to individuals without prior military service who enlist directly into the Reserve Forces under provisions of Title 10, U.S.C. or Title 32, U.S.C. Active-duty-for-training for basic training may include, in addition to recruit or basic individual training, basic unit training and various types of specialist training.

§ 132.3 Policy.

(a) The active-duty-for-training programs are established to provide the Reserve Forces with trained young men.

(b) The initial period of active-duty-for-training for basic training for all enlistees, regardless of age on enlistment, shall be of not less than four consecutive months' duration. The maximum period of active-duty-for-training will be determined within each Service on the basis of the training considered necessary to qualify the individual in the military specialty for which he enlisted.

(c) Each enlistment of non-prior-service personnel under 26 years of age who enlist under section 511 of Title 10, U.S.C. or section 302 of Title 32, U.S.C. will be for a period of six years. Enlistment of non-prior-service personnel who are 26 years of age or over will be for such period as prescribed by the Secretary concerned in accordance with existing statutes. Unless otherwise provided by law, personnel enlisting in programs requiring initial active-duty-for-training shall participate in reserve training in the Ready Reserve for the total period of enlistment except for the period of delay in reporting for active-duty-for-training which is discretionary with the Secretary concerned in accordance with paragraph (f) of this section. Deferment from induction of draft-liable enlistees based on satisfactory service in the reserves is governed by the Universal Military Training and Service Act, as amended, as supplemented by pertinent Selective Service Regulations.

(d) In the case of a military service accepting enlistments under Title 10, U.S.C. or Title 32, U.S.C., the Department concerned shall include its planned annual enlistments under such authority in its annual manpower program submitted to the Secretary of Defense for approval.

(e) No enlistment shall be accepted under Title 10, U.S.C. or Title 32, U.S.C. if such enlistment would cause the strength of the Ready Reserve authorized for the component concerned to be exceeded.

(f) Individuals entering the reserve components under programs requiring entry on active duty or active-duty-for-training shall enter on either active duty or active-duty-for-training with minimum practicable delay after enlistment. The delay shall not exceed one hundred and twenty (120) days except as follows:

(1) Individuals pursuing a course in high school may be delayed until they cease to pursue that course satisfactorily or graduate, whichever occurs first.

(2) Individuals enlisting for positions requiring security clearance for access to or work with classified military information or equipment may be delayed to the extent necessary to accomplish the required clearances.

(3) Individuals with special qualifications enlisted to fill positions requiring highly specialized skills for which appropriate formal training courses are offered only infrequently may be delayed to the extent necessary to insure that the enlistee pursues the proper course commensurate with his qualifications and the requirements of the position for which enlisted.

(4) Delay for personnel under subparagraph (1), (2), or (3) of this paragraph, shall not exceed a period of one year and shall not be employed for the purpose of stockpiling personnel.

Whether or not an individual shall participate in reserve training during the delay period will be determined by the Secretary concerned.

(g) In order to assure uniformity of training and discipline, members of the Army National Guard of the United States and of the Air National Guard of the United States ordered to active-duty-for-training for the purpose of basic training will be ordered to that duty as Reserves of the Army or of the Air Force, as appropriate.

(h) It is in the best interest of all the Services that a degree of uniformity and equity in reserve enlistment programs be maintained. Accordingly, after initial implementation of this Part, proposed new programs as well as proposed changes to reserve enlistment programs established in conformance with this Part will be submitted to the Assistant Secretary of Defense (Manpower) for approval prior to implemention.

MAURICE W. ROCHE,
Administrative Secretary.

[F.R. Doc. 63-9232; Filed, Aug. 27, 1963; 8:49 a.m.]

SUBCHAPTER M—MISCELLANEOUS

PART 260—PREFERENCE TO BLIND PERSONS IN OPERATING VENDING STANDS

The Secretary of Defense approved the following revision to Part 260 on August 15, 1963:

Sec.
260.1 Purpose.
260.2 Background.
260.3 Definitions.
260.4 Policy.
260.5 Reports.

AUTHORITY: §§ 260.1 to 260.5 issued under 49 Stat. 1559, as amended by Act of August 3, 1954 (Pub. Law 565, 83d Cong., 68 Stat. 663, 20 U.S.C. 107).

§ 260.1 Purpose.

This part establishes uniform policies for assuring preference to blind persons in operating vending stands on Federal property under the jurisdiction of the Department of Defense.

§ 260.2 Background.

It is the purpose of the Randolph-Sheppard Vending Stand Act to provide blind persons with remunerative employment so as to stimulate efforts by them to make themselves self-supporting. To achieve this purpose, the head of each department or agency of the Government is required after consultation with the Secretary of Health, Education, and Welfare and with the approval of the President to prescribe regulations which would assure preference to certain licensed blind persons to operate vending stands on Federal property, subject to the qualifications prescribed by that Act.

§ 260.3 Definitions.

The following definitions are applicable:

(a) "Federal property" means any building, land, or other real property owned, leased, or occupied by any department or agency of the United States or any instrumentality wholly owned by the United States, or by any department or agency of the District of Columbia or any Territory or possession of the United States.

(b) "Installation" means land and improvements thereon, under the control of the Departments of the Army, Navy or Air Force, or the Director, Defense Supply Agency, which have been established by order of any such department or agency, and at which functions of these departments or agencies are administered.

(c) "Jurisdiction" includes control of the maintenance, operation and protection of Federal property.

(d) "Vending machine" is any coin-operated machine which automatically vends or delivers tangible personal property.

(e) "Vending stand" includes such shelters, counters, shelving, display, and wall cases, refrigerating apparatus, and other appropriate auxiliary equipment as are necessary for the vending of merchandise.

§ 260.4 Policy.

(a) The Secretaries of the Army, Navy and Air Force, and the Director, Defense Supply Agency, are authorized to permit the construction, establishment or operation of vending stands on military or naval installations or other Federal property under their jurisdiction. Such permission may be granted under a revocable license in which the conditions for occupancy are set forth clearly.

(b) Where a vending stand may be properly and satisfactorily operated by a blind person, the Secretaries of the Army, Navy and Air Force, and the Director, Defense Supply Agency, will give preference, as to the operation of such a vending stand, to a blind person licensed by a State agency as provided in the Randolph-Sheppard Vending Stand Act. The Secretaries and the Director will provide for cooperation with the appropriate State licensing agency in selecting the type, locations or relocation of vending stands to be operated by licensed blind persons. The foregoing preference may be denied or revoked if it is determined by the local commanding officer:

(1) That existing security measures relative to location of the vending stand or to the clearance of the blind operator thereof cannot be followed;

(2) That vending stand standards relating to appearance, safety sanitation, and efficient operation cannot be met;

(3) That for any other reasons the interests of the United States would be adversely affected or the Department of Defense would be unduly inconvenienced thereby.

(i) Loss of revenue by reason of granting a rent-free permit for operation of a vending stand by a licensed blind person shall not be the basis for denying such permit. However, the permit will not be granted if to do so would seriously affect the primary mission of the Department of Defense by reducing revenue below the point which is necessary for the maintenance of a reasonably adequate morale and welfare program.

(ii) Certain types of nonappropriated fund operations such as post exchanges, motion pictures, and restaurants have traditionally been used by the Department of Defense to foster morale and welfare of those engaged in the defense effort. Revenue from these activities is used to supplement appropriated funds in conducting a well-rounded morale and welfare program. No permits should be granted that will place the morale and welfare program in jeopardy.

(c) The preference established in paragraph (b) of this section will be protected from the unfair or unreasonable competition of vending machines. No vending machine will be located within reasonable proximity to a vending stand operated by a licensed blind person if the vending machine vends articles of a type sold at such stand, except that, where local needs require the placement of such a vending machine, operation of and the income from such vending machine shall be assumed by the blind vending stand operator.

(d) So far as feasible, items sold at vending stands operated by the blind will consist of newspapers, periodicals, confections, tobacco products, articles dispensed automatically or in containers or wrappings in which they are placed before receipt by the vending stand, and such other suitable articles as may be approved for each vending stand location.

(e) In the event that the commander of the military installation or activity involved and the State licensing agency fail to reach agreement concerning the granting of a permit for a vending stand, the revocation or modification of a permit, the suitability of the stand location, the assignment of vending machine proceeds, the method of operation of the stand, or other terms of the permit (including articles which may be sold), the State licensing agency shall have the right to appeal such disagreements, through channels, to the Secretary of the appropriate Military Department or the Director, Defense Supply Agency. Upon appeal, a full investigation shall be undertaken. The State licensing agency shall be given the opportunity to present information. A final decision by the Secretary of the appropriate Military Department or the Director, Defense Supply Agency, will be rendered within ninety (90) days of the filing of the appeal.

§ 260.5 Reports.

Notification of the decision on appeal and the action taken thereon will be reported to the State licensing agency, the Department of Health, Education, and Welfare, and the Assistant Secretary of Defense (Manpower) not later than ninety (90) days after the action has been taken. The Secretary of each Military Department and the Director, Defense Supply Agency, will report annually to the Assistant Secretary of Defense (Manpower) the total number of applications for vending stand locations received from State licensing agencies, the number accepted, the number denied, and the number still pending. This report will be as of June 30 and will be submitted not later than August 31 of each year. The first report will be due as of June 30, 1964. A copy of this report will be sent to the Department of Health, Education, and Welfare.

MAURICE W. ROCHE,
Administrative Secretary.

[F.R. Doc. 63-9233; Filed, Aug. 27, 1963; 8:49 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. 235]

PART 9a—ADMINISTRATIVE INTERPRETATIONS

Authorization for Adjustment of Claims for Damages Resulting From Misrouting

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 19th day of July A.D. 1963.

There being under consideration the matter of the issuance of an interpretative opinion concerning adjustment by carriers subject to parts I and II of the Interstate Commerce Act of claims resulting from misrouting of shipments by such carriers, in order to clarify any misunderstanding resulting from the decision of the Supreme Court of the United States in T.I.M.E., Inc., v. United States, 359 U.S. 464, and to direct the attention of carriers and the shipping public to the decision of the Supreme Court in Hewitt-Robins, Inc., v. Eastern Freight-Ways, Inc., 371 U.S. 84, that a shipper by motor carrier may maintain an action in court to recover damages resulting from misrouting, the following opinion is issued as § 9a.1 of new Part 9a—Administrative Interpretations, of Title 49:

§ 9a.1 Authorization for adjustment of claims for damages resulting from misrouting.

While the Interstate Commerce Commission has no authority to award damages against motor carriers subject to part II of the Interstate Commerce Act, it is of the opinion that motor carriers should adjust claims caused by misrouting; and carriers subject to part I of the act, with respect to which the Commission does have jurisdiction to award damages, should continue to adjust claims caused by misrouting.

(a) *Applicability.* This interpretation applies only to cases in which carriers, without concurrence of the shipper, bill or actually forward or divert a shipment over a route that is more expensive than that directed by the shipper, or one more expensive than a route available (over carriers of the same type or mode as the initial carrier) in the absence of routing instructions by the shipper. This interpretation must not be used as a means

or device by which to evade or defeat tariff rates or to meet the rate of a competing carrier or route, nor to relieve a shipper from responsibility for his own routing instructions.

(b) *Refund.* If a carrier misroutes a shipment and thus causes extra expense to the shipper over and above the legal charges applicable over the route that should have been used, and responsibility for its error is admitted by the carrier, such carrier should adjust the charge on such shipment by refunding to the shipper the difference in the legal charges over the route over which the shipment moved and what would have been the legal charges on the same shipment at the same time over the lower rated available route which should have been used. Such refund must be paid in full by the carrier which caused the misrouting, and must not be shared in by or divided with any other carrier.

(c) *Bearing of charges.* The prerequisites to any refund under this interpretation are admission by the carrier of responsibility for its error in misrouting the shipment, and its willingness to bear the extra expense so caused, without recourse upon any other carrier for any part thereof. Therefore, if the misrouting is discovered before the shipment has been delivered to consignee or before charges demanded for the shipment have been paid, the carrier acknowledging responsibility for the error should authorize the delivering carrier to deliver shipment upon payment of the charges that would have applied but for the misrouting and to bill it for the extra charge resulting from the misrouting; and if the misrouting is discovered after the shipment has been delivered upon payment of the charges applicable over the lower rated route that should have been used, the carrier that acknowledges responsibility for the error should pay to the carrier that delivered the shipment the extra charge resulting from the misrouting, without further handling with the shipper.

(d) *Declaratory determination of lawfulness.* Where a carrier claims justification for forwarding a shipment over the higher rated route, the Commission, at its discretion, and upon appropriate petition, may make a declaratory determination of the lawfulness thereof. With respect to motor transportation such declaratory determinations will serve only as aids to the courts or as opinions by the Commission as to the lawfulness of any adjustment or refund.

(e) *Time limitations.* Damages caused by misrouting are not overcharges. Therefore, adjustments of claims for misrouting against carriers subject to the provisions of part I of the act are governed by section 16(3) (b) and (d) of the act.

(60 Stat. 237; 25 Stat. 858; 52 Stat. 1237; 5 U.S.C. 1002; 49 U.S.C. 12(1) and 304(a)(6))

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-9241; Filed, Aug. 27, 1963; 8:52 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Medicine Lake National Wildlife Refuge

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

MONTANA

MEDICINE LAKE NATIONAL WILDLIFE REFUGE

Public hunting of Big Game on the Medicine Lake National Wildlife Refuge, Montana, is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,250 acres or 7 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland, Oregon, 97208. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: White-tailed and mule deer.

(b) Open season: October 20 through October 27, 1963. Shooting hours: One-half hour before sunrise to one-half hour after sunset.

(c) Bag limits: One deer per season, either sex.

(d) Methods of hunting:

1. Weapons: Shall be in accordance with State regulations.

2. Dogs: The use of dogs for hunting deer on the refuge is prohibited.

(e) Other provisions:

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

2. No overnight camping or open fires will be allowed in the area.

3. A Federal permit is not required to enter the public hunting area.

4. The provisions of this special regulation are effective to October 28, 1963.

J. T. BARNABY,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 63-9273; Filed, Aug. 27, 1963; 8:46 a.m.]

PART 32—HUNTING

Snake Creek National Wildlife Refuge, North Dakota

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

NORTH DAKOTA

SNAKE CREEK NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Snake Creek National Wildlife Refuge, North Dakota, is permitted only on the area designated by signs as open to hunting. This open area, comprising 13,435 acres or 91 percent of the total refuge area, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Antelope.

(b) Open season: From 12:00 noon (c.s.t.) to sunset on September 20, 1963, and from one-half hour before sunrise to sunset daily September 21 through September 22, 1963.

(c) Bag limit: One antelope, any age or sex.

(d) Methods of hunting:

(1) Weapons—antelope may be taken by rifle only. Rimfire firearms shall be prohibited. Only rifles firing center fire cartridges and of .22 caliber or larger shall be permitted. Fully automatic rifles and metal jacketed bullet, or altered bullet are prohibited. All rifles used must have a minimum barrel length of 18 inches.

(2) Special permits are required in State Antelope Unit 20 in which the Snake Creek National Wildlife Refuge is located. Applications for such special licenses must be made to the State Game and Fish Department, Bismarck, North Dakota.

(3) Vehicular travel is prohibited on refuge lands.

(4) Hunting must conform with State lands and regulations.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is not required to enter the public hunting area.

(3) The provisions of this special regulation are effective to September 23, 1963.

W. A. ELKINS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 22, 1963.

[F.R. Doc. 63-9274; Filed, Aug. 27, 1963; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 48]

MANUFACTURERS AND RETAILERS EXCISE TAXES

Power Supply Units; Notice of Hearing on Proposed Regulations

A proposed amendment to the regulations under section 4142 of the Code, relating to the definition of "power supply units," was published in the FEDERAL REGISTER for July 9, 1963.

A public hearing on this proposed amendment to the regulations will be held on Thursday, September 19, 1963, at 10:00 a.m., e.d.s.t., in Room 3313, Internal Revenue Building, Twelfth and Constitution Avenue NW., Washington, D.C.

Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: Technical Planning Division, Washington 25, D.C., by September 16, 1963.

[SEAL] P. T. MAGINNIS,
Acting Director, Technical Planning Division, Internal Revenue Service.

[F.R. Doc. 63-9215; Filed, Aug. 27, 1963; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-CE-73]

CONTROL ZONES, CONTROL AREA EXTENSION AND TRANSITION AREAS

Proposed Alteration, Designation, and Revocation

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is presently designated in the area comprising the greater Champaign/Rantoul/Danville, Ill., terminal area:

1. The Champaign control zone is designated within a 5-mile radius of the University of Illinois-Willard Airport, Champaign, Ill.; within 2 miles either side of the Champaigne VORTAC 123° True radial, extending from the 5-mile radius zone to 12 miles southeast of the VORTAC, and within 2 miles either side of the Champaign VORTAC 233° True radial, extending from the 5-mile radius zone to 12 miles southwest of the VORTAC.

2. The Rantoul control zone is designated within a 5-mile radius of Chanute AFB, Rantoul, Ill., and within 2 miles either side of the Chanute VOR 270° and 090° True radials, extending from the 5-mile radius zone to 12 miles east of the VOR.

3. The Rantoul control area extension is designated within a 25-mile radius of Chanute AFB, including the airspace south of Rantoul within a 20-mile radius of the Champaign VORTAC.

4. That portion of Bloomington, Ill., transition area northeast of Bloomington extending upward from 700 feet above the surface within 10 miles southeast of the Bloomington VOR 043° True radial, extending from 20 miles northeast to the VOR.

5. That portion of the Lafayette, Ind., control area extension west of Lafayette within a 25-mile radius of the Purdue University Airport, Lafayette, Ind.

6. The Danville control area extension is designated within a 15-mile radius of the Danville VOR, excluding the portion of this control area extension within the Lafayette, Ind., and Rantoul, Ill., control area extensions; including the airspace northeast of Danville extending from the 15-mile radius area, bounded on the northeast by V-53, on the east by the Lafayette control area extension and on the west by V-171.

7. That portion of the Pontiac, Ill., control area extension southeast of Pontiac within a 15-mile radius of the Pontiac VOR.

8. That portion of the Terre Haute, Ind., control area extension within 8 miles east and 12 miles west of the Lewis, Ind., VOR 347° True radial, extending from a 15-mile radius circle centered on the Terre Haute VOR to the arc of a 25-mile radius circle centered on the Chanute AFB, Rantoul, Ill., and the arc of a 15-mile radius circle centered on the Danville VOR.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the greater Champaign/Rantoul/Danville terminal area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, has under consideration the following airspace actions:

1. Alter the Champaign control zone to comprise that airspace within a 5-mile radius of the University of Illinois-Willard Airport, Champaign, Ill. (latitude 40°02'25" N., longitude 88°16'35" W.), within 2 miles each side of the Champaign VORTAC 123° True radial, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC, and within 2 miles each side of the Champaign VORTAC 233° True radial, extending from the 5-mile radius zone to 8 miles southwest of the VORTAC.

2. Alter the Rantoul control zone to comprise that airspace within a 5-mile radius of Chanute AFB, Rantoul, Ill. (latitude 40°17'40" N., longitude 88°08'-20" W.), and within 2 miles each side of the Chanute VOR 270° True radial, extending from the 5-mile radius zone to the VOR, from 0600 to 2400 hours, local time, daily.

3. Designate the Rantoul, Ill., transition area to comprise that airspace extending upward from 700 feet above the surface within an 11-mile radius of Chanute AFB, and that airspace extending upward from 1,200 feet above the surface bounded on the north by latitude 40°45'00" N., on the east by longitude 87°23'00" W., on the south by V-72 and V-50, and on the west by longitude 88°40'00" W., excluding the airspace within the Decatur, Ill., transition area.

4. Designate the Danville, Ill., transition area to comprise that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Vermillion County Airport, Danville, Ill. (latitude 40°11'55" N., longitude 87°35'-40" W.) and within 2 miles each side of the Danville VOR 197° True radial, extending from the 5-mile radius zone to the VOR.

5. Revoke the Rantoul, Ill., control area extension. The portion of Rantoul transition area proposed with a floor of 1,200 feet above the surface would overlap a portion of the existing Bloomington, Ill., transition area. This overlap would be eliminated by the action proposed herein in conjunction with that contained in Airspace Docket No. 63-CE-78 which proposes, in part, a reduction in the lateral extent of the existing Bloomington transition area.

The revocation of the Lafayette and Terre Haute, Ind., and the Danville and Pontiac, Ill., control area extensions which currently coincide, in part, with the transition areas proposed for designation herein will be processed at a later date under the CAR Amendments 60-21/60-29 implementation programs proposed for the adjoining terminal areas.

The floors of the portions of the control area extensions and the floors of the airway segments which would lie within the boundaries of the transition areas proposed herein would automatically coincide with the floors proposed for the transition areas.

The proposed alteration of the Champaign control zone would reduce the length of the existing southeast and southwest control zone extensions. The proposed alteration of the Rantoul control zone would reduce the length of the existing east control zone extension. The actions proposed to designate transition areas at Rantoul and Danville would raise the floor of controlled airspace beyond the immediate vicinity of the airports located at the aforementioned locations from 700 to 1,200 feet and, as a result, would make such airspace available for other aeronautical purposes. The controlled airspace proposed for retention together with the proposed addition of the portions of airspace presently uncontrolled would provide for the

protection of aircraft executing prescribed instrument holding, arrival and departure procedures within the Greater Champaign/Rantoul/Danville, Ill., terminal area. Chanute AFB radar vectoring procedures, Chanute AFB penetration procedures, transition paths to prescribed instrument approaches to the Chanute AFB and the airports located at Champaign and Danville, and en route radar vectoring procedures offered through the Chicago, Ill., Air Route Traffic Control Center's long range radar outlet located near McCook, Ill., would also be accommodated within the additional controlled airspace proposed for designation herein.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected. Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on August 23, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9262; Filed, Aug. 27, 1963; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–EA–14]

CONTROL ZONES AND TRANSITION AREAS

Proposed Alteration and Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is designated in the Pittsburgh, Pa., terminal area:

1. The Pittsburgh (Greater Pittsburgh) control zone is designated within a 5-mile radius of the Greater Pittsburgh Airport; within 2 miles either side of the 090° True bearing from the airport, extending from the 5-mile radius zone to 10 miles east of the outer marker, and within 2 miles either side of the 270° True bearing from the airport, extending from the 5-mile radius zone to 10 miles west of the Clinton, Pa., radio beacon.

2. Effective August 22, 1963 (Airspace Docket No. 63–EA–71), the Pittsburgh (Allegheny County) control zone, will be designated within a 5-mile radius of Alleghany County Airport (latitude 40°-21'15'' N., longitude 79°55'40'' W.); within 2 miles each side of the 257° True bearing from the Pittsburgh radio beacon, extending from the 5-mile radius zone to 6 miles west of the radio beacon, and within 2 miles each side of the Pittsburgh VORTAC 047° True radial, extending from the 5-mile radius zone to the VORTAC.

3. The Wheeling, W. Va., control zone is designated within a 5-mile radius of Wheeling-Ohio County Airport; within 2 miles either side of the centerline of the northeast/southwest runway, extending from the 5-mile radius zone to 10 miles southwest of the airport, and within 2 miles either side of a direct line from the airport, extending from the 5-mile radius zone to the Wheeling VOR.

4. The Pittsburgh control area extension is designated within a 75-mile radius of the Pittsburgh VORTAC, excluding the portion which coincides with the Youngstown, Ohio, control area extension; that airspace northeast of Carrolltown, Pa., bounded on the northwest by a line 14 miles north of and parallel to the Carrolltown VOR 059° True radial, on the northeast by Victor 6, on the southeast by Victor 58, and on the west by the 75-mile radius area; that airspace northeast of Grantsville, Md., bounded on the north by Victor 474, on the southeast by Victor 162, on the southwest by Victor 8, and on the west by the 75-mile radius area; and that airspace east of Grantsville bounded on the northeast by Victor 8, on the south by Victor 44, on the southwest by Victor 92, and on the northwest by Victor 162.

The FAA, having completed a comprehensive review of the terminal airspace requirements in the Pittsburgh area, including studies attendant to the implementation of the provisions of CAR Amendments 60–21/60–29, has under consideration the following airspace actions:

1. Alter the Pittsburgh (Greater Pittsburgh) control zone by redesignating it to comprise that airspace within a 6-mile radius of Greater Pittsburgh Airport (latitude 40°29'35'' N., longitude 80°14'25'' W.); within 2 miles each side of the Runway 10–L–ILS localizer west course, extending from the 6-mile radius zone to the outer marker; within 2 miles each side of the Imperial VORTAC 292° True radial, extending from the 6-mile radius zone to 8 miles west of the VORTAC, and within 2 miles south and 3 miles north of the Runway 28–L–ILS localizer east course, extending from the 6-mile radius zone to the outer marker.

2. Alter the Wheeling control zone by redesignating it to comprise that airspace within a 5-mile radius of Wheeling-Ohio County Airport (latitude 40°-10'25'' N., longitude 80°38'55'' W.); within 2 miles each side of the Wheeling VOR 216° True radial, extending from the 5-mile radius zone to the VOR, and within 2 miles each side of the Wheeling ILS localizer southwest course, extending from the 5-mile radius zone to the outer marker.

3. Designate the Pittsburgh transition area as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Greater Pittsburgh Airport (latitude 40°29'35'' N., longitude 80°14'25'' W.); within an 8-mile radius of Allegheny County Airport, Pittsburgh, Pa. (latitude 40°21'15'' N., longitude 79°-55'40'' W.), and the airspace within tangent lines extending from the Greater Pittsburgh 8–mile radius area to the Allegheny County 8-mile radius area; within 2 miles each side of the Greater Pittsburgh Runway 10–R–ILS localizer west course, extending from the Greater Pittsburgh 8-mile radius area to 8 miles west of the Clinton, Pa., radio beacon; within 2 miles each side of the 272° True bearing from the Greater Pittsburgh Airport 10–L outer marker, extending from the Greater Pittsburgh 8-mile radius area to 8 miles west of the outer marker, and within 2 miles each side of the 257° True bearing from the Pittsburgh radio beacon, extending from the Allegheny County 8-mile radius area to 8 miles west of the radio beacon; and that airspace extending upward from 1,200 feet above the surface within a 37-mile radius of the Imperial, Pa., VORTAC, extending clockwise from the 249° to the 202° True radials; within a 60-mile radius of the Imperial VORTAC, extending clockwise from the 202° to the 249° True radials, excluding the portion north of a line extending from latitude 40°56'40'' N., longitude 80°36'00'' W., to latitude 40°57'00'' N., longitude 80°30'00'' W., to latitude 41°-01'00'' N., longitude 80°08'00'' W.

4. Designate the Wheeling transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Wheeling-Ohio County Airport (latitude 40°10'25'' N., longitude 80°38'55'' W.); within 2 miles each side of the Wheeling VOR 036° and 216° True radials extending from the 7-

mile radius area to 8 miles northeast of the VOR and within 2 miles each side of the Wheeling ILS localizer southwest course, extending from the 7-mile radius area to 8 miles southwest of the outer marker.

5. Designate the Washington, Pa., transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of Washington County Airport (latitude 40°08'-10'' N., longitude 80°17'35'' W.), and within a 5-mile radius of Butler-Graham of the 265° True bearing from Washington County Airport, extending from the airport to 12 miles west of the airport, excluding the airspace within the Wheeling, W. Va., transition area.

6. Designate the Butler, Pa., transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of Butler-Graham Airport (latitude 40°46'45'' N., longitude 79°56'55'' W.), and within 2 miles each side of the 180° and 002° True bearings from the Butler radio beacon, extending from the 5-mile radius area to 8 miles south of the radio beacon.

7. Designate the St. Clairsville, Ohio, transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of Alderman Field, St. Clairsville, Ohio, (latitude 40°-03'25'' N., longitude 80°57'55'' W.), and within 2 miles each side of the Bellaire, Ohio, VOR 291° True radial, extending from the 5-mile radius area to the VOR.

The floors of the airways which would traverse the transition areas proposed herein would automatically coincide with the floors of the transition areas.

The actions proposed herein would, in part, enlarge the basic radius size of the Greater Pittsburgh control zone from 5 to 6 miles and reduce the length of the control zone extensions east and west of the Greater Pittsburgh Airport. The expansion of the basic radius zone would eliminate the requirement for the designation of 6 short control zone extensions to provide protection for aircraft executing prescribed instrument and radar departure procedures at Greater Pittsburgh. The Wheeling-Ohio County control zone would be adjusted to revoke a portion of the control zone southwest extension as it is no longer required for air traffic control purposes. No change in the configuration of the Allegheny County control zone would be required. The portion of the proposed Pittsburgh transition area with a floor of 700 feet above the surface and the Wheeling, Washington, Butler and St. Clairsville transition areas would provide protection for aircraft executing the portions of prescribed instrument approach, departure and radar vectoring procedures conducted beyond the limits of the Greater Pittsburgh, Allegheny County and Wheeling-Ohio County control zones and below the floor of the proposed 1,200-foot floor area. The floor of controlled airspace beyond the proposed 700-foot floor areas would be raised from 700 to 1,200 feet above the surface. The controlled airspace released would become available for other aeronautical purposes.

The portions of controlled airspace retained would provide protection for aircraft executing prescribed holding, approach, missed approach, radar, and departure procedures within the Pittsburgh terminal area.

The portion of the Pittsburgh control area extension within the lateral limits of the proposed transition area would automatically assume a floor coincident with that of the transition area. Revocation of the Pittsburgh control area extension will be processed at a later date as a part of the terminal area CAR Amendments 60–21/60–29 implementation studies in adjacent terminal areas.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Eastern Region, Federal Aviation Agency, New York International Airport, Federal Building, Jamaica, N.Y., 11430.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica, N.Y., 11430. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on August 22, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9263; Filed, Aug. 27, 1963; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–WE–36]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration and Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is presently designated in the Stockton, Calif., terminal area:

1. The Stockton control zone is designated within a 5-mile radius of Stockton Municipal Airport; within 2 miles either side of the Stockton VORTAC 320° True radial extending from the 5-mile radius zone to the VORTAC and within 2 miles either side of the 308° True bearing from the Stockton ILS outer marker extending from the 5-mile radius zone to the outer marker.

2. The Stockton control area extension is designated as that airspace north of Stockton bounded on the northeast by Victor 23, on the south by Victor 244 and on the northwest by Victor 6 south alternate.

3. That portion of the Merced, Calif., control area extension north of latitude 37°38'00'' N. and west of Victor 23.

4. That portion of the Fresno, Calif., control area extension north of a line extending from latitude 37°52'00'' N., longitude 120°04'00'' W., to latitude 37°08'00'' N., longitude 121°00'00'' W., and west of longitude 120°04'00'' W.

5. That portion of the Sacramento, Calif., control area extension south of latitude 38°07'00'' N., and east of Victor 23.

6. That portion of the Crows Landing, Calif., transition area north of latitude 37°52'00'' N.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the Stockton area, including studies attendant to the implementation of the provisions of CAR Amendments 60–21/60–29, has under consideration the following airspace actions:

1. Alter the Stockton control zone by redesignating it as that airspace within a 5-mile radius of Stockton Municipal Airport (latitude 37°53'45'' N., longitude 121°14'10'' W.); within 2 miles each side of the Stockton VORTAC 321° True radial, extending from the 5-mile radius zone to the VORTAC, and within 2 miles each side of the Stockton ILS localizer southeast course, extending from the 5-mile radius zone to 1 mile northwest of the OM.

2. Designate the Stockton transition area as that airspace extending upward from 700 feet above the surface within 2 miles each side of the Stockton ILS localizer southeast course, extending from the OM to 1 mile northwest of the OM; within 2 miles each side of the Stockton VORTAC 140° True radial, extending from the VORTAC to 8 miles southeast of the VORTAC, and within a 12 mile radius of the Stockton VORTAC, extending from the arc of a

5-mile radius circle centered on the Stockton Municipal Airport (latitude 37°53'45" N., longitude 121°14'10" W.) clockwise from a line 2 miles southwest of and parallel to the Stockton VORTAC 303° True radial to a line 2 miles northeast of and parallel to the Stockton VORTAC 334° True radial; and that airspace extending upward from 1,200 feet above the surface bounded on the east by longitude 120°04'00" W., on the southeast by a line extending from latitude 37°52'00" N., longitude 120°04'00" W., to latitude 37°38'00" N., longitude 121°00'00" W., on the south by latitude 37°38'00" N., on the west by longitude 121°37'00" W., and on the north by latitude 38°07'00" N.

The floor of the portions of the Fresno, Merced and Sacramento control area extensions and the floors of the airways which traverse the transition areas proposed herein would automatically coincide with the floors proposed for the transition area and an editorial change would be made to the description of the Crows Landing transition area to eliminate confliction with the proposed transition area.

The revocation of the Sacramento, Merced and Fresno control area extensions which currently coincide, in part, with the transition area proposed for designation herein will be processed at a later date under the CAR Amendments 60–21/60–29 implementation program proposed for the Sacramento, Fresno and Merced terminal areas.

The actions proposed herein would, in part, reduce the length of the existing control zone extension based on the Stockton ILS localizer southeast course from the OM to 1 mile northwest of the OM. The portion of the Stockton transition area proposed with a floor of 700 feet above the surface would provide protection for aircraft executing the portions of the prescribed instrument approach and departure procedures conducted beyond the limits of the control zone and below the floor of the proposed 1,200 foot floor area. The floor of controlled airspace beyond the limits of the proposed 700 foot floor area would be raised from 700 to 1,200 feet above the surface. The controlled airspace released would become available for other aeronautical purposes. The portions of controlled airspace retained, together with the additional portions proposed for designation herein, would provide protection for aircraft executing prescribed holding, approach, missed approach, radar and departure procedures within the Stockton terminal area.

The portion of the Stockton control area extension within the lateral limits of the proposed transition area would automatically assume a floor coincident with that of the transition area. Revocation of the Stockton control area extension will be processed at a later date as a part of the terminal area CAR Amendment 60–21/60–29 implementation studies in adjacent terminal areas.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Western Region, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on August 22, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9264; Filed, Aug. 27, 1963; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–EA–65]

FEDERAL AIRWAYS, ASSOCIATED CONTROL AREAS AND REPORTING POINT

Proposed Alteration and Designation

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

VOR Federal airway No. 226 is designated from Ellwood City, Pa., to Keating, Pa., and from Williamsport, Pa., to Idlewild, N.Y. VOR Federal airway No. 804 is designated in part from Williamsport via Keating, Pa., Fitzgerald, Pa., to Clarion, Pa.

The Federal Aviation Agency is considering the following actions:

1. Redesignate Victor 226 and its associated control areas from Ellwood City, via Clarion, intersection of Clarion 086° and Keating 265° True radials; Keating; to Williamsport.

2. Realign Victor 804 from Williamsport, via Keating, intersection of Keating 265° and Clarion 086° True radials; to Clarion.

3. Designate the Keating VOR as a reporting point in the low altitude airway structure.

Revised traffic control procedures have been established to segregate westbound traffic arriving the Pittsburgh, Pa., terminal area from en route traffic operating along VOR Federal airway No. 6. The alteration of Victors 226 and 804, as proposed herein, would provide an improved preferential route for traffic en route to Pittsburgh from the New York metropolitan area. Designation of Keating as a reporting point would assist air traffic control by providing a more precise position report of aircraft operating along the airways proposed for alteration herein.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica, N.Y., 11430. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–9203; Filed, Aug. 27, 1963; 8:45 a.m.]

[14 CFR Parts 71 [New], 73 [New]]

[Airspace Docket No. 62-SW-69]

RESTRICTED AREAS AND CONTROLLED AIRSPACE

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 73.24, 71.123, and 71.151 of the Federal Aviation Regulations, the substance of which is stated below.

The Federal Aviation Agency is considering a proposal by the Department of Army to expand the Fort Chaffee, Ark., Restricted Areas R-2401 and R-2402, to alter the designated altitude of R-2401 from "surface to 6,000 feet MSL" to "surface to 13,000 feet MSL", to alter the designated altitude of R-2402 from "surface to 26,000 feet MSL" to "surface to 30,000 feet MSL" and to add R-2402 to the continental control area.

The Department of Army has stated that the Fort Chaffee restricted areas have been used, subsequent to World War II, as a basic training area as distinguished from a tactical training area. The activity has recently been changed and is now described as a "United States Strategic Army Corps/United States Strategic Air Force Base" operation. A flexible random type of training is required for these tactical units which can not be accomplished efficiently within the present restricted area configuration and designated altitudes.

This alteration would increase the overall size of the combined restricted areas approximately 20 square miles. Both R-2401 and R-2402 would continue to be designated as joint use restricted areas with the Federal Aviation Agency St. Louis ARTC Center acting as controlling agency.

In expanding R-2401 the west boundary would slightly encroach on VOR Federal airway, V-13W. Therefore, it is proposed to amend the alignment of V-13W from Fort Smith, Ark., to Page, Okla., by utilizing the Fort Smith VOR 223° and the Page VOR 007° True radials. This realignment would provide a 4-mile clearance on the east side of this airway from the west boundary of R-2401.

If this action is taken, the designated boundaries and altitude of the Fort Chaffee, Ark., Restricted Areas R-2401 and R-2402 would be described as follows:

R-2401 Fort Chaffee, Ark.

Boundaries. Beginning at latitude 35°18'-32" N., longitude 94°12'02" W.; to latitude 35°18'06" N., longitude 94°16'04" W.; to latitude 35°17'15" N., longitude 94°17'30" W.; to latitude 35°15'59" N., longitude 94°-18'33" W.; to latitude 35°13'36" N., longitude 94°15'10" W.; to latitude 35°13'36" N., longitude 94°11'56" W.; to point of beginning.

Designated altitudes. Surface to 13,000 feet MSL.

R-2402 Fort Chaffee, Ark.

Boundaries. Beginning at latitude 35°17'-25" N., longitude 94°12'02" W.; to latitude 35°13'36" N., longtitude 94°11'56" W.; to latitude 35°13'36" N., longitude 94°10'32" W.; to latitude 35°11'05" N., longitude 94°-10'32" W.; to latitude 35°11'05" N., longitude 94°01'29" W.; to latitude 35°16'56" N., longitude 94°01'33" W.; to latitude 35°17'36" N., longitude 94°06'00" W.; to latitude 35°17'09" N., longitude 94°09'55" W.; to point of beginning.

Designated altitudes. Surface to 30,000 feet MSL.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth, Texas, 76101. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9205; Filed, Aug. 27, 1963; 8:45 a.m.]

[14 CFR Part 73 [New]]

[Airspace Docket No. 63-CE-87]

RESTRICTED AREA

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering an amendment to § 73.33 of the Federal Aviation Regulations, the substance of which is stated below.

The Havana, Illinois, Restricted Area R-3301 is designated to protect aircraft from the hazards of micro-wave radiation emanating from the high-powered transmitting antennas operated by the National Bureau of Standards. R-3301 is a circular area with a 500-foot radius centered at latitude 40°13'16" N., longitude 90°01'23" W. It extends from the surface to 1,000 feet MSL and is designated on a continuous basis. The Federal Aviation Agency has under consideration a request by the using agency, the National Bureau of Standards, for an increase in the designated altitude of R-3301 from "surface to 1,000 feet MSL" to "surface to 6,000 feet MSL".

Since January 29, 1963, the Bureau of Standards has been utilizing altitudes above 1,000 feet MSL on a controlled firing basis. The use of these altitudes has been on an intermittent basis. However, due to an increase in the scheduled use of these altitudes, the Bureau of Standards states that it is becoming increasingly difficult and expensive to provide visual surveillance of the area. Further, project operations must be interrupted or cancelled during those periods of time when the ceiling is below 6,000 feet and visibility is less than five miles.

If this increase in the designated altitude of R-3301 is made, joint use of the area would be effected with the Federal Aviation Agency, Peoria, Illinois, Combined Station/Tower designated as controlling agency.

Accordingly, if these actions are taken, R-3301 Havana, Illinois, would be altered to read as follows:

Boundaries. A circular area with a 500-foot radius centered at latitude 40°13'16" N., longitude 90°01'23" W.

Designated altitudes. Surface to 6000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, Peoria, Illinois, Combined Station/Tower.

Using agency. Director, Central Radio Propagation Laboratory, National Bureau of Standards, Boulder, Colo.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on August 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9204; Filed, Aug. 27, 1963; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Ch. I]

[Ex Parte No. 230]

SUBSTITUTED SERVICE; CHARGES AND PRACTICES OF FOR-HIRE CARRIERS AND FREIGHT FORWARDERS (PIGGYBACK SERVICE)

Proposed Trailer-on-Flatcar Transportation

Notice is hereby given that a report and recommended order of Examiners Boss and Ries was served on August 23, 1963, in the above-entitled proceeding. The examiners' recommended order is set forth below. A copy of said order and of the report relating thereto is available for public inspection at the Office of the Secretary of the Interstate Commerce Commission, Washington, D.C., and at the field offices of said Commission listed hereinafter.

It is ordered, That the following rules designed to govern trailer-on-flatcar (TOFC) transportation in interstate or foreign commerce and the practices in connection therewith applicable to railroads subject to Part I; motor common carriers subject to Part II; water common carriers subject to Part III; and freight forwarders subject to Part IV of the Interstate Commerce Act, be, and they are hereby, prescribed:

1. "Trailer-on-flatcar (TOFC) service" means the transportation, in interstate or foreign commerce, of any freight-laden or empty highway truck, trailer, or semitrailer (or the container portion of any highway truck, trailer, or semitrailer having a demountable chassis) on a rail car.

2. "Plan I TOFC service" is service performed by a railroad in substitution for motor common carrier service to, from, or between named points over the motor carrier's route, at the option of the motor carrier, unless otherwise directed by the shipper, the traffic moving from initial origin to final destination at all-motor rates and on motor carrier bills of lading under an arrangement or an agreement between the two modes of transportation.

3. "Plan V TOFC service" is that performed under published joint rail-motor rates over through routes with certificated motor common carriers.

4. "Joint intermodal TOFC service" includes Plan I and Plan V TOFC services as defined above.

5. "All-rail TOFC service" means any transportation, other than transportation embraced in Plans I and V above, provided by a railroad or railroads subject to Part I of the Interstate Commerce Act, which transportation includes the performance of TOFC service.

6. Tariffs embracing joint intermodal TOFC rates or charges, or Substituted Service Directories, if used, shall set forth the service covered by the published rates or charges; the routes over which such service will be performed or the origin, destination, points of interchange between modes of transportation and rail routes; and the names of the carriers participating therein.

7. Tariffs setting forth rates or charges for joint intermodal TOFC transportation may be published only by rail, motor, or water common carriers, or their agents, on commodities the transportation of which is subject to economic regulation throughout their entire movement, and shall show appropriate concurrences of all carriers participating in the movement.

8A. Motor common carriers shall not participate in Plan I TOFC service which is to be provided in lieu of their authorized over-the-road service where the combined distance from origin to destination over the intermodal route is less than 85 percent of the distance between such points computed (1) if a regular-route carrier, over its authorized regular route, or (2) if an irregular-route carrier, through any gateway point which it is required to use; except as may be permitted by the Interstate Commerce Commission upon consideration of an appropriate application filed by a motor common carrier or a railroad in which relief is sought from the percentage provisions of this rule.

8B. Motor common carriers participating in Plan I TOFC service which comes within the 85 percent circuity provision provided in part (A) of this rule, shall file with the Interstate Commerce Commission, on the same date that tariffs or substituted service directories are filed, information showing the name of the rail carrier to be used, the total mileage from origin to destination over its all motor route, the points between which TOFC service of the rail carrier is to be used, and the total mileage from origin to destination over the joint motor-rail-motor route to be used.

9. Any railroad or railroads may provide TOFC service jointly with any motor or water common carriers: *Provided,* That the common carriers by railroad, motor, and/or water shall have the duty of ascertaining whether it or its connecting common carrier hold appropriate authority from the Interstate Commerce Commission to render the service contemplated before the effective date of such joint arrangements. If the origin or connecting common carriers do not hold such authority, no joint intermodal TOFC service shall be performed with respect thereto.

10. Tariffs providing for Plan I TOFC rates or charges, or Substituted Service Directories, if used, may provide for Plan I TOFC service for the entire line-haul movement, except to the extent such service may be prohibited under Rule 8A above.

11. Carriers participating in joint intermodal TOFC service shall interchange traffic only at a common point of service.

12A. Railroads participating in TOFC service shall assume responsibility for the safe securing of highway trucks, trailers, or semitrailers (or the demountable container portion thereof) on the rail cars when moving over their lines; and, unless otherwise provided for by tariff or agreement between the parties, shall also assume responsibility for the safe placing of highway trucks, trailers, or semitrailers (or the demountable container portion thereof) on rail cars and for removing them from rail cars.

12B. Railroads participating in TOFC service have the right to refuse to accept for transportation in such service any highway trucks, trailers, or semitrailers (or the demountable container portion thereof) which do not conform to the motor-carrier safety regulations prescribed by the Interstate Commerce Commission.

13. No allowance shall be payable to any shipper, freight forwarder and/or consignee which renders any service or furnishes any instrumentality in connection with TOFC service unless: (1) Such service or instrumentality is the obligation of the carrier under the applicable rate designated by the shipper, and (2) the amount of the allowance is published in tariffs on file with the Interstate Commerce Commission.

14. Each railroad performing, or holding itself out to perform, TOFC service shall publish, post, and file tariffs (by itself or through an agent) which shall contain in clear and explicit terms all of the rates and charges for and the rules governing the leasing of equipment to or from shippers, freight forwarders, and/or consignees and other special or accessorial services or practices, including charges for pickup and/or delivery service when such charges are in addition to line-haul transportation charges.

15. The area within which pickup or delivery service will be performed shall be described specifically and the description published in clear and explicit terms in the tariff. It is not permissible to refer to decisions of the Interstate Commerce Commission for the description nor to state that the area within which pickup and delivery service will be performed is that defined by the Interstate Commerce Commission in a formal proceeding.

16. All rail tariffs containing rates for TOFC transportation of property shall specify the extent to which such rates do or do not include the loading and unloading of property from or to the highway vehicle by the carrier. When charges in addition to the line-haul TOFC transportation charges or in addition to pickup or delivery charges, if any, are made for the loading or unloading of property, they shall be published in appropriate tariffs and filed with the Interstate Commerce Commission.

17. Highway vehicles and/or rail cars lished in appropriate tariffs and filed provided by shippers or freight forwarders in connection with all-rail TOFC service, while on railroad premises, shall be subject to the storage and/or demurrage rules, regulations, and charges published in tariffs on file with the Interstate Commerce Commission.

18. The handling by a railroad of a motor or water carrier's trailer, loaded with commodities the motor transportation of which is not subject to economic regulation under the Interstate Commerce Act, is permissible only under all-rail TOFC tariffs.

19. No shipment shall be transported in or in connection with TOFC service until the originating carrier has issued a receipt or bill of lading therefor, and where a manifest is used by the shipper or freight forwarder, such manifest shall be delivered to the originating carrier not later than 24 hours after the shipment reaches the destination ramp.

20A. Certification as to the weight of a highway truck, trailer, semitrailer (or demountable container portion thereof) shall be made by the shipper at the time of its tender to the originating carrier.

20B. Shippers shall certify at the time of tendering a shipment to the originating carrier, whether or not the contents of a highway truck, trailer, or semitrailer (or the demountable container portion thereof) consists of (1) any commodity which is prohibited from movement in TOFC service by the carrier's tariff, and (2) explosives or other dangerous articles.

21. In order to qualify for a rate applicable on the movement of multiple highway vehicles (or the demountable container portion thereof), two or more highway trucks, trailers, or semitrailers (or the demountable container portions thereof) shall be tendered to the carrier within the time period, not to exceed one calendar day, specified in tariffs on file with the Interstate Commerce Commission.

22. Arrangements for the movement of highway trucks, trailers, or semitrailers (or the demountable container portion thereof) containing explosives or other dangerous articles shall be made by a shipper or carrier with a railroad in sufficient time to permit the latter properly to placard and position the rail cars used for the movement; except that shipments containing explosives or other dangerous articles shall not be transported in TOFC service unless the shipper, at the time of tender to the originating carrier, certifies that the shipment complies with the Interstate Commerce Commission's regulations governing explosives and other dangerous articles as described in 49 CFR Parts 71–78.

23. All-freight (all commodity) rates that are restricted to apply only when not more than a designated percent of the weight of the shipment consists of one article shall be made subject to tariff provisions describing in clear and explicit terms the conditions under which such rates apply.

It is further ordered, That the motions filed by certain Southern Freight Association Territory Railroads and Consolidated Freightways to strike portions of pleadings of the Commission's Bureau of Inquiry and Compliance and certain other verified pleadings, to which replies were filed by the Bureau, The Motor Convoy, Inc., and the American Trucking Associations, Inc., be, and they are hereby, overruled.

It is further ordered, That requests to cross-examine certain witnesses filed by the Freight Forwarders Institute, the Eastern Railroad respondents, and certain Southern Freight Association Territory Railroads be, and they are hereby, denied.

It is further ordered, That the petition filed by the Freight Forwarders Institute requesting that issues pertaining to Plan I TOFC service and related matters be separated from the issues in this proceeding be, and it is hereby, denied.

It is further ordered, That requests to separate all issues from this proceeding pertaining to the transportation of motor vehicles in multi-level rail car service filed by the Eastern Railroad respondents, The National Automobile Transporters Association, General Motors Corporation, Auto Transports, Inc., The Chesapeake and Ohio Railway Company, and the Ford Motor Company be, and they are hereby, granted.

It is further ordered, That the effective date of this order shall be thirty days from the date of service hereof, unless stayed by the Commission or the timely filing of exceptions thereto in accordance with the general rules of practice.

It is further ordered, That a copy of this order be delivered to the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

It is further ordered, That this proceeding be, and it is hereby, discontinued.

Dated at Washington, D.C., this 14th day of August A.D. 1963.

By the Commission, Hearing Examiners Harold P. Boss and Richard S. Ries.

[SEAL] HAROLD D. McCOY, *Secretary.*

LIST OF FIELD OFFICES

BOSTON 8, MASS.

14–17 Court Square, 11th Floor
Bureau of Motor Carriers
Interstate Commerce Commission
Martin E. Foley, District Director

NEW YORK 13, N.Y.

Room 1111, 346 Broadway
Bureau of Motor Carriers
Interstate Commerce Commission
Thomas L. McClelland, District Director

PHILADELPHIA 6, PA.

800 U.S. Custom House Building
Second and Chestnut Streets
Bureau of Motor Carriers
Interstate Commerce Commission
James B. Weber, District Director

COLUMBUS 15, OHIO

236 New Post Office Building
85 Marconi Boulevard
Bureau of Motor Carriers
Interstate Commerce Commission
Roy M. Snetzer, District Director

ATLANTA 8, GA.

680 West Peachtree Street NW.
Bureau of Motor Carriers
Interstate Commerce Commission
William Addams, District Director

NASHVILLE 3, TENN.

Room 706, U.S. Court House
801 Broadway
Bureau of Motor Carriers
Interstate Commerce Commission
Edward A. Moynihan, District Director

CHICAGO 7, ILL.

852 U.S. Custom House Building
610 South Canal Street
Bureau of Motor Carriers
Interstate Commerce Commission
James J. Werner, District Director

MINNEAPOLIS 1, MINN.

448 Federal Building and Court House
110 South Fourth Street
Bureau of Motor Carriers
Interstate Commerce Commission
Charles W. Haas, District Director

KANSAS CITY 6, MO.

1100 Federal Office Building
911 Walnut Street
Bureau of Motor Carriers
Interstate Commerce Commission
H. Joseph Simmons, District Director

FORT WORTH 2, TEX.

816 T and P Building
Bureau of Motor Carriers
Interstate Commerce Commission
Bernard H. English, District Director

DENVER 2, COLO.

502 Denham Building
Bureau of Motor Carriers
Interstate Commerce Commission
Bert L. Penn, District Director

PORTLAND 5, OREG.

538 Pittock Block
Bureau of Motor Carriers
Interstate Commerce Commission
Norman T. Harris, District Director

SAN FRANCISCO 5, CALIF.

602 Sheldon Building
9 First Street
Bureau of Motor Carriers
Interstate Commerce Commission
Marvin W. Van Cleave, District Director

ANCHORAGE, ALASKA

Post Office Box 1532
Room 51–52 Federal Building
Bureau of Motor Carriers
Interstate Commerce Commission
Hugh H. Chaffee, District Director

[F.R. Doc. 63–9240; Filed, Aug. 27, 1963; 8:55 a.m.]

[49 CFR Part 1]

[Ex Parte No. 55; (Sub-No. 1)]

RULES OF PRACTICE

Witnesses and Witness Examination at Oral Hearings; Extension of Time for Filing Representations

AUGUST 20, 1963.

At the request of Mr. Thomas O. Broker of the Association of Interstate Commerce Commission Practitioners, the time for filing representations in favor of, or against, the petition of the Motor Carrier Lawyers Association (28 F.R. 7795), for revision of § 1.74 *Witness examination of the Commission's general rules of practice,* is hereby extended to September 30, 1963.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63–9239; Filed, Aug. 27, 1963; 8:51 a.m.]

Notices

DEPARTMENT OF DEFENSE

Office of the Secretary

CIVIL RESERVE AIR FLEET PROGRAM

Memorandum of Understanding by and Between Secretary of Defense and Secretary of Commerce

CROSS REFERENCE: For memorandum of understanding by and between the Secretary of Defense and the Secretary of Commerce with respect to the Civil Reserve Air Fleet Program, see Department of Commerce, F.R. Doc. 63-9248, infra.

DEPARTMENT OF THE INTERIOR

Bureau of Outdoor Recreation

ASSISTANT AND FIELD DIRECTORS

Delegations of Authority

The following material is a portion of the Bureau Manual and the numbering system is that of the Manual. Material that relates solely to internal management has not been included. Such omitted internal material is denoted by asterisks.

PART 104—DELEGATIONS OF AUTHORITY

CHAPTER 2—REDELEGATIONS BY THE DIRECTOR

.1 *General provisions*—A. *Exercise of authority.* All authorities delegated by the Director shall be exercised in accordance with applicable statutes, rules and regulations, Departmental and Bureau policies and within budgetary limitations. Exercise of all authorities is limited to the geographical and functional area in which the recipient of the authority has jurisdiction.

B. *Redelegation.* Any officer or employee to whom authority is delegated in this part may, in writing, redelegate or authorize written redelegation of authority, unless redelegation of authority is specifically prohibited or limited.

C. *Acting officials.* An acting official may exercise all of the authority of the official for whom he has been duly designated in writing to act.

.2 *General redelegations.* Under the authority delegated to the Director by the Secretary of the Interior in 248 DM 1.1 (27 F.R. 6719), redelegation of authority is hereby made to the following officials:

A. The Associate Director is authorized to exercise the full program and administrative management authorities of the Director except those listed in paragraph 104.2.3.

B. The Assistant Director for Federal Programs is authorized to exercise the full program authorities of the Director in the activities of Federal coordination, research and education and recreation information.

C. The Assistant Director for State Programs is authorized to exercise the full program authorities of the Director in the activities of planning and surveys and cooperative services.

D. The Chief, Division of Administration, is authorized to exercise the full administrative management authorities of the Director except those listed in paragraph 104.2.3.

E. Field Directors are authorized to exercise the full program authorities of the Director within the States comprising the region for which they have responsibility and the authorities of the Director in administrative management except those listed in paragraph 104.2.3 and the following:

(1) Authority to enter into contracts for supplies and services; and for purchase of supplies and nonpersonal services from commercial sources in the open market, when the aggregate amount involved in any transaction exceeds $500.

* * * * *

.3 *Limitations.* The Director's administrative management authorities redelegated herein do not extend to:

* * * * *

E. The authority to enter into negotiated contracts in excess of $25,000 under section 302(c)(1) of the Federal Property and Administrative Services Act of 1949, as amended.

F. The authority to make determinations or decisions in support of contracts negotiated pursuant to section 302(c)(1) of the Federal Property and Administrative Services Act of 1949, as amended.

* * * * *

.4 *Specific redelegations*—A. *Property management matters.* The Management Operations Officer, Washington Office and Staff Assistants to Field Directors may exercise the authority delegated to the Director in 205 DM 9.3 and 9.4 to acquire, dispose of and transfer personal property excess to the needs of the Department. This authority includes the direction and execution of transfers and deliveries of durable property, in accordance with the Federal Property and Administrative Services Act of 1949, as amended, and the regulations issued thereunder by the Administrator of the General Services.

B. *Contracting matters*—(1) The Management Operations Officer may execute and approve contracts not in excess of $10,000 for supplies, equipment, and services, issue change orders and extra work orders pursuant to the contract, enter into modifications of the contract which are legally permissible and terminate the contract, in conformity with applicable regulations and statutory authority and subject to availability of appropriations. The authority granted shall not be construed as including authority to negotiate contracts, without advertising, pursuant to the authority conferred under section 302(c) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 252 et seq.) (Secretary's Order No. 2509, amendments 16 and 25).

(2) The Staff Assistants to Field Directors and chiefs of field parties may make open market purchases and purchases from established contracts not in excess of $500 in any one transaction, and in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

(3) The authority granted in this section may not be redelegated.

LAWRENCE N. STEVENS,
Acting Director.

AUGUST 21, 1963.

[F.R. Doc. 63-9225; Filed, Aug. 27, 1963; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Forest Service

SANTA FE NATIONAL FOREST

Removal of Trespassing Horses

Whereas a number of horses are trespassing and grazing on the Tres Hermanos and El Barro Allotments of the Santa Fe National Forest, State of New Mexico; and

Whereas these horses are consuming forage needed for permitted livestock, are causing extra expense to established permittees, and are injuring National Forest lands;

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35; 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 472), the following order is issued for the occupancy, use, protection, and administration of land in the Tres Hermanos and El Barro Allotments of the Santa Fe National Forest:

Temporary closure from livestock grazing: (a) The area designated below is hereby closed for the period December 1, 1963, through April 30, 1964, to grazing by horses excepting those that are lawfully grazing on or crossing land in such area pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack or draft animals by persons traveling over such land.

The area covered by this order includes all National Forest land in that portion of the Santa Fe National Forest described as follows:

Tres Hermanos and El Barro Allotments (Las Vegas and Lower Pecos Ranger Districts, Santa Fe National Forest): Beginning at the Southeast corner of the Forest in Tres Hermanos Creek at a point common to the intersection of the Tecolote Grant west boundary and the section line between sections 9 and 16, T14N and R15E N.M.P.M., thence due west along the

Forest boundary 3½ miles, thence north 1 mile, thence west 4 miles, thence north 1 mile to the southwest corner of section 32, T15N R14E, thence northerly along the ridge between the Commissary—Barillas Creeks and Sebadilla Creek to a point where this ridge intersects the main divide at Barillas Peak, thence southeasterly along the main divide to approximately the center of section 23, T15N R14E; thence northeasterly to the southwest corner of the private lands in section 13, T15N R14E; thence north along the west boundary of these lands to the ¼ corner common to sections 12 and 13, T15N R14E; thence east to the boundary of the Tecolote Grant; thence southeasterly along the boundary of the Tecolote Grant to the point of beginning.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses found trespassing or grazing in violation of this order.

(c) Fifteen days' notice of intention to dispose of such horses shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Santa Fe National Forest is located.

Done at Washington, D.C., this 16th day of August 1963, witness my hand and seal of the Department of Agriculture.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 63-9230; Filed, Aug. 27, 1963; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 23-892]

HANDELSONDERNEMING J. H. VOS ET AL.

Order Temporarily Denying Export Privileges

In the matter of Johannes Hendrikus Vos, d/b/a Handelsonderneming J. H. Vos, Werkenmondestraat 3, Dordrecht, The Netherlands; Pierre Emile Marie Contresty, 3560 Fullum Street, Montreal, Canada; N.V. Metro (Midden Europese Transport Onderneming) and E. Walda, its Managing Director, Strevelsweg 700, Rotterdam, The Netherlands, Respondents; File 23-892.

The Export Control Investigations Division, Bureau of International Commerce, United States Department of Commerce, pursuant to the provisions of § 382.11 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations), has applied to the Compliance Commissioner for an order temporarily denying all export privileges to the above named respondents. It was requested that the order remain in effect for a period of sixty days pending continued investigation into the facts and transactions giving rise to the application and the commencement of such proceedings, as may be deemed proper under the law, against said respondents.

The Compliance Commissioner has reviewed the application and the evidence presented in support thereof and has submitted his report, together with his recommendation that the application be granted and that a temporary denial order be issued for sixty days. The evidence presented shows that the respondent Johannes Hendrikus Vos is a resident of Dordrecht, The Netherlands, and does business under the trade name of Handelsonderneming J. H. Vos; that the respondent Pierre Emile Marie Contresty is a resident of Montreal, Canada; that N.V. Metro (Midden Europese Transport Onderneming) is a firm engaged in the forwarding business with a place of business in Rotterdam, The Netherlands; and that E. Walda, also of Rotterdam, is Managing Director of said N.V. Metro.

The evidence and the recommendation of the Compliance Commissioner have been considered, and I find that the evidence reasonably supports the conclusion that the respondents, Vos and Contresty, have been and are engaged in obtaining commodities of U.S. origin, including automotive parts and equipment, and diesel engines and have been and are diverting and transshipping, and participating in the diversion and transshipment of such commodities to Cuba; and that the respondents N.V. Metro and E. Walda, as forwarders, have been and are participating in the diversion and transshipment of such commodities to Cuba; and that the conduct of respondents is in violation of the Export Control Law and regulations thereunder. I further find that the evidence reasonably supports the conclusion that unless export privileges are temporarily denied, the respondents Vos and Contresty will continue to obtain goods of United States origin and thereafter cause them to be shipped to destinations in contravention of the United States Export Control Act and regulations, and that respondents N.V. Metro and E. Walda, as forwarders, will continue to participate in such transactions. An order temporarily denying export privileges to the respondents is reasonably necessary for the protection of the public interest and national security. Accordingly, it is hereby ordered:

1. The respondents, their successors, agents, and employees are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in an exportation of any commodity or technical data from the United States to any foreign destination, including Canada. Without limitation of the generality of the foregoing denial of export privileges, participation in an exportation is deemed to include and prohibit participation by any respondent or related party, directly or indirectly, in any manner or capacity (a) as a party or as a representative of a party to any validated export license application, or documents to be submitted therewith, (b) in the preparation or filing of any export license application or of any documents to be submitted therewith, (c) in the obtaining or using of any validated or general export license or other export control document, (d) in the receiving, ordering, buying, selling, using or disposing in any foreign country of any commodities or technical data, in whole or in part exported or to be exported from the United States, and (e) in the storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

2. Such denial of export privileges shall extend not only to the respondents, but also to any successors and to any person, firm, corporation or business organization with which they now or hereafter may be related by ownership, affiliation, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

3. This order shall take effect forthwith and shall remain in effect for a period of sixty days from the date hereof, unless it is hereafter extended, amended, modified, or vacated in accordance with the provisions of the United States Export Control Regulations.

4. No person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with any such respondents or related party, or whereby any such respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

5. A copy of this order shall be served upon the respondents.

6. In accordance with the provisions of § 382.11(c) of the Export Regulations, the respondents may move at any time to vacate or modify this temporary denial order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request an oral hearing thereon which, if requested, shall be held before the Compliance Commissioner in Washington, D.C., at the earliest convenient date.

Dated: August 21, 1963.

RAUER H. MEYER,
Acting Director,
Office of Export Control.

[F.R. Doc. 63-9242; Filed, Aug. 27, 1963; 8:52 a.m.]

Office of the Secretary

CIVIL RESERVE AIR FLEET PROGRAM

Memorandum of Understanding by and Between Secretary of Defense and Secretary of Commerce

General. Under Executive Order 10999, the Secretary of Commerce is charged with developing plans for a national program to utilize the air carrier civil air transportation capacity and equipment in a national emergency. During such an emergency and at other times, there is a recognized need to operate a substantial part of such capacity and equipment in providing airlift exclusively for the Department of Defense.

A plan for meeting the Defense requirements during a formally declared national emergency was initiated by joint agreement between the Secretaries of Defense and Commerce on December 15, 1951. This plan is known as the Civil Reserve Air Fleet (CRAF) Plan.

To meet its requirements for air carrier civil air transportation capacity and equipment during periods other than a national emergency, the DOD makes provision therefor by contractual arrangements with individual air carriers which are members of the Civil Reserve Air Fleet.

To assure timely response of air carrier civil air transportation capacity and equipment in the wide range of possible contingencies which may confront the DOD and require air carrier civil airlift service support, conceptual changes regarding the activation of the Civil Reserve Air Fleet not envisaged at the time of the original agreement between the Secretaries of Defense and Commerce have had to be adopted.

This agreement recognizes such changes and defines responsibilities of officials of the Department of Defense and Commerce accordingly.

Incremental activation. There is a requirement for incremental activation of the Civil Reserve Air Fleet (CRAF) to meet varying defense emergency needs for civil airlift augmentation to the military airlift capability. To this end four stages of civil airlift operations are recognized beginning with the normal day-to-day civil airlift augmentation obtained under MATS fixed contract covering domestic, international, and overseas requirements, and ending with the full implementation of CRAF. Each of the four stages is identified and will be implemented as described in Annex A.

Responsibilities.

1. The Director of the Office of Emergency Transportation is the action agent for the Department of Commerce and has the responsibility for developing plans for a national program to utilize the air carrier civil air transportation capacity and equipment, both domestically and internationally, in a national emergency, particularly in the following areas concerned with:

a. Obtaining from the Department of Defense, the Civil Aeronautics Board, and other agencies, and analyzing requirements for the services of air carrier aircraft for essential military and civilian use.

b. Allocation of air carrier aircraft to meet the needs of the Department of Defense for military operations and the Civil Aeronautics Board for essential civilian needs.

c. Providing aviation war risk insurance coverage as appropriate.

2. The Assistant Secretary of Defense (Installations and Logistics) is the action agent for the Department of Defense in matters relating to (a) airlift requirements and (b) policy coordination. He will serve as the primary Department of Defense point of contact with the Office of Emergency Transportation on all such matters.

3. The Secretary of the Air Force is the action agent for the Department of Defense and has responsibility in matters relating to:

a. All operational planning in connection with the use of CRAF aircraft preallocated or allocated by the Office of Emergency Transportation, Department of Commerce.

b. Determining suitability of aircraft for allocation.

c. Exercising operational control over allocated CRAF airlift resources.

d. Contractual relationships with air carriers.

Relationships. The Director of the Office of Emergency Transportation and the Executive Director of the Single Manager Operating Agency for Airlift Service (Commander, MATS) will collaborate and coordinate concerning the CRAF allocation. Thereafter the aforementioned Executive Director (Commander, MATS) will keep the Director, Office of Emergency Transportation advised in the following areas:

a. The status of contracts or other arrangements for the use of CRAF resources.

b. The number of aircraft by carrier, type and registration number, committed within the respective stages of peacetime contracts.

c. Upon the determination of an airlift emergency, the number of aircraft by carrier, type and registration number, activated and utilized under the terms of the peacetime contracts.

d. The availability of CRAF aircraft for other employment when military requirements permit.

This Memorandum supersedes Memorandum of Understanding between the Secretary of Defense and the Secretary of Commerce dated December 15, 1951, and regulations and procedures issued pursuant thereto.

This Agreement, executed this 8th day of August 1963.

FRANKLIN D. ROOSEVELT, Jr.,
Acting Secretary of Commerce,

ROBERT S. MCNAMARA,
Secretary of Defense.

ANNEX A—INCREMENTAL ACTIVATION

Stages	Description	Authority
Peacetime operations	Perform airlift service in support of deployed forces.	Executive director, single manager, operating agency for airlift services.
Airlift emergency stage I	When required to perform airlift services for DOD operations in support of, but not confined to, counterinsurgency activities and localized emergencies.	Secretary of Defense.
Airlift emergency stage II	When required to perform airlift services for DOD operations in support of, but not confined to, limited wars.	President of the United States.
Airlift emergency stage III activation of CRAF.	When required to perform airlift services for DOD operations during major military engagements involving U.S. forces (limited or general war).	Declared national emergency—Secretary of Defense, or in accordance with the conditions of the contracts.

[F.R. Doc. 63-9248; Filed, Aug. 27, 1963; 8:53 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

EASTMAN CHEMICAL PRODUCTS, INC.

Notice of Filing of Petition Regarding Food Additive 2,2,4-Trimethylpentanediol-1,3-Diisobutyrate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 1194) has been filed by Eastman Chemical Products, Inc., Kingsport, Tennessee, proposing that paragraph (c)(5) of § 121.2520 *Adhesives* be amended by inserting alphabetically in the list of substances the new item "2,2,4-Trimethylpentanediol-1,3-diisobutyrate."

Dated: August 22, 1963.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 63-9244; Filed, Aug. 27, 1963; 8:52 a.m.]

RUBBER CORPORATION OF AMERICA

Notice of Filing of Petition Regarding Food Additives Polyurethane Resin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 1204) has been filed by Rubber Corporation of America, New South

Road, Hicksville, New York, proposing that § 121.2520 *Adhesives* be amended to provide for the use of dibutyltin dilaurate and tin oleate as catalysts for polyurethane resins used in food-packaging adhesives.

Dated: August 21, 1963.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 63-9245; Filed, Aug. 27, 1963; 8:52 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13777; Order E-19946]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Adopted by Traffic Conference 1 Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of August 1963.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 (Commodity Rates Board).

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA memoranda, names additional rates as set forth below.

Agreement CAB 16947	IATA memorandum	Commodity item	Rates
R-41	TC1/Rates 1760.	7110	44 cents per kilogram; minimum weight, 200 kilograms; New York to Caracas.
R-42	TC1/Rates 1761.	3025	13 cents per kilogram; minimum weight, 1000 kilograms; San Salvador to Panama City.
R-43	TC1/Rates 1762.	2420	50 cents per kilogram; minimum weight, 1500 kilograms; Mexico City to San Juan.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered:

That Agreement C.A.B. 16947, R-41, R-42, and R-43, be and hereby is approved, provided that such approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-9319; Filed, Aug. 27, 1963; 8:47 a.m.]

[Docket No. 13777; Order E-19947]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Adopted by Joint Conference Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of August 1963.

There has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of Joint Conferences 1-2 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590—(Commodity Rates Board).

The agreement, adopted pursuant to unprotested notices to the carriers, names an additional specific commodity rate as follows:

Item 2868—Carpets and Blankets:
Rate: 90 cents per kilogram, minimum weight; 500 kilograms, from Rabat to New York.

The Board, acting pursuant to sections 102, 204(a) and 412 of the Act, does not find the above-described agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered:

Accordingly, it is ordered:

That Agreement C.A.B. 17233, R-3, is approved, provided that such approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-9320; Filed, Aug. 27, 1963; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 63-CE-8]

WINNEBAGO TELEVISION CORP.

Determination of Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal for aeronautical comment and has conducted a study (3-OE-1530) to determine its effect upon the safe and efficient utilization of navigable airspace.

The Winnebago Television Corporation proposes to construct a television antenna structure approximately 2.2 miles west-northwest of the city of Rockford, Illinois, at latitude 42°17'14" N., longitude 89°10'16" W. The proposed structure would be 2,049 feet above mean sea level (1,257.8 feet above ground).

The proposed structure would be located approximately 1.7 miles west-southwest of the Cottonwood Airport; approximately 6.2 miles northwest of the Greater Rockford Municipal Airport; within the procedure turn obstruction clearance area for the back course instrument landing system approach to runway 18 of the Greater Rockford Municipal Airport; and within the boundaries of VOR Federal airways Nos. 100, 171, 218, 255, 810 and 855. At the proposed location and height, the structure would exceed the standards for determining hazards to air navigation as defined in § 77.25(b)(2) by 1,133 feet and § 77.25(c)(1) by 814 feet as applied to the Cottonwood Airport and the Greater Rockford Municipal Airport, respectively.

The aeronautical study disclosed the structure would be located approximately 2800 feet north of U.S. Numbered Highway 20. U.S. 20 is a main east-west highway which extends in part from Dubuque, Iowa, to Chicago, Illinois, via Rockford and is a well-defined landmark for aircraft, operating in accordance with visual flight rules, to follow while proceeding from points west of Rockford to Chicago. The proposed structure would have an adverse effect upon low altitude VFR operations along this route. The FAA report of VFR general aviation operation for fiscal year 1962, indicates that there were approximately 2620 VFR flight plans filed with the Rockford Flight Service Station. Approximately 20 of these plans were filed for flight from the Greater Rockford Municipal Airport direct to the Dubuque Airport at 2000 feet.

The aeronautical study also disclosed that the structure would require the following increases in instrument flight rule minimum altitudes:

1. From 2,500 feet to 3,000 feet in the missed approach procedure altitude for instrument approach procedures AL–954–ADF, AL–954–VOR and AL–954–ILS–RWY 36;

2. From 2,500 feet to 3,000 feet in the procedure turn altitude for the back course approach AL–954–ILS–RWY 18;

3. From 2,700 feet to 3,000 feet in the holding pattern on the Rockford VOR;

4. From 2,500 feet to 3,000 feet in the minimum crossing altitude over the Rockford VOR on Victor V171/218/855 northwestbound.

5. From 2,500 feet to 3,000 feet in the MEA and MOCA for the following airway segments:

(a) Victor 100/810 between the Rockford VOR and the Marengo Intersection,

(b) Victor 171 between the Rockford VOR and the Davis Intersection,

(c) Victor 255 between the Rockford VOR and the Janesville, Wisconsin, VOR.

The increase in the missed approach procedure altitude for instrument approach procedures AL–954–ADF, AL–954–VOR and AL–954–ILS–RWY 36 would eliminate these missed approaches because of the excessive rate of climb that would be required to provide safe obstruction clearance over the proposed structure. Alternate missed approach procedures could be developed; however, such modifications would require an off-course climb on a heading away from the proposed structure until reaching an altitude which would provide the necessary safe obstruction clearance before executing a turn to proceed to the Rockford VOR. Such a modification would result in undesirable complication of the IFR procedures. Additionally, the possibility of timed approaches from the Rockford ILS outer marker using existing procedures would be eliminated since the first aircraft in sequence executing a missed approach could not be cleared to the Rockford VOR, thus leaving the ILS outer marker unavailable as the missed approach fix for runway number two.

The increase from 2,500 feet to 3,000 feet in the procedure turn altitude for the instrument approach procedure AL–954–ILS–RWY 18 would derogate the established instrument approach procedure and would delay the movement of instrument air traffic in the Rockford terminal area. In calendar year 1962, there were 1021 instrument approaches conducted by aircraft landing at Rockford.

The increase from 2,500 feet to 3,000 feet in the MEA on VOR Federal airways Nos. 100/V810 between the Rockford VOR and the Marengo intersection, on VOR Federal airway No. 171 between the Rockford VOR and the Davis intersection, and on VOR Federal airway No. 255 between the Rockford VOR and the Janesville, Wisconsin, VOR, would require aircraft operating in this area to fly at higher altitudes and would have a substantial adverse effect upon a large number of aeronautical operations each year. There are a large number of aircraft based on airports in this area and a large number of itinerant aircraft which operate in the area to which the above increases in IFR minimum en route altitudes would apply.

The Agency's records disclose an IFR peak day traffic count for fiscal year 1962 of 51 aircraft for Victor 100, 9 aircraft for Victor 171, 14 aircraft for Victor 218 and 12 aircraft for Victor 255.

The study also disclosed that because the proposed structure would be located on the 038° magnetic radial of the Rockford VOR at a distance of approximately four statute miles, there is a definite possibility that reradiation of the signal from the proposed antenna would cause out of tolerance scalloping on some radials of the RFD VOR. VOR Federal airway No. 255 passes through one of the two areas where maximum interference might be expected. This interference would have a substantial adverse effect upon aircraft using the RFD VOR along this airway.

Based upon the aeronautical study, it is the finding of the Agency that the proposed structure would create an unsafe obstruction to VFR operations and would derogate the use of existing IFR aeronautical operations, procedures and minimum altitudes in the Rockford terminal area to the extent that substantial changes would be required to several instrument flight procedures, altitudes and air traffic control procedures. The required changes could not be made without causing aircraft to operate at higher altitudes, producing an increase in air traffic delays, lessening of the flexibility of air traffic control procedures and reducing system capacity.

Therefore, pursuant to the authority delegated to me by the Administrator (§ 77.37 [New]), it is found that the proposed structure would have a substantial adverse effect upon the safe and efficient utilization of airspace; and it is hereby determined that the proposed structure would be a hazard to air navigation.

This determination is effective and will become final 30 days after the date of issuance unless an appeal is filed under § 77.39 [New] (27 F.R. 10352). If the appeal is denied, the determination will then become final as of the date of the denial or 30 days after the issuance of the determination, whichever is later.

Issued in Washington, D.C., on August 20, 1963.

PAT MAHAN,
Acting Chief,
Obstruction Evaluation Branch.

[F.R. Doc. 63–9202; Filed, Aug. 27, 1963; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

J. B. WOOD SHIPPING CO., INC., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 814). All parties involved are eligible to operate as independent ocean freight forwarders pursuant to section 44 of the Shipping Act, 1916.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight compensation is to be divided between the parties as agreed.

J. B. Wood Shipping Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Morris Friedman & Co., Philadelphia, Pa ---------- FF–851
Baltimore Dispatch Corp., Baltimore, Md ---------- FF–852

Loretz & Company, Los Angeles, Calif. (Offices at San Francisco and Houston), is party to the following agreements, the terms of which are identical. The other parties are:

W. H. Wickersham & Co., Inc., San Pedro, Calif ---------- FF–853
Schenkers International, Inc., Chicago, Ill ---------- FF–863
Thornley & Pitt, Inc., San Francisco, Calif ---------- FF–896
J. K. Ebberwein, Savannah, Ga ---------- FF–899

The following agreements have similar terms:

B. H. Sobelman & Co., Inc., Philadelphia, Pa., and Silvey Shipping Co., Inc., New York, N.Y ---------- FF–854
George M. Leininger Co., Inc., New Orleans, La., and Richard Murray & Co., Mobile, Ala ---------- FF–855
J. T. Steeb & Co., Inc., Seattle, Wash., and J. T. Steeb & Co., Inc., Portland, Oreg ---------- FF–856
Pace Shipping Co., Inc., New York, N.Y., and Win-Mar, Inc., New Orleans, La ---------- FF–857
Keer, Maurer Co., Philadelphia, Pa., and Sellers Transportation Co., Inc., New York, N.Y ---------- FF–858
George M. Leininger Co., Inc., New Orleans, La., and Sellers Transportation Co., Inc., New York, N.Y ---------- FF–859
John A. Merritt & Co., Pensacola, Fla., and Southern Shipping Co., Jacksonville, Fla ---------- FF–860
Bartz Forwarding Co., Inc., Brownsville, Tex., and A. L. Rankin, Corpus Christi, Tex ---------- FF–862
Schenkers International, Inc., Chicago, Ill., and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La ---------- FF–864
Arthur J. Fritz & Co., Los Angeles, Calif., and C. H. Powell Co., Boston, Mass ---------- FF–890
George M. Leininger Co., Inc., New Orleans, La., and O. W. Lochner Inc., New York, N.Y ---------- FF–891
Wolf & Gerber, Inc., New York, N.Y., and Atlas Agencies, Inc., Jacksonville, Fla ---------- FF–892
Stone Forwarding Co., Inc., offices in Galveston, Houston, Corpus Christi, and Dallas, Tex., and A. J. De May & Co., Inc., New York, N.Y ---------- FF–893

Schenkers International, Inc., Chicago, Illinois, is party to the following agreements, the terms of which are identical. The other parties are:

R. G. Hobelmann & Co., Inc., Toledo, Ohio ---------- FF–865
A. F. Burstrom & Sons, Inc., Detroit, Mich ---------- FF–866
J. T. Steeb & Co., Portland, Oreg ---------- FF–867
R. G. Hobelmann & Co., Inc., Philadelphia, Pa ---------- FF–868

Trans World Shipping Corp., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

Stone & Downer Co., Boston, Mass.. FF–869
Morris Friedman & Co., Philadelphia, Pa.. FF–870
John S. Connor, Inc., Baltimore, Md.. FF–871
Cavalier Shipping Co., Inc., Norfolk, Va.. FF–872
Heide & Co., Inc., Wilmington, N.C., and Morehead City, N.C.. FF–873
Frederick Richards, Inc., Charleston, S.C.. FF–874
Charleston Overseas Forwarders, Inc., Charleston, S.C.. FF–875
Reedy Forwarding Co., Inc., Miami, Fla.. FF–876
Humphrey & MacGregor, Inc., Tampa, Fla.. FF–877
Richard Murray & Co., Mobile, Ala.. FF–878
H. P. Lambert Co., Inc., of Louisiana, New Orleans, La.. FF–879
W. R. Zanes & Co., Houston, Tex.. FF–880
James G. Wiley Co., Los Angeles, Calif.. FF–881
Wheeler & Miller, San Francisco, Calif.. FF–882
J. T. Steeb & Co., Inc., Portland, Oreg.. FF–883
J. T. Steeb & Co., Inc., Seattle, Wash.. FF–884
J. T. Steeb & Co., Inc., Tacoma, Wash.. FF–885
Blaser & Mericle, Inc., Cleveland, Ohio.. FF–886
A. F. Burstrom & Son, Inc., Detroit, Mich.. FF–887
W. C. Sullivan & Co., Chicago, Ill.. FF–888

Daniel F. Young, Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

J. W. Allen & Co., Inc., New Orleans, La.. FF–894
J. T. Steeb & Co., Inc., Tacoma, Wash.. FF–895

Chas. Kurz Co., Philadelphia, Pennsylvania, is party to the following agreements, the terms of which are identical. The other parties are:

Frank P. Dow Co., Inc., Seattle, Wash.; Frank P. Dow Co., Inc., San Francisco, Calif.; Frank P. Dow Co., Inc. of Los Angeles, Los Angeles, Calif.; Frank P. Dow Co., Inc., Portland, Oreg., and Philippine Forwarding Co., Inc., New York, N.Y.. FF–897
Gerard F. Tujague, Inc., New Orleans, La., and Transportelis Co., Inc., New York, N.Y.. FF–898
Seven Seas Mercantile Transport, Inc., New York, N.Y.; and H. E. Schurig & Co., Inc., Houston, Tex.. FF–900

Agreement FF–837 between Lusk Shipping Co., Inc., New Orleans, La., and Gateway Shipping Co., Inc., New York, N.Y., is an agreement under which 100% of the forwarding and service fees will be retained by the party performing the work. Ocean freight compensation will be divided equally (50 percent-50 percent).

Agreement FF–861 between Atlas Forwarding Co., Inc., New York, N.Y., and Trans Marine Co., New Orleans, La., is an agreement under which forwarding and service fees would be $5.50 when no consular documents are needed and $7.50 when consular documents are needed. Ocean freight compensation is to be divided equally.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., or at the Commission's field offices at:

45 Broadway
New York, New York

180 New Montgomery Street
San Francisco, Calif.

Room 333 Federal Office Building South
600 South Street
New Orleans 12, La.

Mail address:
P.O. Box 30550
Lafayette Station
New Orleans 30, La.

They may submit to the Secretary, Federal Maritime Commission, Washington, D.C., within twenty days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: August 23, 1963.

By the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63–9249; Filed, Aug. 27, 1963; 8:53 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. CP63–254, CP64–2]

ALABAMA-TENNESSEE NATURAL GAS CO. AND TENNESSEE GAS TRANSMISSION CO.

Notice of Applications and Date of Hearing

AUGUST 21, 1963.

Take notice that on March 11, 1963, Alabama-Tennessee Natural Gas Company (Alabama-Tennessee), Post Office Box 380, Florence, Alabama, filed in Docket No. CP63–254 an application, pursuant to section 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing Alabama-Tennessee to construct and operate certain natural gas facilities for the transportation and sale of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

The facilities proposed to be constructed and operated by Alabama-Tennessee consist of approximately 21.4 miles of 12¾ inch main line and approximately 3 miles of 10¾ inch main line to be constructed parallel to its main line facilities in Colbert, Lawrence, and Madison Counties, Alabama.

Alabama-Tennessee alleges in its application that the additional facilities proposed are required in order to provide additional capacity needed for estimated growth in requirements of the several communities presently served by it. It estimates that 4,650 additional space heating users will be attached by the distribution systems prior to the commencement of the 1963–64 heating season. Its estimated peak day and annual requirements are as follows:

Year	Peak day (Mcf)	Annual (Mcf)
1963	87,354	17,955,500
1964	92,980	18,973,900
1965	98,660	19,217,700
1966	102,785	19,464,900

Alabama-Tennessee further alleges that the proposed facilities will enable it to increase the peak hour delivery capacity of its system. These facilities, it alleges, will provide additional capacity to enable it to effect a change in the present peak day design temperature of its system from 15° F mean temperature to 10° F mean temperature.

The additional gas supply to meet Alabama-Tennessee's increased requirements will be provided by its sole supplier, Tennessee Gas Transmission Company (Tennessee). An additional 5,120 Mcf per day will be required from Tennessee to meet the peak day requirements based on a change in design temperature from 15° F to 10° F.

The estimated cost of Alabama-Tennessee's proposed facilities is $869,000, which will be financed by funds from internal sources and by the sale of first mortgage bonds.

Take further notice that on July 3, 1963, Tennessee Gas Transmission Company, P.O. Box 2511, Houston 1, Texas, filed in Docket No. CP64–2 an application, pursuant to section 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing Tennessee to sell and deliver an additional 5,720 Mcf of natural gas per day to Alabama-Tennessee, commencing with the 1963–64 winter heating season, all as more fully set forth in said application, which is on file with the Commission and open for public inspection.

Tennessee alleges that Alabama-Tennessee advised it by letter dated June 11, 1963, that it desires to increase its maximum daily contract quantity from 87,860 Mcf to 93,580 Mcf for a total increase of 5,720.[1] The required annual average day delivery capacity associated with this increase in maximum daily contract would be 329 Mcf.

These related applications should be heard upon a consolidated record and are hereby consolidated for hearing.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 26, 1963, at 10:00 a.m. (e.d.s.t.) in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by said applications.

[1] This figure represents the addition to Alabama-Tennessee's showing in its market data in CP63–254 of an industrial customer whose maximum daily quantity is estimated to be 600 Mcf.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 16, 1963.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-9250; Filed, Aug. 27, 1963; 8:53 a.m.]

[Project No. 2383]

CLEVELAND-CLIFFS IRON CO.

Notice of Application for License

AUGUST 21, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by The Cleveland—Cliffs Iron Company (correspondence to: Mr. D. R. Forrest, Vice President, The Cleveland—Cliffs Iron Company, 1460 Union Commerce Building, Cleveland 14, Ohio) for license for constructed Project No. 2383, known as the Escanaba River Project, located on the Escanaba River, in Marquette County, Michigan.

The project consists of: A reinforced concrete gravity intake dam and retaining wall about 280 feet long and 15 feet high, including about seven feet of stop logs; a reservoir covering about 350 acres with a surface elevation of 1170 feet; a penstock consisting of 1575 feet of rock tunnel and 1475 feet of eight-foot diameter steel pipe; a concrete, brick and steel powerhouse containing one hydroelectric unit of about 1500 kilowatts; and appurtenant electrical and mechanical facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is October 15, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-9251; Filed, Aug. 27, 1963; 8:54 a.m.]

[Docket No. E-7122]

DUKE POWER CO.

Order To Show Cause

AUGUST 21, 1963.

Duke Power Company, Charlotte, North Carolina (Duke), a corporation organized under the laws of the State of New Jersey, has been determined to be a public utility within the meaning of the Federal Power Act, Order issued August 1, 1962, Duke Power Company, Docket No. E-7041 (28 FPC 255), and has filed with the Federal Power Commission, from time to time, rate schedules for service to investor owned electric utilities, cooperatively-owned electric utilities, and municipalities, including those listed below and in the attached appendices.

Some of those filed rate schedules embody contracts containing one or more provisions which may have the effect of restricting the investor owned and cooperatively-owned electric systems and municipalities from reselling to certain classes of potential customers or for particular uses, power purchased from Duke under the filed rate schedules.

Rate schedules providing for service under Duke's "Standard Schedule No. 10, Class 1, Municipal Resale Service"—entire power requirements-contain the following restrictions limiting the uses for which power may be purchased, and, in many cases, the size of load which may be served by the customer:

The electric power delivered hereunder shall be delivered for the purpose of its being used by the Consumer for lighting the streets and public buildings, and for furnishing electricity for lighting, heating, and motive power to the inhabitants of the [name of city or town], and vicinity, and for other municipal purposes at said [name of city or town].[1]

none of said power to be resold to any one customer in excess of -------- kilowatts:[2]

Rate schedules containing the restriction on use and the kilowatt limitation are listed in Appendix A.

In addition the following provisions are contained in rate schedules on file with the Commission, as designated in Appendix B:

Standard Schedule No. 11–A, Rural Resale Service (cooperatives);
Standard Schedule No. 11, Rural Resale Service (cooperatives with high load factor).

ARTICLE FOURTH

* * * The electric power delivered hereunder * * * shall not be * * * sold or offered for sale by the consumer to anyone who is receiving electric service or whose premises are capable of being served by the existing facilities (including additional secondary lines not exceeding 300 feet in length) of any municipal or other distribution system to which the Power Company sells electric power for resale, except where such municipality or other distributor refuses to furnish such service.

These provisions of the 11 and 11–A rate schedules may not be unduly restrictive. They are included as a part of this proceeding to permit Duke to submit a written explanation of those provisions for further Commission consideration of the purpose and effect thereof.

[1] The wording of this provision varies slightly in each rate schedule.

[2] The following restriction is included in Rate Schedule FPC Nos. 28 and 29, City of High Point, North Carolina: The electric power delivered hereunder shall be delivered for the purpose of its being used by the Consumer for lighting its streets and public and private buildings and for other municipal purposes and for resale to the inhabitants of the Consumer and its customers along West Burton Street outside of the municipal limits for residential and commercial purposes, and the Consumer agrees not to use or apply said electric power or any part thereof, in any place, or in any manner, or for any purposes other than as provided for in this contract; and agrees not to sell or deliver said electric power to any one customer for any one motor in excess of 5 horsepower capacity, except by written agreement of the parties hereto.

The provisions set out above may have the effect of restricting the investor owned and cooperatively owned electric utilities and municipalities from reselling to certain classes of potential customers or for certain uses power purchased from Duke under the rate schedules. They constitute rates, charges or classifications or rules, regulations, practices or contracts affecting rates, charges or classifications within the meaning of sections 205 and 206 of the Federal Power Act and may be unjust, unreasonable, and therefore, unlawful.

The Commission further finds:

(1) It is necessary and appropriate for the purposes of the Federal Power Act, particularly sections 205, 206, 307, 308 and 309 thereof, that Duke Power Company be directed to show cause in writing why the Commission should not find and determine the above-mentioned provisions in Duke Power Company's filed rate schedules to be unjust or unreasonable.

(2) In the event that the abovementioned provisions are found to be unjust or unreasonable it may be appropriate for purposes of the Federal Power Act, particularly sections 205, 206, 304, 307, 308 and 309 thereof, for the Commission to order a hearing to determine and fix the just and reasonable rates, charges, classifications, rules, regulations, practices or contracts to be thereafter observed and in force for service by Duke Power Company to investor owned and cooperatively owned electric utilities and municipalities.

The Commission orders:

(A) On or before September 30, 1963, Duke Power Company shall respond to this order through Answer as provided in § 1.9(c) of the Commission's rules of practice and procedure, 18 CFR 1.9(c).

(B) Notices of intervention or petitions to intervene in this proceeding may be filed with the Commission on or before September 13, 1963, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Rate schedule FPC No.	Customer	Kilowatt limitation
13	City of Albemarle, N.C.	None
14	Town of Bostic, N.C.	None
15	Town of Cherryville, N.C.	75
16	Board of Light and Water Commissioners of the City of Concord, N.C.	300 40
17	Town of Cornelius, N.C.	None
18	Town of Dallas, N.C.	None
19	Town of Drexel, N.C.	None
20	Town of Davidson, N.C.	150
21	Town of Forest City, N.C.	400
22, 23, 24, 25	City of Gastonia, N.C.	50
26	Town of Granite Falls, N.C.	40
27	Town of Huntersville, N.C.	100
30	City of Kings Mountain, N.C.	80
31	Town of Landis, N.C.	None
34	Town of Lincolnton, N.C.	50
35	Town of Maiden, N.C.	None
36	City of Monroe, N.C.	800
37	Town of Morganton, N.C.	75
38	Town of Newton, N.C.	None
39	Town of Pineville, N.C.	200
40, 41, 42, 43	City of Shelby, N.C.	None
44	City of Statesville, N.C.	200
45	Town of Clinton, S.C.	100
46	Town of Due West, S.C.	

APPENDIX A—Continued

Rate schedule FPC No.	Customer	Kilowatt limitation
47	Commissioners of Public Works of the City of Easley and the City of Easley, S.C.	800
48	Board of Commissioners of Public Works of the City of Gaffney and the City of Gaffney, S.C.	None
49	Commissioners of Public Works of the City of Greer and the City of Greer, S.C.	1,000
50	City of Newberry, S.C.	None
51	Town of Prosperity, S.C.	75
52	City of Rock Hill, S.C.	None
54	Commissioners of Public Works of the Town of Seneca and the Town of Seneca, S.C.	200
55	Commissioners of Public Works of the Town of Westminster, S.C.	100
57	The Clemson Agricultural College of South Carolina	50
126	Ruth Meacham and Mrs. Esther Meacham McAlhaney, partners, doing business under the firm name and style of The Electric Company	None
127	Heath Springs Light and Power Company (South Carolina)	200
128	Kershaw Oil Mill	None

APPENDIX B

Customer	Delivery point	Rate schedule FPC No.
Blue Ridge EMC	Granite Falls	58
Do	Lenoir EMC	59
Do	North Wilkesboro	*60
Do	Saw Mills	61
Blue Ridge EC	Anderson	95
Do	Central	96
Do	Liberty	97
Do	Marietta	98
Do	Newry	99
Do	Pickens	100
Do	Seneca	101
Do	Tigersville	102
Do	Walhalla	103
Broad River EC	Blacksburg	104
Do	Draytonville	105
Do	Gaffney	106
Do	Inman	107
Do	New Prospect	108
Do	Whitmire	109
Burke-McDowell EMC	Marion	62
Do	Morganton	63
Cornelius EMC	Cornelius	64
Do	Mooresville	65
Do	Statesville	66
Davidson EMC	Healing Springs	67
Do	Lexington	68
Do	Pine Hall	69
Do	Stoneville	70
Do	Thomasville	71
Davie EMC	Mocksville	72
Do	Statesville	73
Do	Stony Point	74
Do	Taylorsville	75
Do	Vashti	76
Haywood EMC	Rosman	77
Laurens EC	Enoree	110
Do	Fork Shoals	111
Do	Fountain Inn	112
Do	Mauldin	113
Do	Moore	114
Do	Woodruff	115
Little River EC	Donalds	116
Little River EMC	Latimer	117
Do	Starr-Iva	118
Pee Dee EMC	Norwood	78
Piedmont EMC	Carrboro	79
Do	Durham	80
Do	Hillsboro	81
Rutherford EMC	Cherryville	82
Do	Dallas	83
Do	Fallston	84
Do	Gastonia	85
Do	Maiden	86
Surry-Yadkin EMC	Mill Spring	87
Do	Dobson	88
Do	Elkin	89
Do	Rockford	90
Union EMC	Ronda	91
Do	Monroe	92
Do	Mt. Pleasant	93
York County EC	New London	94
Do	Bethany	119
Do	York	120
Do	Fort Mill	121
Do	Leslie	122
Do	Catawba	123

*This contract embodies rate schedule No. 11. All other rate schedules are for service under rate schedule No. 11-A.

[F.R. Doc. 63-9252; Filed, Aug. 27, 1963; 8:54 a.m.]

[Project No. 2385]

FINCH, PRUYN & COMPANY, INC.

Notice of Application for License

AUGUST 21, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Finch, Pruyn & Company, Incorporated (correspondence to: Lyman A. Beeman, President, Finch, Pruyn & Company, Incorporated, Glens Falls, New York) for license for constructed Project No. 2385, known as the Finch, Pruyn Hydro-Electric Project, located on the Hudson River, in Warren County, New York, in the vicinity of Glens Falls.

The application covers that portion (about 268.5 feet) of a reinforced concrete dam between the City of Glens Falls and the Village of South Glens Falls and other project works on the Warren County side of the river owned by Applicant. The project facilities are described as consisting of about 268.5 feet of the dam which includes a head gate structure about 96 feet long with eight hand operated gates controlling the flow of water to the forebay. The latter is formed by the west bank of the river and a concrete wall with flash boards. The forebay wall, about 686 feet long, includes approximately 136 feet of powerhouse substructure. The powerhouse contains Applicant's manufacturing facilities and the portion included in the application is below elevation 272 feet. The powerhouse contains two 3,350 horsepower turbines, each connected to a 2,500 kilowatt generator, three 2,700 horsepower turbines, one connected to a 2,000 kilowatt generator, and the remaining two turbines are idle. Other appurtenant facilities are included in the application.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is October 14, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-9253; Filed, Aug. 27, 1963; 8:54 a.m.]

[Docket Nos. CI 63-928 etc.]

SAN JACINTO OIL AND GAS CO. ET AL.

Notice of Succession Application

AUGUST 21, 1963.

San Jacinto Oil and Gas Company, Docket No. CI63–928; San Jacinto Oil and Gas Company (Operator), et al. (successor to E. J. Hudson, et al.), Docket No. G–3668; San Jacinto Oil and Gas Company (Operator), et al. (successor to E. J. Hudson, et al.), Docket No. G–8938; San Jacinto Oil and Gas Company (successor to Hudson Gas & Oil Corporation), Docket No. G–13711; San Jacinto Oil and Gas Company (Operator), et al. (successor to Hudson Gas & Oil Corporation), Docket No. G–15989.

Take notice that on January 28, 1963, San Jacinto Oil and Gas Company (San Jacinto) filed in Docket No. CI63–928 a "motion to amend applications for and certificates of public convenience and necessity" requesting that San Jacinto be substituted as certificate holder in place of E. J. Hudson, et al., in Docket Nos. G–3668 and G–8938, and in place of Hudson Gas & Oil Corporation in Docket Nos. G–13711, G–15377 and G–15989. San Jacinto subsequently withdrew so much of the aforesaid motion as pertained to Docket No. G–15377.

San Jacinto states that effective December 31, 1962, Hudson Gas & Oil Corporation conveyed and transferred to San Jacinto all of its interests in the properties from which gas sales are made pursuant to the certificates of public convenience and necessity outstanding in Docket Nos. G–3668, G–8938, G–13711 and G–15989 and the concovering such sales.

The aforesaid motion of January 28, 1963, which is construed to be an application for certificate authorization to continue the sales presently authorized in the above-captioned dockets, is on file with the Commission and open to public inspection.

Protests, petitions to intervene or requests for hearing in regard to the subject motion 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 September 6, 1963.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-9255; Filed, Aug. 27, 1963; 8:54 a.m.]

[Docket Nos. RI64–95—RI64–97]

GULF OIL CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates;[1] and Allowing Rate Changes To Become Effective Subject to Refund

AUGUST 21, 1963.

Gulf Oil Corporation, Docket No. RI 64–95; Gulf Oil Corporation (Operator), et al., Docket No. RI64–96; Pan American Petroleum Corporation, Docket No. RI 64–97.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

[1] This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date [2 4] unless suspended	Date suspended until—[3]	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI64-95	Gulf Oil Corp., Post Office Drawer 2100, Houston, Tex., 77001	202	3	El Paso Natural Gas Co. (Ballard Pool, Rio Arriba County, N. Mex.) (San Juan Basin).	$1,573 11	7-22-63	8-22-63	8-23-63	[7] 12.0 [8] 11.0	[5 7 11 13] 13.2295 [5 8 13] 11.2104	
		190	6	El Paso Natural Gas Co. (Gallegos Gallup (Basin Dakota) Pool, San Juan County, N. Mex.) (San Juan Basin).	1,734	7-22-63	8-22-63	8-23-63	12.0	[5 11 13] 13.2295	
		47	5	El Paso Natural Gas Co. (South Blanco Pool, Rio Arriba County, N. Mex. (San Juan Basin).	272	7-22-63	8-22-63	8-23-63	11.0	[5 13] 11.2104	
		38	2	El Paso Natural Gas Co. (Blanco Pool, San Juan County, N. Mex.) (San Juan Basin).	28	7-22-63	8-22-63	8-23-63	12.0	[5 11 12] 13.2308	
		16	15	El Paso Natural Gas Co. (Blinebry, Eumont, Jalmat, and Langue-Mattix Gas Pools, Lea County, N. Mex.) (Permian Basin).	6,590 160 218	7-22-63	8-22-63	8-23-63	[9] 15.5 [10] 15.0533 [15] 9.0	[6 9 14] 15.8563 [6 10 14] 15.3993 [6 14 15] 9.2069	G-20400 G-20400
		118	7	El Paso Natural Gas Co. (Eunice South and Langue-Mattix Pools, Lea County, N. Mex.) (Permian Basin).	429 354	7-22-63	8-22-63	8-23-63	[9] 15.5 [10 16] 15.0533	[6 9 14] 15.8563 [6 10 14 16] 15.3993	G-20400 G-20400
		144	2	El Paso Natural Gas Co. (Justis Gas Pool, Lea County, N. Mex.) (Permian Basin Area).	1,558	7-22-63	8-22-63	8-23-63	[9 16] 15.5	[6 9 14 16] 15.8563	G-20400
		244	1	El Paso Natural Gas Co. (Jalmat Gas Pool, Lea County, N. Mex.) (Permian Basin Area).	218	7-22-63	8-22-63	8-23-63	15.0533	[6 14] 15.3993	
		240	1	El Paso Natural Gas Co. (Fowler-Paddock Gas Pool, Lea County, N. Mex.) (Permian Basin Area).	257	7-22-63	8-22-63	8-23-63	[16] 15.5	[6 14 16] 15.8563	
	Gulf Oil Corp	56	3	El Paso Natural Gas Co. (Crosby Devonian Pool, Lea County, N. Mex.) (Permian Basin Area).	3,029	7-22-63	8-22-63	8-23-63	[16] 15.5	[6 12 16] 15.7982	G-20400
RI64-96	Gulf Oil Corp. (Operator), et al.	150	4	El Paso Natural Gas Co. (Bisti Area, San Juan County, N. Mex.) (San Juan Basin).	1,610	7-22-63	8-22-63	8-23-63	13.0	[5 13] 13.2486	
RI64-97	Pan American Petroleum Corp., Post Office Box 1410, Fort Worth 1, Tex.	376	4	El Paso Natural Gas Co. (West Kutz Pictured Cliffs Field, San Juan County, N. Mex.) (San Juan Basin).	10	7-22-63	8-22-63	8-23-63	11.0	[5 13] 11.2104	

NOTE.—Footnote reference 1 is not used.

[2] The stated effective date is the 1st day after expiration of the required statutory notice.
[3] The suspension period is limited to 1 day.
[4] Requests waiver of 30-day notice period.
[5] Pressure base is 15.025 psia.
[6] Pressure base is 14.65 psia.
[7] High pressure gas (above 500 psig).
[8] Low pressure gas (below 500 psig).
[9] High pressure gas (above 600 psig).
[10] Low pressure gas (below 600 psig).
[11] Includes 1.0 cent per Mcf minimum guarantee for liquids.
[12] Reflects full 2.55 percent New Mexico Oil and Gas Emergency School Tax plus 0.015 percent increase in Conservation Tax.
[13] Reflects full 2.55 percent New Mexico Oil and Gas Emergency School Tax.
[14] Reflects full 2.55 percent New Mexico Oil and Gas Emergency School Tax plus 0.5 percent increase in Severance Tax plus 0.015 percent increase in Conservation Tax.
[15] Applicable to gas delivered to buyer's low pressure casinghead gathering system, sold under the terms of a casinghead contract filed under Gulf's FPC Gas Rate Schedule No. 63.
[16] Subject to 0.4467 cent per Mcf reduction for compression of low pressure gas.

Gulf Oil Corporation, Gulf Oil Corporation (Operator), et al., and Pan American Petroleum Corporation request waiver of notice to make their proposed rate increases effective as of July 22, 1963. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the producers' rate filings and such requests are denied.

El Paso Natural Gas Company (El Paso) has protested the rate increases filed by Respondents. El Paso questions the right of the producers under their tax reimbursement clauses to file rate increases reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of .55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher tax rate of at least .55 percent, they claim that there is controversy as to whether or not the new legislation effected an increased tax rate in excess of .55 percent. Under the circumstances, we shall provide that the hearings provided for herein shall concern themselves with the contractual basis as well as the statutory lawfulness of the producers' rate filings. In addition, to the extent that the proposed rates are in excess of the applicable area ceiling, as hereinafter indicated, the hearings shall also concern themselves with the statutory lawfulness of such rates. Since the proposed rate increases reflect only tax reimbursement, the suspension period for each may be shortened to one day from the date of expiration of the 30-days' statutory notice.

With the exception of the proposed rate for low pressure gas sold under Gulf Oil Corporation's FPC Gas Rate Schedule No. 202, Supplement Nos. 3, 6 and 2 to Gulf Oil Corporation FPC Gas Rate Schedule Nos. 202, 190 and 38, respectively, contain a tax reimbursement increase computed on the contract base rate of 12.0 cents per Mcf exclusive of the 1.0 cent per Mcf minimum guarantee for liquids. The addition of the 1.0 cent per Mcf to the base rate of 12.0 cents per Mcf plus tax reimbursement results in each instance in a total proposed rate which exceeds the increase ceiling of 13.0 cents per Mcf for the San Juan Basin Area as set forth in the Commission's Statement of General Policy No. 61–1, as amended (18 CFR, Chapter I, Part 2, § 2.56). Accordingly, all of the proposed rates involved here, except for those contained in Supplement No. 4 to Pan American Petroleum Corporation FPC Gas Rate Schedule No. 376 and Supplement No. 5 to Gulf Oil Corporation FPC Gas Rate Schedule No. 47 and the low pressure gas sold under both Supplement Nos. 3 and 15 to Gulf Oil Corporation FPC Gas Rate Schedule Nos. 202 and 16, respectively, are in excess of the applicable area ceiling.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the contractual basis of the proposed rate filings which El Paso has protested, and the statutory lawfulness of the producers' proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the contractual basis of the proposed rate filings which El Paso has protested, and the statutory lawfulness of the producers' proposed increased rates and charges contained in the above-designated supplements, with the exception of hearings with respect to the proposed rates for gas sold under Gulf's FPC Gas Rate Schedule Nos. 202 (low pressure only), 47 and 16 (gas delivered to buyer's low pressure casing-head system) and Pan American Petroleum Corporation FPC Gas Rate Schedule No. 376, which shall involve only the contractual basis for the filings.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth above, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure [18 CFR 1.8 and 1.37(f)] on or before October 1, 1963.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 63-9254; Filed, Aug. 27, 1963; 8:54 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4111]

COLUMBIA GAS SYSTEM, INC., ET AL.

Notice of Proposed Intrasystem Merger, Acquisition of Assets, and Related Transactions

AUGUST 23, 1963.

In the matter of The Columbia Gas System, Inc., 120 East 41st Street, New York 17, New York; Amere Gas Utilities Company, Atlantic Seaboard Corporation, United Fuel Gas Company, Post Office Box 1273, Charleston 25, West Virginia; File No. 70-4111.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and three of its wholly-owned subsidiary companies, Amere Gas Utilities Company ("Amere"), Atlantic Seaboard Corporation ("Atlantic"), and United Fuel Gas Company ("United"), have filed a joint application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9, 10, 12 (b), (c), and (f) of the Act and Rules 42, 43, 44, and 45 promulgated thereunder as applicable to transactions involved in the proposed merger of Amere into United and the acquisition by United of certain facilities and assets of Atlantic.

All interested persons are referred to the joint amended application-declaration, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

United, a West Virginia corporation, is engaged in the business of producing, purchasing, transmitting, storing, distributing and selling natural gas. It distributes natural gas at retail to approximately 121,500 customers in West Virginia and sells natural gas to affiliated and nonaffiliated companies. United produces and purchases natural gas from fields located in West Virginia and Kentucky and also purchases, in these States, large volumes of natural gas from a major non-affiliated interstate gas transmission company. It also purchases large volumes of natural gas from fields located in Southern Louisiana, which gas is transported for United by an affiliated gas transmission company.

Atlantic, a Delaware corporation and a non-utility company, is engaged in the business of purchasing, storing, transporting and selling natural gas to affiliated and non-affiliated companies and municipalities operating in West Virginia, Virginia, Maryland, Kentucky, Pennsylvania and the District of Columbia. Atlantic purchases the major portion of its gas supply from United.

Amere, a West Virginia corporation, operating exclusively in that State, distributes natural gas at retail to some 19,500 customers in six counties in southern West Virginia. It also sells natural gas at wholesale to Atlantic and to a non-affiliated company in West Virginia. During 1962, Amere's total sales of natural gas amounted to 10,354,000 Mcf of which an aggregate of 4,808,000 Mcf was sold at retail and to the non-affiliate, and the balance of 5,546,000 Mcf was sold to Atlantic. During the same period Amere purchased 2,079,000 Mcf from Atlantic and United and approximately 8,047,000 Mcf from non-affiliated gas producers. An additional long-term gas supply, offered to Amere in 1963 by present suppliers, was accepted, and such gas will be sold to United. It is represented that the proposed transactions will eliminate such intrasystem transfers of gas and certain rate complexities related thereto.

At November 30, 1962, the net utility plant, (recorded at original cost) of United, Amere and Atlantic amounted to $185,251,000, $5,113,000 and $97,528,000 respectively. For the twelve months ended November 30, 1962, the gross operating revenues of United, Amere and Atlantic amounted to $224,383,000, $5,083,000 and $93,632,000, respectively.

To effectuate the proposed merger, Amere will transfer and sell, and United will acquire, all of the properties and assets of Amere at the date of closing (aggregating $5,750,000 at November 30, 1962); and United will assume all of the liabilities and obligations of Amere, including long term installment promissory notes owned by Columbia, amounting to $2,619,000 at November 30, 1962.

In payment for the above net assets, United will issue to Columbia as sole stockholder of Amere, and Columbia will acquire against the surrender for cancellation of the outstanding capital stock of Amere, such number of shares of United's capital stock, par value $25 per share, as shall equal the aggregate par value of Amere's capital stock, par value $25 per share, outstanding at the date of closing, and which at November 30, 1962 had an aggregate par value of $1,850,000. The capital surplus and earned surplus of Amere will be recorded as additional capital surplus and earned surplus of United. The assets and properties acquired, the related reserves, and the liabilities and obligations assumed, will be recorded on the books of United at the amounts at which they are recorded on the books of Amere at the date of closing.

With respect to the proposed merger of Amere into United, the filing indicates, among other things, that the merger will eliminate an unnecessary corporate entity and will result in considerable savings of time and effort in the solution of rate, certificate and financial procedures arising out of the multiple jurisdiction of the Federal Power Commission and the Public Service Commission of West Virginia; that United will adopt the West Virginia tariff rates and charges of Amere; and that there will be no interruption or impairment of utility service presently rendered to customers by Amere and United.

The facilities of Atlantic which United proposes to acquire and Atlantic proposes to sell, consist of approximately 139 miles of 20-inch gas transmission pipeline ("Line KA-20") extending in an easterly direction from Boldman Compressor Station ("Boldman"), Pike County, Kentucky, to the Virginia-West Virginia State line; approximately 12.6 miles of 4-inch gas transmission pipeline ("Line KA") extending from a point on Atlantic's Line KA-20 to the Virginia-West Virginia State line near Peterstown, Monroe County, West Virginia; and three compressor stations, including Boldman and two others located on said portion of Line KA-20. In addition to the foregoing facilities and certain related assets, Atlantic will also transfer to United the applicable reserves together with certain related liabilities and obligations. The net book value, as of November 30, 1962, of the assets to be transferred was approximately $6,030,000.

The filing indicates that the Boldman Compressor Station is used to supply compression solely for the benefit of United and not for the transportation of gas by Atlantic; that Atlantic receives title to the gas at the inlet side of Boldman, retains it only long enough to incur the expense of compression, and then immediately transfers it back to United; and that certain exchange gas received by Atlantic from United does not com-

pensate Atlantic for the expenses incurred in compressing the original gas. As to the proposed transfer of the KA–20 inch line, the filing further indicates that this part of the line currently is being operated by Atlantic in a manner governed almost entirely by the needs and characteristics of United's operations, notably the gathering of its locally produced and purchased gas; and that the proposed acquisition by United of the facilities of Atlantic will eliminate overlapping areas of operation and will simplify system operations in the States of West Virginia and Kentucky, particularly through the elimination of certain gas exchange agreements.

Fees and expenses incident to the proposed transactions are to be supplied by amendment.

The Public Service Commission of West Virginia has authorized the merger of Amere into United, and, in connection therewith, the issuance by United of capital stock and the assumption by United of Amere's installment promissory notes. With respect to the purchase of facilities from Atlantic, it has also approved the issuance by United of installment promissory notes. The Federal Power Commission has authorized the acquisition by United of the certificated facilities of Atlantic and Amere and the abandonment of service by Atlantic and Amere.

United, Amere and Atlantic are among 19 subsidiary companies of Columbia, all of which subsidiaries are, directly or indirectly, engaged in one or more phases of the natural gas business. The status of a major portion of the Columbia system companies including United, in relation to the integration requirements of section 11(b)(1) of the Act, was determined by the Commission in its Findings and Opinion and Order of November 30, 1944 issued in respect of Columbia Gas & Electric Corporation et al. (Holding Company Act Release No. 5455; 17 S.E.C. 494). However, jurisdiction was reserved with respect to the retainability by Columbia of its interests in certain subsidiary companies including Amere and Atlantic. Subsequent proceedings have been had with respect to the status of the subsidiary companies covered by this reservation of jurisdiction but the matter has not been presented to the Commission for a decision.

In view of the foregoing, Columbia, United, Amere and Atlantic ("the parties") have agreed and stipulated in the present filing that (1) if the Commission authorizes the proposed merger of Amere into United, and the proposed acquisition by United of the facilities of Atlantic, the parties will not, in any prior or subsequent section 11(b)(1) proceeding instituted by the Commission, take any position or make any argument to the effect that the Commission will have prejudiced or lost its jurisdiction, power or authority to order the divestment of any interest in any portion of the properties now owned by Amere or Atlantic because of the fact that such properties would then be owned by United and (2) the parties consent to the inclusion in the Commission's order that may be entered herein of a reservation of full jurisdiction, power and authority under section 11(b)(1) of the Act.

Notice is further given that any interested person may, not later than September 12, 1963, request in writing that a hearing be held on such matters stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the amended joint application-declaration, as filed or as further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 63–9287; Filed, Aug. 27, 1963; 8:47 a.m.]

[File No. 1–3421]

CONTINENTAL VENDING MACHINE CORP.

Order Summarily Suspending Trading

AUGUST 23, 1963.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976 being listed and registered on the American Stock Exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such securities on such Exchanges and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2–2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of any such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for the period August 25, 1963, through September 3, 1963, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 63–9288; Filed, Aug. 27, 1963; 8:48 a.m.]

[File 7–2316]

ATLAS CORP.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

AUGUST 23, 1963.

In the matter of application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

Atlas Corporation, File 7–2316.

Upon receipt of a request, on or before Sept. 6, 1963, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 63–9289; Filed, Aug. 27, 1963; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 268]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

AUGUST 23, 1963.

The following letter-notices of proposals to operate over deviation routes for operating convenience only, have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1 (d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests, if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 1422 (Deviation No. 4), VOSS TRUCK LINES, INC., 2311 Butler Street, Dallas, Tex., filed August 12, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Springfield, Mo., over Missouri Highway 13 to Warrensburg, Mo., thence over U.S. Highway 50 to Kansas City, Mo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Springfield over U.S. Highway 66 to Carthage, Mo., thence over U.S. Highway 71 to Kansas City, and return over the same route.

No. MC 2900 (Deviation No. 5), RYDER TRUCK LINES, INC., Post Office Box 2408, Jacksonville, Fla., filed August 14, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From the junction of Louisiana Highway 13 and U.S. Highway 90 at Crowley, La., over Louisiana Highway 13 to junction Interstate Highway 10, thence over Interstate Highway 10 to junction Louisiana Highway 97, thence over Louisiana Highway 97 to junction U.S. Highway 90 at Jennings, La., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Crowley over U.S. Highway 90 to Jennings, and return over the same route.

No. MC 3560 (Deviation No. 2), GENERAL EXPRESSWAYS, INC., 1205 South Platte River Drive, Denver 23, Colo., filed August 12, 1963. Attorney: Ken Wolford, 1205 South Platte River Drive, Denver 23, Colo. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Buffalo, N.Y., over Interstate Highway 90 (also known as the New York State Thruway) to Syracuse, N.Y.; (B) from Syracuse over Interstate Highway 90 to Albany, N.Y.; and (C) from Albany over Interstate Highway 87 (also known as the New York State Thruway) to New York, N.Y., and return over the same routes, for operating convenience only. The notice indicates that the carrier presently is authorized to transport the same commodities over pertinent service routes as follows: From Buffalo over New York Highway 5 to Albany; from New York over U.S. Highway 9 to Albany; and from New York across the Hudson River to Jersey City, N.J., thence over U.S. Highway 9 to junction U.S. Highway 9W, thence over U.S. Highway 9W to Albany, and return over the same routes.

No. MC 31237 (Deviation No. 1), JOSEPH M. DIGNAN & SON, INC., 3141 Washington Boulevard, Baltimore 30, Md., filed July 25, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Baltimore, Md., over Interstate Highway 695 to junction Maryland Highway 3, thence over Maryland Highway 3 to junction U.S. Highway 50, thence over U.S. Highway 50 to Washington, D.C., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Baltimore over U.S. Highway 1 to Alexandria, Va., and return over the same route.

No. MC 40858 (Deviation No. 25), THE SILVER FLEET MOTOR EXPRESS, INC., Eastman Road, Kingsport, Tenn., filed July 18, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind. over Interstate Highway 69 to Fort Wayne, Ind., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Indianapolis over U.S. Highway 36 to Anderson, Ind., thence over Indiana Highway 9 to Huntington, Ind., and thence over U.S. Highway 24 to Fort Wayne, and return over the same route.

No. MC 44605 (Deviation No. 3), MILNE TRUCK LINES, INC., 2200 South Third West, Salt Lake City, Utah, 84115, filed August 12, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Indio, Calif., over U.S. Highway 99 to junction California Highway 111, thence over California Highway 111 to junction U.S. Highway 80 near El Centro, Calif., and return over the same route, for operating convenience only. The notice indicates that the carrier presently is authorized to transport the same commodities over a pertinent service route as follows: From Los Angeles, Calif., over U.S. Highway 99 via Indio to El Centro, thence over U.S. Highway 80 to Gila Bend, Ariz., and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Deviation No. 138) (CANCELING DEVIATION NO. 46), THE GREYHOUND CORPORATION (EASTERN GREYHOUND LINES DIVISION), 1400 West Third Street, Cleveland 13, Ohio, filed August 12, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (A) From Albany, N.Y., over Interstate Highway 87 to Lake George, N.Y.; and (B) from junction Interstate Highway 87 and New York Highway 22, south of Plattsburgh, N.Y., over Interstate Highway 87 to junction New York Highway 9, north of Champlain, N.Y., and return over the same routes, for operating convenience only. The notice indicates that the carrier presently is authorized to transport passengers over a pertinent service route as follows: From Albany over New York Highways 9 and 22 to the United States-Canada boundary line, and return over the same route.

No. MC 41638 (Deviation No. 1), DE-LUXE TRAILWAYS, INC., 23 West 16th Street, Chicago 16, Ill., filed August 11, 1963. Attorney: James E. Wilson, 716 Perpetual Bldg., 1111 E Street NW., Washington 4, D.C. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From East St. Louis, Ill., over U.S. Highway 66 to Hamel, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From East St. Louis, Ill., over Alternate U.S. Highway 67 to junction Illinois Highway 3, thence over Illinois Highway 3 to junction By-Pass U.S. Highway 40 to junction By-Pass U.S. Highway 66, thence over By-Pass U.S. Highway 66 to junction U.S. Highway 66, and return over the same route.

No. MC 107109 (Deviation No. 3), INDIANAPOLIS AND SOUTHEASTERN TRAILWAYS, INC., 1318 North Capitol Avenue, Indianapolis, Ind., filed August 11, 1963. Attorney: James E. Wilson, 716 Perpetual Building, 1111 E Street NW., Washington 4, D.C. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (A) From junction U.S. Highway 52 and Interstate Highway 65, approximately five miles from the city limits of Indianapolis, Ind., over Interstate Highway 65 to junction U.S. Highway 52, near Royalton, Ind., and (B) from junction U.S. Highway 52 and Interstate Highway 65, southeast of Lebanon, Ind., over Interstate Highway 65 to junction U.S. Highway 52, northwest of Lebanon, and

return over the same routes, for operating convenience only. The notice indicates that the carrier presently is authorized to transport passengers over a pertinent service route as follows: From Indianapolis over U.S. Highway 52 to junction Indiana Highway 47, and return over the same route.

No. MC 107109 (Deviation No. 4), INDIANAPOLIS & SOUTHEASTERN TRAILWAYS, INC., 1318 North Capitol Avenue, Indianapolis, Ind., filed August 11, 1963. Attorney: James E. Wilson, 716 Perpetual Building, 1111 E Street NW., Washington 4, D.C. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (A) From Gary, Ind., over Interstate Highway 94 to Chicago, Ill.; (B) from Hammond, Ind., over Alternate U.S. Highway 30 and Interstate Highway 90 to Chicago, and return over the same routes, for operating convenience only. The notice indicates that the carrier presently is authorized to transport passengers over a pertinent service route as follows: From Gary over U.S. Highways 20 and 12 to Chicago, and return over the same route.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-9234; Filed, Aug. 27, 1963; 8:50 a.m.]

[Notice 557]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

AUGUST 23, 1963.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and prehearing conferences will be called at 9:30 a.m., U.S. standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 1485 (Sub-No. 7), filed February 24, 1963. Applicant: SCHROLL TRANSPORTATION, INCORPORATED, 360 Governor Street, East Hartford, Conn. Applicant's attorney: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packinghouses* as defined by the Commission, restricted against the transportation of such commodities in bulk, in tank vehicles, from Southboro, Mass., to points in Connecticut, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: October 8, 1963, at the Hotel Essex, Boston, Mass., before Joint Board No. 22.

No. MC 2229 (Sub-No. 118), filed June 10, 1963. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard (Post Office Box 10837), Dallas 7, Tex. Applicant's attorney: Charles D. Mathews (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, including Classes A and B explosives, but excluding household goods as defined by the Commission, articles of unusual value, commodities in bulk, and those requiring special equipment, (1) between Bernice, La., and Monroe, La., including West Monroe, La., as follows: From Bernice, La., over Louisiana Highway 2 to its intersection with Louisiana Highway 143, thence over Louisiana Highway 143 to its intersection with Interstate Highway 20 and U.S. Highway 80, thence over Interstate Highway 20 and U.S. Highway 80 to West Monroe and Monroe, La., serving all intermediate points, and return over the same route; (2) between the intersection of Louisiana Highway 2 and Louisiana Highway 143 (west of Sterlington, La.) and Sterlington, La., over Louisiana Highway 2, serving no intermediate points and return over the same route; (3) between Sterlington, La., and Monroe, La., including West Monroe, La., as follows: from Sterlington, La., over Louisiana Highway 143 to its intersection with U.S. Highway 165, thence over U.S. Highway 165 to Monroe and West Monroe, La., serving no intermediate points located on U.S. Highway 165, and return over the same route; (4) between El Dorado, Ark., and Marion, La., as follows: over U.S. Highway 167 to its intersection with Arkansas Highway 558, thence over Arkansas Highway 558 to the Arkansas-Louisiana State Line, thence over Louisiana Highway 15 to Farmerville, La., thence over Louisiana Highway 33 to Marion, La., serving all intermediate points, and return over the same route, (5) between El Dorado, Ark., and Marion, La., as follows: from El Dorado, Ark., over U.S. Highway 82 to Strong, Ark., thence over Arkansas Highway 13 to the Arkansas-Louisiana State Line, and thence over Louisiana Highway 33 to Marion, La., serving all intermediate points, and return over the same route; (6) between Marion, La., and the intersection of Louisiana Highway 143 and Louisiana Highway 2, over Louisiana Highway 143, and return, serving all intermediate points.

NOTE: Applicant proposes under the instant application a complete coordination of service between all points presently served by it under MC 2229 and subs thereof, on the one hand, and, on the other, points proposed to be served by it under the instant application.

HEARING: October 7, 1963, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 35, or if the Joint Board waives its right to participate before Examiner Samuel Horwich.

No. MC 2989 (Sub-No. 31), filed August 21, 1963. Applicant: DAYS TRANSFER, INC., 1223 Sixth Avenue, Des Moines, Iowa. Applicant's attorney: Homer E. Bradshaw, Suite 510, Central National Building, Des Moines 9, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, bullion, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant site of the L. A. Darling Company, located on Michigan Highway 86 approximately four and one-half (4½) miles north of Bronson, Mich., as an off-route point in connection with applicant's regular-route operations between Elkhart, Ind. and Ypsilanti, Mich.

HEARING: September 24, 1963, at the Federal Building, Lansing, Mich., before Joint Board No. 76.

No. MC 5429 (Sub-No. 13) (AMENDMENT), filed February 14, 1963, published FEDERAL REGISTER issue of July 3, 1963, amended August 16, 1963, and republished as amended this issue. Applicant: LYON VAN LINES, INC., 1950 South Vermont Avenue, Los Angeles 7, Calif. Applicant's attorney: Wyman C. Knapp, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *New uncrated furniture and technical furniture, uncrated, requiring special padded van service*, from points in California, to points in the United States, and *damaged and defective shipments of the commodities specified above*, on return.

NOTE: Common control may be involved. The purpose of this republication is to substitute "points in the United States" for the destination points shown in the previous publication.

HEARING: Remains as assigned September 9, 1963, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner James I. Carr.

No. MC 20783 (Sub-No. 64), filed May 9, 1963. Applicant: TOMPKINS MOTOR LINES, INC., 638 Langley Place, Decatur, Ga. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packing houses*, from Fort Branch, Ind., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

HEARING: October 9, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Armin G. Clement.

No. MC 21866 (Sub-No. 51) (AMENDMENT), filed June 5, 1963, published in the FEDERAL REGISTER issued July 10, 1963, amended August 19, 1963, and republished as amended this issue. Applicant: WEST MOTOR FREIGHT, INC., 740 South Reading Avenue, Boyertown, Pa. Applicant's attorney: Morris J. Winokur, Suite 1920, Two Penn Center Plaza,

Pennsylvania Boulevard at 15th Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Voting machines*, between Reading, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Virginia, West Virginia, Alabama, Arkansas, Florida, Georgia, Iowa, Kentucky, Louisiana, Maine, Minnesota, Mississippi, Missouri, New Hampshire, Tennessee, Vermont, Wisconsin, and the District of Columbia.

NOTE: The purpose of this republication is to show enlarged territorial description and indicate new hearing information.

HEARING: October 10, 1963, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Samuel C. Shoup.

No. MC 25798 (Sub-No. 99), filed August 21, 1963. Applicant: CLAY HYDER TRUCKING LINES, INC., 301 Highway North, Dade City, Fla. Applicant's attorney: Daniel B. Johnson, Suite 1250 Federal Bar Building, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Meats, meat products, meat by-products, dairy products and articles distributed by meat packinghouses*, from points in Minnesota to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

HEARING: September 26, 1963, at the Dupont Plaza Hotel, 300 Biscayne Boulevard Way, Miami, Fla., before Examiner Lyle C. Farmer.

No. MC 30844 (Sub-No. 122), (CORRECTION), filed July 29, 1963, published FEDERAL REGISTER issue of August 14, 1963, and republished as corrected this issue. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as described in Sections A, B and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and 766, from Lincoln, Nebr., to points in Connecticut, Delaware, Maine, Rhode Island Vermont, Virginia, and the District of Columbia.

NOTE: The purpose of this republication is to add dairy products inadvertently omitted from the previous publication.

HEARING: Remains as assigned September 30, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Samuel Horwich.

No. MC 31600 (Sub-No. 541), filed March 1, 1963. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham 54, Mass. Applicant's attorney: H. C. Ames, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules, powder and pellets*, in bulk, in hopper type shipper-owned vehicles, from Springfield, Mass., to Deep River, Conn.

HEARING: October 8, 1963, at the Hotel Essex, Boston, Mass., before Joint Board No. 22.

No. MC 33807 (Sub-No. 2), filed May 27, 1963. Applicant: NASHUA MOTOR EXPRESS, INC., 270 Amherst Street, Nashua, N.H. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston 8, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel on hangers*, from Manchester, N.H., to points in Massachusetts.

NOTE: Applicant states "duplications with existing authority to be eliminated."

HEARING: October 10, 1963, at the New Hampshire Public Utilities Commission, Concord, N.H., before Joint Board No. 20.

No. MC 36151 (Sub-No. 36), filed August 11, 1963. Applicant: HENRY JENKINS TRANSPORTATION CO., INCORPORATED, Braintree Industrial Plaza, Braintree 84, Mass. Applicant's attorney: Kenneth B. Williams, 111 State Street, Boston 9, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over *regular routes*, transporting: *Bakery products*, serving Nashua and Manchester, N.H., as off-route points in connection with applicant's authorized regular route operations.

HEARING: October 9, 1963, at the New Hampshire Public Utilities Commission, Concord, N.H., before Joint Board No. 186.

No. MC 38907 (Sub-No. 1), filed July 3, 1963. Applicant: GOLD STAR TRUCKING, INC., 2449 Massachusetts Avenue, Cambridge 40, Mass. Applicant's attorney: George C. O'Brien, 33 Broad Street, Boston 9, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Finished lumber*, such as *interior finish, doors, windows, casements, flooring* and *plywood*, uncrated, from Watertown, Mass., to points in Maine located on and south of Maine Highway 25.

HEARING: October 31, 1963, at the Hotel Essex, Boston, Mass., before Examiner Francis A. Welch.

No. MC 47702 (Sub-No. 4), filed July 15, 1963. Applicant: HUNTING'S EXPRESS COMPANY, a corporation, 23 Bridges Avenue, Newtonville 60, Mass. Applicant's attorney: George C. O'Brien, The Eighth Floor, 33 Broad Street, Boston 9, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caps and gowns*, between Boston, Mass., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island.

HEARING: October 31, 1963, at the Hotel Essex, Boston, Mass., before Examiner Francis A. Welch.

No. MC 52460 (Sub-No. 67), filed August 12, 1963. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. Applicant's attorney: Louis I. Dailey, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum treating compounds*, in bulk, in tank vehicles, and in containers, from Oklahoma City and Tulsa, Okla. and points within ten (10) miles of each, to points in Alabama, Arizona, Arkansas, California, Colorado, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Mexico, South Dakota, Texas, Wyoming and ports of entry on the International Boundary line between the United States and Mexico located at Brownsville and Hidalgo, Tex., and *refused and rejected shipments*, on return.

HEARING: September 5, 1963, at the Federal Building, 200 Northwest Fourth, Oklahoma City, Okla., before Examiner Joseph A. Reilly.

No. MC 52776 (Sub-No. 10), filed June 25, 1963. Applicant: E. V. FITCH, JR., doing business as FITCH MOTOR LINES, 1510 Gardner Avenue, Scranton, Pa. Applicant's attorney: Daniel H. Jenkins, Suite 309 Mears Building, Scranton 3, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Lackawanna, Luzerne and Schuylkill Counties, Pa., to points in Connecticut (except Fairfield, Hartford, Litchfield, and New Haven Counties), Maine, Massachusetts, Vermont, Rhode Island, and New Hampshire.

HEARING: October 28, 1963, at the Hotel Essex, Boston, Mass., before Examiner Francis A. Welch.

No. MC 55236 (Sub-No. 72), filed August 1, 1963. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients*, and *chemicals*, in bulk, in tank and hopper type vehicles, from Cordova, Ill. and points within ten (10) miles thereof, to points in Iowa, Nebraska, Missouri, Kentucky, Minnesota, Indiana, Michigan, Wisconsin, Kansas, Illinois, North Dakota, and South Dakota.

HEARING: October 15, 1963, at the Conrad Hilton, Chicago, Ill., before Examiner W. Elliott Nefflen.

No. MC 64932 (Sub-No. 326), filed July 29, 1963. Applicant: ROGERS CARTAGE CO., a corporation, 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South LaSalle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, fertilizer, and fertilizer ingredients*, in bulk, from Cordova, Ill., and points within ten (10) miles thereof, to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Tennessee.

HEARING: October 15, 1963, at the Conrad Hilton, Chicago, Ill., before Examiner W. Elliott Nefflen.

No. MC 71902 (Sub-No. 67), filed July 29, 1963. Applicant: UNITED TRANSPORTS, INC., 4900 North Santa Fe, Oklahoma City, Okla. Applicant's attorney: James W. Wrape, 2111 Sterick

Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, tractors, chassis, cabs, bodies and parts thereof*, and *damaged and rejected shipments*, in secondary movements, in truckaway service, between points in Arizona, Kansas, New Mexico, Oklahoma and Texas, on the one hand, and on the other, points in Alabama, Arkansas, Georgia, Louisiana and Mississippi.

HEARING: October 4, 1963, at the Federal Building, 200 Northwest Fourth, Oklahoma City, Okla., before Examiner William J. Cave.

No. MC 73165 (Sub-No. 175), filed June 3, 1963. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. Applicant's attorney: Donald L. Morris, 1001 Bank for Savings Building, Birmingham 3, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Board, building wall or insulating, including, but not limited to, fibreboard or pulpboard, made of vegetable wood or mineral fibres, mineral or mineral and wood fibres or vegetable fibres combined, ceiling or wall mouldings, panels or ornaments, boards or sheets, made from sugar cane bagasse with added resin binder*, and (2) *asbestos wallboards, asphalt siding, and asphalt expansion joints, either building, paving or roofing*, (a) from New Orleans, Armant, and Marrero, La., to points in Alabama, Georgia, Illinois, Indiana, Kentucky, Mississippi, Ohio, and Tennessee, and (b) from Largo and Wabash, Ind., and Waukegan, Ill., to points in Alabama, Georgia, Kentucky, Louisiana, Mississippi, and Tennessee, and (3) *only empty container or other such incidental facilities* (not specified), used in transporting the commodities specified in (1) and (2) above, on return.

HEARING: October 14, 1963, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Samuel Horwich.

No. MC 76266 (Sub-No. 107), filed August 7, 1963. Applicant: ADMIRAL-MERCHANTS MOTOR FREIGHT, INC., 2625 Territorial Road, St. Paul 14, Minn. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Kansas City, Mo., and Denver, Colo., from Kansas City over Interstate Highway 70 (over U.S. Highways 40, 83 and 24, as access routes between completed segments of Interstate Highway 70), to Denver, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations.

NOTE: Common control may be involved.

HEARING: October 14, 1963, at the Pickwick Motor Inn (Park East Hotel), McGee and 10th Streets, Kansas City, Mo., before Joint Board No. 178.

No. MC 83539 (Sub-No. 103) (AMENDMENT), filed July 10, 1963 published FEDERAL REGISTER issue July 24, 1963, amended August 19, 1963, and republished as amended this issue. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, P.O. Box 5976, Dallas, Tex. Applicant's attorney: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City 3, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Transformers and circuit breakers*, from the plant site of the Pennsylvania Transformer Division of McGraw Edison Company, located at Cannonsburg, Pa., to points in Arizona, Arkansas, California, Colorado, Idaho and Illinois (except Chicago, Ill., and Illinois points in the Chicago Commercial Zone), points in Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri (except St. Louis, Mo., and points in the St. Louis Commercial Zone), Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming.

NOTE: The purpose of this republication is to show a change in the commodity description, and origin point, in lieu of that as shown in previous publication.

HEARING: Remains as assigned September 24, 1963, at the Baker Hotel, Dallas, Tex., before Examiner Frank R. Saltzman.

No. MC 89520 (Sub-No. 12), filed July 23, 1963. Applicant: C. J. VAN BEEKUM, INC., 2223 Seventh Street, Lubbock, Tex. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Explosives, blasting agents, materials and supplies*, from Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla., to points in Oklahoma and Louisiana, and (2) *ingredients, materials and supplies* used in the manufacture and sale of explosives, blasting agents, materials and supplies, from points in Oklahoma and Louisiana, to Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla.

NOTE: Applicant is also authorized to conduct operations as a common carrier in MC 117149; therefore, dual operations may be involved.

HEARING: October 14, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank J. Mahoney.

No. MC 95540 (Sub-No. 529), filed May 26, 1963. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Portland, Maine to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas.

NOTE: Common control may be involved.

HEARING: November 6, 1963, at the Federal Building, Federal Street, Portland, Maine, before Examiner Francis A. Welch.

No. MC 95540 (Sub-No. 542), filed July 29, 1963. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Belvidere, Ill., to points in Indiana, Michigan, Ohio, West Virginia, Virginia, Maryland, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine.

NOTE: Common control may be involved.

HEARING: October 16, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 95540 (Sub-No. 543), filed July 29, 1963. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Post Office Box 828, Thomasville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Belvidere, Ill., to points in Kentucky, North Carolina, South Carolina, Georgia, Alabama, Florida, Tennessee (except Memphis Commercial Zone), Mississippi, and Louisiana.

NOTE: Common control may be involved.

HEARING: October 16, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 100666 (Sub-No. 50), filed March 25, 1963. Applicant: MELTON TRUCK LINES, INC., Box 7295, Shreveport, La. Applicant's attorney: Wilburn L. Williamson, 443–54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and building slabs* (composed of wood fibre and cement) and *materials used in the installation thereof* when moving incidental to and in the same vehicle with roofing and building slabs, from Terry, Miss., to points in Oklahoma, Texas, Arkansas, Louisiana, Tennessee, Kentucky, Alabama, Georgia, and Florida.

HEARING: October 2, 1963, at the Washington-Youree Hotel, Shreveport, La., before Examiner Samuel Horwich.

No. MC 100666 (Sub-No. 54), filed July 8, 1963. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7295, Shreveport, La. Applicant's attorney: Wilburn L. Williamson, 443–54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, roofing and insulating material* and

gypsum and gypsum products, from the plant sites of National Gypsum Co. located at or near Medicine Lodge, Kans. and Westwego, La. to points in Arkansas.

HEARING: October 3, 1963, at the Washington-Youree Hotel, Shreveport, La., before Examiner Samuel Horwich.

No. MC 100666 (Sub-No. 55), filed July 8, 1963. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7295, Shreveport, La. Applicant's attorney: Wilburn L. Williamson, 443–54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards*, building, wall and insulating and *accessories*, used in the installation thereof, from Mobile, Ala., to points in Louisiana, Arkansas, Missouri, Kansas, Oklahoma, Texas, New Mexico, and Colorado.

HEARING: October 4, 1963, at the Washington-Youree Hotel, Shreveport, La., before Examiner Samuel Horwich.

No. MC 103880 (Sub-No. 295), filed July 29, 1963. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, fertilizer, and fertilizer ingredients*, in bulk, from Cordova, Ill., and points within ten (10) miles thereof, to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Tennessee.

HEARING: October 15, 1963, at the Conrad Hilton, Chicago, Ill., before Examiner W. Elliott Neffien.

No. MC 104832 (Sub-No. 8), filed June 3, 1963. Applicant: HOLMAN TRANSFER COMPANY, a corporation, 49 Southeast Clay Street, Portland 14, Oreg. Applicant's attorney: Earle V. White, 2130 Southwest Fifth Avenue, Portland 1, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar solutions, corn syrup, corn syrup solutions, mixtures of corn syrup and sugar, and flavoring syrup*, in bulk, in tank vehicles, from Portland, Oreg., to points in Washington, and *rejected and contaminated shipments* of the above described commodities, on return.

HEARING: September 30, 1963, at the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Joint Board No. 45, or, if the Joint Board waives its right to participate before Examiner Harold P. Boss.

No. MC 105678 (Sub-No. 18), filed July 23, 1963. Applicant: SECO TRUCKING CO., a corporation, 219 North Jackson Avenue, Mason City, Iowa. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Explosives, blasting agents, materials and supplies*, from Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla., to points in Minnesota, Wisconsin, Michigan, Kansas, Arkansas, Indiana, Ohio, and Pennsylvania, and (2) *ingredients, materials, and supplies* used in the manufacture and sale of explosives, blasting agents, materials, and supplies, from points in Minnesota, Wisconsin, Michigan, Kansas, Arkansas, Indiana, Ohio, Pennsylvania, Illinois, and Iowa, to Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla.

HEARING: October 14, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank J. Mahoney.

No. MC 106051 (Sub-No. 27), filed May 26, 1963. Applicant: OLD COLONY TRANSPORTATION CO., INC., 56 Prospect Street, New Bedford, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Women's dresses, suits and skirts, on hangers and in cartons, piece goods, cut and uncut, and materials, supplies and accessories, used or useful in the manufacture of such commodities*, serving Rutland, Vt., as an off-route point in connection with applicant's authorized regular route operations between Albany, N.Y., and Boston, Mass., over U.S. Highway 20.

HEARING: October 16, 1963, at the Washington County Court House, Montpelier, Vt., before Joint Board No. 116.

No. MC 107107 (Sub-No. 275), filed June 28, 1963. Applicant: ALTERMAN TRANSPORT LINES, INC., Post Office Box 65, Allapattah Station, Miami 42, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products*, from Fort Worth, Tex., to points in Alabama, Georgia, North Carolina, and South Carolina.

HEARING: October 7, 1963, at the Baker Hotel, Dallas, Tex., before Examiner William J. Cave.

No. MC 107403 (Sub-No. 489), filed August 13, 1963. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat scrap, bone meal, poultry by-product meal* and *other feed ingredients* (except fertilizer) dry, in bulk, in tank and hopper type vehicles, between points in Delaware, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia, and the District of Columbia.

HEARING: September 23, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Walter R. Lee.

No. MC 107515 (Sub-No. 449), filed July 24, 1963. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Paul M. Daniell, Suite 214–217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salad dressings*, in vehicles equipped with mechanical refrigeration, from Dallas, Tex., to points in Alabama (except Birmingham), Georgia, Florida, South Carolina, North Carolina, Tennessee (except Nashville and Memphis), Indiana, Ohio, Michigan, and Kentucky.

NOTE: Common control may be involved.

HEARING: October 14, 1963, at the Baker Hotel, Dallas, Texas, before Examiner William J. Cave.

No. MC 109397 (Sub-No. 73), filed July 15, 1963. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's attorney: Max G. Morgan, 443–54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *High explosives, and radioactive materials*, between points in Arkansas and Texas, on the one hand, and, on the other, points within ten (10) miles of Selma, Ala.

NOTE: Applicant states service at Selma, Ala. shall be restricted to interchange with other motor carriers. Applicant requests specific authorization to interline with other carriers and to tack with its existing authorities.

HEARING: October 9, 1963, at the Baker Hotel, Dallas, Tex., before Examiner William J. Cave.

No. MC 109435 (Sub-No. 29), filed July 10, 1963. Applicant: ELLSWORTH BROS. TRUCK LINE, INC., Drawer J, Stroud, Okla. Applicant's attorney: Max G. Morgan, 443–54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer*, in bulk, from Bartlesville, Okla., to points in Kansas, Missouri and Arkansas, and (2) *fertilizer*, in bags, from Bartlesville, Okla., to points in Arkansas, points in Kansas (except Atchison, Lawrence, Leavenworth and Topeka), and points in Missouri on and south of U.S. Highway 50 (restricted against service to Sedalia and Jefferson City).

HEARING: October 3, 1963, at the Federal Building, 200 Northwest Fourth, Oklahoma City, Okla., before Examiner William J. Cave.

No. MC 109689 (Sub-No. 143) (CORRECTION), filed March 3, 1963, published FEDERAL REGISTER issue of July 3, 1963, and August 14, 1963, and corrected this issue. Applicant: W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, Utah. Applicant's attorney: Mark K. Boyle, 345 South State Street, Salt Lake City 1, Utah. The purpose of this republication is to show the correct hearing designation erroneously published in previous issue.

HEARING: October 1, 1963, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 110284 (Sub-No. 19) (AMENDMENT), filed May 23, 1963, published in FEDERAL REGISTER issue of August 14, 1963, amended August 20, 1963, and republished, as amended, this issue. Applicant: H. W. MILLER TRUCKING COMPANY, a corporation, Post Office Box 115, West Durham Station, Durham, N.C. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E

Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, not including liquid fertilizer in bulk in tank vehicles, (1) from Wilmington, Durham, Selma, Greensboro, and Henderson, N.C., to points in Virginia, (2) from Norfolk, Va., and points within 25 miles thereof including Suffolk, Hopewell, Richmond, and Danville, Va., and Charleston, S.C., to points in North Carolina, and (3) from Wilmington, N.C., to points in South Carolina on and east of U.S. Highway 26, and *refused, damaged and rejected shipments*, on return.

NOTE: The purpose of this republication is to add "refused, damaged and rejected shipments, on return".

HEARING: Remains as assigned October 1, 1963, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Joint Board No. 196.

No. MC 110525 (Sub-No. 576), (AMENDMENT), filed May 15, 1963, published in FEDERAL REGISTER issue June 12, 1963, and republished as amended this issue. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lacquers, sealers, drawer coaters, thinners, and materials*, used for wood finishes, in bulk, in tank vehicles, (1) between Indianapolis, Ind., on the one hand, and, on the other, points in Arkansas, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, and (2) from Indianapolis, Ind., to Louisville, Ky.

NOTE: The purpose of this republication is to add (2) as above.

HEARING: October 11, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Armin G. Clement.

No. MC 110698 (Sub-No. 249), filed May 27, 1963. Applicant: RYDER TANK LINE, INC., Winston Salem Road, Post Office Box 457, Greensboro, N.C. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Styrene*, in bulk, in tank vehicles, from Baton Rouge, La,, to Port Neches, Tex.

NOTE: Common control may be involved.

HEARING: October 9, 1963, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 32, or, if the Joint Board waives its right to participate, before Examiner Samuel Horwich.

No. MC 112617 (Sub-No. 154), filed August 9, 1963. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, and fertilizer ingredients, and chemicals*, in bulk, from Cordova, Ill., and points within 10 miles thereof, to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin.

HEARING: October 15, 1963, at the Conrad Hilton, Chicago, Ill., before Examiner W. Elliott Neffien.

No. MC 112497 (Sub-No. 202), filed April 4, 1963. Applicant: HEARIN TANK LINES, INC., 6440 Rawlins Street, Baton Rouge, La. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fluorinated hydrocarbons*, in bulk, in tank vehicles, from Gramercy, La., and points within 10 miles thereof, to points in the United States, except Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Alaska, and Hawaii.

HEARING: October 17, 1963, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Samuel Horwich.

No. MC 112582 (Sub-No. 19), filed July 19, 1963. Applicant: T. M. ZIMMERMAN COMPANY, a corporation, 227 West Commerce Street, Chambersburg, Pa. Applicant's attorney: John M. Musselman, 400 North Third Street (Post Office Box 46), Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen meats*, and *meat products*, from Boston, Mass. to points in Pennsylvania on and west of U.S. Highway 202.

HEARING: October 30, 1963, at the Hotel Essex, Boston, Mass., before Examiner Francis A. Welch.

No. MC 112617 (Sub-No. 140) (AMENDMENT), filed April 5, 1963, published FEDERAL REGISTER issue of May 22, 1963, amended, June 3, 1963, and republished as amended, this issue. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lacquers, sealers, drawer coaters, thinners and materials used for wood finishes*, in bulk, in tank vehicles, (1) between Indianapolis, Ind., on the one hand, and, on the other, points in Arkansas, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia and (2) from Indianapolis, Ind., to Louisville, Ky.

NOTE: The purpose of this republication is to delete the words "in shipper-owned tank trailers" and substitute in lieu thereof the words "in tank vehicles".

HEARING: October 11, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Armin G. Clement.

No. MC 112694 (Sub-No. 3), filed August 2, 1963. Applicant: JAMES J. GALLERY, INC., 73 Stanley Avenue, Watertown 72, Mass. Applicant's attorney: Kenneth B. Williams, 111 State Street, Boston 9, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Boston and Watertown, Mass., to points in Connecticut.

HEARING: October 7, 1963, at the Hotel Essex, Boston, Mass., before Joint Board No. 22.

No. MC 113459 (Sub-No. 26), filed June 7, 1963. Applicant: H. J. JEFFRIES TRUCK LINE, INC., 4720 South Shields Boulevard, Oklahoma City 29, Okla. Applicant's attorney: James W. Hightower, Wynnewood Professional Building, Dallas 24, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lift trucks, platform and warehouse tractors and their parts and attachments*, from Cleveland, Ohio to points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas, and *damaged or rejected shipments thereof*, on return.

HEARING: September 30, 1963, at the Federal Building, 200 Northwest Fourth, Oklahoma City, Okla., before Examiner William J. Cave.

No. MC 113475 (Sub-No. 14), filed July 24, 1963. Applicant: RAWLINGS TRUCK LINE, INCORPORATED, Post Office Box 831, Emporia, Va. Applicant's attorney: Jno. C. Goddin, Insurance Building, 10 South Tenth Street, Richmond 19, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flakeboard*, from Farmville, N.C., to points in Maryland, Pennsylvania, West Virginia, Ohio, Delaware, New Jersey, New York, Connecticut, Indiana, Kentucky, Massachusetts, Michigan, Rhode Island, Tennessee, Vermont, the District of Columbia, Virginia, and Illinois.

NOTE: Applicant states that it is now authorized to originate traffic at Farmville, N.C., under its "lumber" authority, and the destination area involved in this application is co-extensive with the destination areas included in its present "lumber" authority. Applicant seeks no expansion of either origin or destination territory.

HEARING: October 15, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Joseph A. Reilly.

No. MC 113666 (Sub-No. 15), filed July 28, 1963. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, Pa. Applicant's attorney: James W. Hagar, Commerce Building, Post Office Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bonding mortar, brick and tile, refractory products and refractory materials*, (1) from Canonsburg, Pa., to points in Connecticut, Delaware, Indiana, Illinois, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Rhode Island, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (2) from Hawstone, Granville Township, Juniata County, and Johnstown, Pa., to points in Delaware, Maryland, Michigan, New Jersey, New York, Ohio, and West Virginia.

HEARING: October 15, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lacy W. Hinely.

No. MC 113678 (Sub-No. 43), filed May 8, 1963. Applicant: CURTIS, INC., 770 East 51st Street, Denver 16, Colo. Applicant's attorney: Duane W. Acklie, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and packinghouses products*, as described by the Commission in Appendix I, 61 M.C.C. 209, from Charlestown, Mass., to points in Colorado.

NOTE: Common control may be involved.

HEARING: October 29, 1963, at the Hotel Essex, Boston, Mass., before Examiner Francis A. Welch.

No. MC 113678 (Sub-No. 50), filed July 2, 1963. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, not requiring refrigeration, from points in Washington, Hancock, Knox and Lincoln Counties, Maine to points in Colorado, California, Minnesota, Indiana, Illinois, Utah, Ohio, Texas, North Dakota, and Kansas.

HEARING: November 4, 1963, at the Federal Building, Federal Street, Portland, Maine, before Examiner Francis A. Welch.

No. MC 113678 (Sub-No. 55), filed August 11, 1963. Applicant: CURTIS, INC., 770 East 51st Street, Denver 16, Colo. Applicant's attorney: Duane W. Acklie, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuff* (except meats, meat products, meat by-products and articles distributed by meat packing houses) from points in Colorado on and east of the Continental Divide, to New York City, N.Y., and points in its commercial zone and to Boston, Mass., and points in its commercial zone.

HEARING: October 1, 1963, at the New Customs House, Denver, Colo., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 114045 (Sub-No. 115), filed July 23, 1963. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products*, from points in Texas, to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

HEARING: October 10, 1963, at the Baker Hotel, Dallas, Tex., before Examiner William J. Cave.

No. MC 114533 (Sub-No. 64), filed March 31, 1963. Applicant: B. D. C. CORPORATION, 4658 South Kedzie Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Proofs, cuts, copy, photo engravings, artwork, photographic supplies, illustrations, manuscripts, photographs and other source materials, printed material, advertising and display material, including films and transcriptions* as are used by printing and advertising businesses and customers thereof, limited to shipments weighing less than 70 pounds per shipment, between Chicago, Northfield and Waukegan, Ill., on the one hand, and, on the other, points in Michigan, Indiana, and Milwaukee and Racine, Wis., and Toledo, Akron and Cleveland, Ohio.

HEARING: September 30, 1963, at the Midland Hotel, Chicago, Ill., before Examiner Armin G. Clement.

No. MC 115379 (Sub-No. 10), filed August 11, 1963. Applicant: JOHN D. BOHR, JR., Rural Delivery No. 2, Annville, Pa. Applicant's attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone products*, from points in Lancaster County, Pa., to points in Harford, Cecil, Kent, Queen Annes, Talbot, Carolina, Dorchester, Wicomico, Somerset and Worcester Counties, Md., and points in Delaware.

HEARING: October 17, 1963, in Room 709, U.S. Appraisers' Stores Building, Gay and Lombard Streets, Baltimore, Md., before Joint Board No. 199.

No. MC 115841 (Sub-No. 139), filed June 28, 1963. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except frozen berries, fruits and vegetables), in vehicles equipped with mechanical refrigeration, from Nashville, Tenn., to points in Florida.

HEARING: October 14, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner H. Reece Harrison.

No. MC 115946 (Sub-No. 27), filed August 6, 1963. Applicant: GAY TRUCKING COMPANY, a corporation, 4800 Augusta Road, Post Office Box 7055, Savannah, Ga. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington 36, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer and dry fertilizer materials and ingredients and dry chemicals*, in bulk, in tank and hopper vehicles, and *returned and rejected shipments*, between points in Chatham, Floyd, Fulton, and Polk Counties, Ga.; Brunswick, Durham, Forsyth, Guilford, Johnston, Lenoir, Martin, Mecklenburg, New Hanover, and Vance Counties, N.C.; Charleston, Chester, Darlington, Greenville, Richland, and Spartanburg Counties, S.C.; Greene, Hamilton, Knox, and Washington Counties, Tenn.; and Amherst, Campbell, Henrico, Nansemond, Norfolk, Pittsylvania and Prince George Counties, Va.; and Chesapeake City, Va., on the one hand, and, on the other, points in Georgia, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, and (2) *dry fertilizer*, in bulk, in tank and hopper vehicles, and *returned and rejected shipments*, between points in Georgia, North Carolina, South Carolina, Tennessee, and Virginia.

HEARING: September 20, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Donald R. Sutherland.

No. MC 116077 (Sub-No. 145), filed March 29, 1963. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, 401 Perry-Brooks Building, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fluorinated hydrocarbons*, in bulk, from Gramercy, La., and points within ten (10) miles thereof, to points in the United States (except Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Alaska, and Hawaii).

HEARING: October 17, 1963, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Samuel Horwich.

No. MC 116077 (Sub-No. 147) filed July 24, 1963. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, 721 Brown Building, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hexamethylenediamene*, in bulk, in tank vehicles, from Corpus Christi, Tex., to Charlotte, N.C.

HEARING: October 15, 1963, at the Federal Building and U.S. Court House, 515 Rusk Street, Houston, Texas, before Examiner William J. Cave.

No. MC 116459 (Sub-No. 33), filed August 12, 1963. Applicant: RUSS TRANSPORT, INC., P.O. Box 4022, Pineville Road, Chattanooga 5, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk and in packages, from Wilsonville, Ala., to points in Georgia, Florida, Mississippi, and Tennessee.

HEARING: September 23, 1963, at the Hotel Thomas Jefferson, Birmingham, Ala., before Examiner Alvin H. Schutrumpf.

No. MC 116710 (Sub-No. 10), filed June 19, 1963. Applicant: MISSISSIPPI CHEMICAL EXPRESS, INC., Box 1634, Hattiesburg, Miss. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sulphur dioxide*, in bulk, in tank vehicles, from Plantsite of Stauffer Chemical Company, Consolidated Chemical Industries Div., located at Baton Rouge, La., to points in New Mexico, Louisiana, and Texas.

HEARING: October 11, 1963, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 171, or, if the Joint Board waives its right to participate, before Examiner Samuel Horwich.

No. MC 117509 (Sub-No. 11), filed July 23, 1963. Applicant: BEN R. SCHILLI, doing business as SCHILLI TRANSPORTATION, 8944 Granbury Circle, St. Louis 23, Mo. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Explosives, blasting agents, materials, and supplies*, from Atlas, Mo., and

the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla., to points in Kentucky, Virginia, West Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida, and *ingredients, materials, and supplies* used in the manufacture and sale of explosives, blasting agents, materials, and supplies, from points in the above named destination states to Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc. located at or near Baxter Springs, Kans., and Pitcher, Okla.

HEARING: October 14, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank J. Mahoney.

No. MC 118489 (Sub-No. 2) (REPUBLICATION and CLARIFICATION), filed December 19, 1960, published in FEDERAL REGISTER issue of March 8, 1961, and republished this issue. Applicant: HERBERT N. KOPPERUD, doing business as KOPPERUD TRANSPORTATION, Palmer, Alaska. By application filed December 19, 1960, applicant seeks a certificate of public convenience and necessity to continue to operate as a common carrier, by motor vehicle, over irregular routes, under the applicable "grandfather" provisions of the Interstate Commerce Act, transporting: General Commodities, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, and commodities in bulk, in tank type equipment, (1) between Anchorage, Alaska and points in Alaska, (2) between Palmer, Alaska, and points in Alaska, (3) between Seward, Alaska, and points in Alaska, (4) between points in the commercial zones of Anchorage, Palmer and Wasilla, Alaska. Hearing was held March 14, 1963, at Anchorage, Alaska. At the hearing the application was clarified by redescribing the geographic scope thereof as "between all points within 50 miles of the Alaska Railroad lying between Palmer, Alaska, and Cantwell, Alaska," subject to republication in the FEDERAL REGISTER. A Report and Order served June 18, 1963, effective July 18, 1963 finds that on and continuously since August 26, 1958, applicant has been engaged in operation in interstate or foreign commerce as a *common carrier* by motor vehicle over irregular routes of *building materials, contractors' and mining machinery, equipment, materials and supplies* (except when transported in tank type equipment), (1) between points in Alaska located on and within 50 miles of the Alaska Railroad, between Palmer, Alaska, and Cantwell, Alaska; (2) between points in Alaska located on and within 25 miles of Alaska Highway 1, between and including junction of Alaska Highways 1 and 9, north and west of Moose Pass, Alaska, and Tok, Alaska; (3) between points on and within 25 miles of Alaska Highway 2, between and including Tok, Alaska, and the United States-Canadian Boundary; and (4) between points on Alaska Highway 9, between and including Moose Pass, Alaska, and the junction of Alaska Highways 1 and 9, north and west of Moose Pass, Alaska; and that a certificate authorizing continuance of such operation should be granted. The purpose of this republication is merely to show the clarification of the application so that if any interested party is prejudiced by the application as clarified, he may file an appropriate petition within 30 days.

No. MC 118959 (Sub-No. 20), filed July 31, 1963. Applicant: JERRY LIPPS, INC., 130 South Frederick, Cape Girardeau, Mo. Applicant's attorney: M. Craig Massey, 223 South Florida Avenue, Post Office Box 586, Lakeland, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, in bags or packages, from Gramercy, Mathews, New Orleans, Reserve, Southdown, and Supreme, La., to points in Arkansas, and Kansas, and *damaged and rejected shipments* of the commodity specified, on return.

HEARING: October 16, 1963, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Samuel Horwich.

No. MC 119110 (Sub-No. 2), filed May 10, 1963. Applicant: COSCO TRUCK LINES, INC., Post Office Box 53, Columbus, Ind. Applicant's attorney: Howell Ellis, Suite 616–618 Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *contractor carrier*, by motor vehicle, over irregular routes, transporting: *Coil steel and other steel mill products*, from Weirton, W. Va., to Columbus, Ind.

NOTE: Applicant states the purpose of this application is to add the above commodities. Applicant presently holds authority to transport steel sheets, steel blanks and steel tubing from Weirton, W. Va., to Columbus, Ind., under Docket MC 119110.

HEARING: October 8, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Armin G. Clement.

No. MC 119641 (Sub-No. 42), filed July 25, 1963. Applicant: RINGLE EXPRESS, INC., 405 South Grant Avenue, Fowler, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, roofing* and *insulating materials*, and *perlite products*, from Florence, Ky., to points in Michigan, and *damaged and rejected shipments thereof*, on return.

HEARING: October 11, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Laurence E. Masoner.

No. MC 119777 (Sub-No. 15), filed August 12, 1963. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box 31, Madisonville, Ky. Applicant's attorney: Robert M. Pearce, 221½ St. Clair Street, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Tractors* (not including highway tractors for handling freight trailers) from Louisville, Ky., to points in Illinois, Indiana, New York, Ohio, Pennsylvania, Tennessee, and West Virginia.

HEARING: September 12, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James O'D. Moran.

No. MC 119778 (Sub-No. 43), filed August 15, 1963. Applicant: REDWING CARRIERS, INC., Post Office Box 34, Powderly Station, Birmingham, Ala. Applicant's attorney: Edward G. Villalon, Perpetual Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer* and *dry fertilizer materials and ingredients* and *dry chemicals*, in bulk, in tank, dump and hopper vehicles, and *returned and rejected shipments thereof*, between points in Chatham, Floyd, Fulton, and Polk Counties, Ga., points in Brunswick, Durham, Forsyth, Guilford, Johnston, Lenoir, Martin, Mecklenburg, New Hanover, and Vance Counties, N.C., points in Charleston, Chester, Darlington, Greenville, Richland, and Spartanburg Counties, S.C., points in Greene, Hamilton, Knox and Washington Counties, Tenn., and points in Amherst, Campbell, Henrico, Nansemond, Norfolk, Pittsylvania, and Prince George Counties, Va., and Chesapeake City, Va., on the one hand, and, on the other, points in Georgia, North Carolina, South Carolina, Tennessee, Virginia and West Virginia, and (2) *dry fertilizer* in bulk, in tank, dump and hopper vehicles, and *returned and rejected shipments thereof*, between points in Georgia, North Carolina, South Carolina, Tennessee and Virginia.

NOTE: Common control may be involved.

HEARING: September 20, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Donald R. Sutherland.

No. MC 119872 (Sub-No. 2), filed July 11, 1963. Applicant: GULF TRANSPORT, LIMITED, 61 St. Peter's Road, Parkdale, Prince Edward Island, Canada. Applicant's attorney: Kenneth B. Williams, 111 State Street, Boston 9, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen blueberries*, from the Port of Entry on the International Boundary line between the United States and Canada at or near Calais, Maine, to points in New York and New Jersey.

NOTE: Applicant states proposed operation will be restricted to traffic originating in Canada.

HEARING: November 1, 1963, at the Hotel Essex, Boston, Mass., before Examiner Francis A. Welch.

No. MC 119873 (Sub-No. 3), filed July 26, 1963. Applicant: FRANCIA AND FRANCIA, INC., 164 West Main Street, Monongahela, Pa. Applicant's attorney: Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metals* (other than when moving in containers), from Elmira, N.Y., Providence, R.I., and Worcester, Mass., to Monongahela, Pa.

NOTE: Applicant states the operations proposed herein will be under a continuing contract with Monongahela Iron and Metal Co.

HEARING: October 10, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Abraham J. Essrick.

No. MC 123479 (Sub-No. 2), filed May 10, 1963. Applicant: ROY FRANK DANCE, doing business as DANCE'S TRUCK LINE, Post Office Box 237, Arcadia, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rough and dressed lumber*, from Heflin, Ada, Danville, and Hunt, La., to points in that part of Texas on, west and north of a line beginning at Galveston, Tex., and extending along U.S. Highway 75 to Dallas, Tex., and thence along U.S. Highway 67, to the Texas-Arkansas State line.

HEARING: October 10, 1963, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 32, or, if the Joint Board waives its right to participate before Examiner Samuel Horwich.

No. MC 123936 (Sub-No. 1), filed June 3, 1963. Applicant: RETAIL STORES DELIVERY OF RHODE ISLAND, INC., 350 Allens Avenue, Providence, R.I. Applicant's attorney: Herbert Burstein, 160 Broadway, New York 38, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities*, as are dealt in by retail department stores, in a retail delivery service, between points in Rhode Island.

NOTE: Common control may be involved.

HEARING: September 30, 1963, at the Federal Building, Providence, R.I., before Joint Board No. 232.

No. MC 123962 (Sub-No. 2), filed July 25, 1963. Applicant: HOWARD HUGH KING, doing business as KING MOTOR COMPANY, 2201 Channing Street NE., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled motor vehicles*, by use of wrecker equipment, between points in Maryland, Virginia, West Virginia, Pennsylvania, Delaware, New Jersey, New York, and Washington, D.C.

HEARING: October 10, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lacy W. Hinely.

No. MC 124048 (Sub-No. 14), filed May 22, 1963. Applicant: SCHWERMAN TRUCKING CO. OF INDIANA, INC., 620 South 29 Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer, dry fertilizer compounds*, and *dry fertilizer materials* from Butler, Peru, and Indianapolis, Ind., and points within 5 miles of each origin, to points in Kentucky, Ohio, Indiana, Illinois, and the Lower Peninsula of Michigan.

NOTE: Applicant holds common carrier cement authority in MC 124048 and subs thereto and contract carrier authority in MC 113833 and subs thereto, although an application is pending before the Commission in MC 124048 (Sub-No. 4) to convert its present permits to a common carrier certificate. Thus, dual operations may be involved.

HEARING: October 10, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Armin G. Clement.

No. MC 124078 (Sub-No. 72), filed August 6, 1963. Applicant: SCHWERMAN TRUCKING CO., a corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients*, and *chemicals*, in bulk, from Cordova, Ill., and points within ten (10) miles thereof, to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin.

NOTE: Common control may be involved.

HEARING: October 15, 1963, at the Conrad Hilton, Chicago, Ill., before Examiner W. Elliott Nefflen.

No. MC 124078 (Sub-No. 74), filed August 12, 1963. Applicant: SCHWERMAN TRUCKING CO., a corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from Bartlesville, Okla., to points in Arkansas, Kansas, and Missouri.

NOTE: Common control may be involved. Applicant states that it presently has contract carrier authority in MC 113832 and subs thereto and that an application is pending in MC 124078 (Sub-No. 38) to convert its present permits to a common carrier certificate and that, therefore, dual operations may be involved.

HEARING: October 3, 1963, at the Federal Building, 200 Northwest Fourth, Oklahoma City, Okla., before Examiner William J. Cave.

No. MC 124259 (Sub-No. 2), filed May 17, 1963. Applicant: CAIN BROS., INC., 3413 Crystal Road, Terre Haute, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Chicago, Ill., to points in Louisiana and Mississippi, and *empty containers or other such incidential facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: October 7, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Armin G. Clement.

No. MC 124686 (Sub-No. 1), filed May 24, 1963. Applicant: ROLAND R. ROY, doing business as TRIPLE R. TRUCKING, 107 West Street, Essex Junction, Vt. Applicant's attorney: Louis Lisman, 191 College Street, Burlington, Vt. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by wholesale hardware distributors (including hardware, appliances, electrical goods and automotive supplies)*, from Burlington, Vt., to points in Grafton and Sullivan Counties, N.H. and points in Clinton, Essex, Franklin and St. Lawrence Counties, N.Y., and *damaged and rejected shipments*, on return, restricted to traffic moving for the account of Vermont Hardware Co., Inc., of Burlington, Vt.

HEARING: October 15, 1963, at the Washington County Court House, Montpelier, Vt., before Joint Board No. 326.

No. MC 125122 (Sub-No. 1), filed June 21, 1963. Applicant: GERALD W. DAVIS, Orfordville, N.H. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bundled and debarked wooden slabs and edgings*, from East Thetford, North Thetford, Thetford, Newbury, Waterbury and Fairlee, Vt., to Woodsville, N.H.

HEARING: October 11, 1963, at the New Hampshire Public Utilities Commission, Concord, N.H., before Joint Board No. 132.

No. MC 125301, filed April 24, 1963. Applicant: UTLEY LUMBER COMPANY, INC., Post Office Box 205, Steele, Mo. Applicant's attorney: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar, dry, in boxes, bags, sacks, and other containers*, from New Orleans, La., to points in Louisiana, Arkansas, Missouri, Iowa, Illinois, Indiana, Kentucky, Tennessee, Mississippi, and Alabama.

HEARING: October 15, 1963, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Samuel Horwich.

No. MC 125347, filed May 10, 1963. Applicant: PEACEFUL VALLEY FARMS, INC., 1107 East Virginia Street, Evansville, Ind. Applicant's attorney: William J. Guenther, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Facing, flooring and floor covering, linoleum, felt base, synthetic plastic composition, asphalt composition, rubber composition* and *cork, installation materials, supplies and tools for the above, and advertising materials, supplies and displays for the above*, from the plant site of Armstrong Cork Company, Inc., located at Lancaster, Pa., to Vincennes and Evansville, Ind., and (2) *ceramic floor and wall tile, related products*, and *advertising materials*, from the plant site of United States Ceramic Tile Co. located at Canton, Ohio, to Evansville and Vincennes, Ind.

HEARING: October 8, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Armin G. Clement.

No. MC 125348, filed May 6, 1963. Applicant: T. L. BURNS, Post Office Box 186, Strong, Ark. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, not otherwise identified by name, rough or dressed; lumber or timbers, rough or dressed, laminated or not laminated, whether or not creosoted*

or otherwise chemically treated; flooring (except wood carpet); *poles or piling, whether or not creosoted or otherwise chemically treated,* (1) from Huttig, Ark., to points in Arkansas, Louisiana, Mississippi, Alabama, Tennessee, Kentucky, Indiana, Illinois, Missouri, Kansas, Oklahoma and Texas, and (2) between Huttig, Ark., and points in Arkansas and Louisiana.

NOTE: Applicant states the proposed operations are to be for the account of Olin Mathieson Chemical Corporation, Forest Products Operations, West Monroe, La.

HEARING: October 10, 1963, at the Louisiana Public Service Commission, Baton Rouge, La., before Examiner Samuel Horwich.

No. MC 125376 (Sub-No. 1), filed July 24, 1963. Applicant: DONALD A. FITZPATRICK, Ludlow Road, Houlton, Maine. Applicant's attorney: William G. Buss, Jr., 10 Post Office Square, Boston 9, Mass. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials,* from Woburn, Mass., to points in Aroostook County, Maine, and *potatoes* (or other exempt commodities or commodities in private carriage), on return.

HEARING: October 4, 1963, at the Hotel Essex, Boston, Mass., before Joint Board No. 69.

No. MC 125380, filed May 20, 1963. Applicant: SOULANGES CARTAGE & EQUIPMENT COMPANY, LIMITED, 7150 Hochelaga Street, Montreal 5, Province of Quebec, Canada. Applicant's representative: William D. Traub, 10 East 40th Street, New York 16, N.Y. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Cement,* in bags and in bulk, from ports of entry on the International Boundary line between the United States and Canada in New York, Vermont and New Hampshire, to points in Clinton, Essex, Franklin, Hamilton, Herkimer, Jefferson, Lewis, and St. Lawrence Counties, N.Y., points in Addison, Caledonia, Chittenden, Essex, Franklin, Lemoille, Orange, Orleans, and Washington Counties, Vt., and points in Carroll, Coos, and Grafton Counties, N.H.

NOTE: Applicant states the proposed service is to be restricted to traffic moving in foreign commerce from points in the province of Quebec, under a continuing contract or contracts with Canada Cement Company Limited.

HEARING: October 14, 1963, at the Washington County Court House, Montpelier, Vt., before Joint Board No. 326.

No. MC 125415, filed May 31, 1963. Applicant: ANDREW J. DAVIDSON, doing business as DAVIDSON TRUCKING COMPANY, 3026 Southeast 112, Portland 66, Oreg. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Building materials, steel, alfalfa pellets and pallets, lumber and plywood, and composition panels,* between points in Oregon, Washington, Idaho and Utah, (2) *building materials,* between points in Washington, Oregon, Idaho, and Utah, (3) *steel,* between points in Oregon, (4) *steel,* between points in Oregon, on the one hand, and, on the other, points in Idaho and Utah, (5) *lumber, plywood and all types of panels,* (a) from points in Oregon to points in Oregon, (b) between points in Oregon, Idaho, Washington and Utah, and (6) *pallets,* between points in Oregon, Idaho and Utah.

HEARING: October 1, 1963, at the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Examiner Harold P. Boss.

No. MC 125451, filed June 17, 1963. Applicant: GIBCO MOTOR EXPRESS, INC., 3405 North 33d Street, Terre Haute, Ind. Applicant's attorney: William J. Guenther, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Coal and coke,* in dump and special container vehicles, from points in Vigo, Clay, Sullivan, and Greene Counties, Ind., to points in Illinois, points in Michigan on and south of Michigan Highway 21, points in Ohio on and west of U.S. Highway 23, and points in Kentucky on and west of U.S. Highway 27.

HEARING: October 10, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Armin G. Clement.

No. MC 125530, filed July 15, 1963. Applicant: KENNETH S. ELLINGWOOD, doing business as KEN'S GARAGE, Lafayette Road, North Hampton, N.H. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Wrecked and disabled vehicles,* from Sanford, Portland and Augusta, Maine, points in York, Cumberland, Androscoggin, Kennebec and Sagadahoc Counties, Maine, Boston and Haverhill, Mass., and points in Essex and Suffolk Counties, Mass., to North Hampton, N.H.

HEARING: October 9, 1963, at the New Hampshire Public Utilities Commission, Concord, N.H., before Joint Board No. 69.

No. MC 125550, filed July 28, 1963. Applicant: THE HELLER COMPANY, a corporation, 3700 Beale Avenue, Altoona, Pa. Applicant's attorney: Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (A) *Electrical fixtures and metal houseware products,* from Altoona, Pa., to points in Kansas, Iowa, Missouri, Nebraska, Colorado, Texas, Oklahoma, New Mexico, Georgia, Virginia, Michigan, North Carolina, South Carolina, Tennessee, Alabama and Florida, and (B) *materials* used in the manufacture of electrical fixtures, and metal houseware products, on return.

NOTE: Applicant states the proposed service will be under a continuing contract with Stanley Electric Manufacturing Company of Altoona, Pa.

HEARING: October 11, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Isadore Freidson.

No. MC 125558, filed July 25, 1963. Applicant: I. N. WALKER, 1915 Byron Street, Richmond 22, Va. Applicant's attorney: Jno. C. Goddin, Insurance Building, 10 South Tenth Street, Richmond 19, Va. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Bank, church, school and store furniture and fixtures and instruments and tools necessary to the installation thereof,* from Richmond, Va., to points in Alabama, Delaware, District of Columbia, Florida, Georgia, Kentucky, Maryland, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, and West Virginia, and *used commodities described above for repair and refinishing,* on return.

NOTE: Applicant states the proposed operation will be under continuing contracts with Acme Fixture Company, Inc. and Modern Woodwork, Inc., both of Richmond, Va. Applicant has common carrier authority pending in MC 125174, therefore dual operations may be involved.

HEARING: October 11, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gerald F. Colfer.

No. MC 125585, filed August 8, 1963. Applicant: HARVEY TRANSPORT LIMITED, Rue du Pont, Alma, Lake St. John, Quebec. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Granite,* from the Port of Entry on the International Boundary line between the United States and Canada at Derby Line, Vt., to Barre, Vt., and Concord, N.H., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: October 15, 1963, at the Washington County Court House, Montpelier, Vt., before Joint Board No. 132.

MOTOR CARRIERS OF PASSENGERS

No. MC 55312 (Sub-No. 12), filed May 6, 1963. Applicant: CONTINENTAL TENNESSEE LINES, INC., 418 Fifth Avenue, South Nashville, Tenn. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers,* in the same vehicle with passengers, between Cairo, Ill., and Nashville, Tenn.: from Cairo over U.S. Highway 51 to Wickliffe, Ky., thence over Kentucky Highway 440 to its junction with Kentucky Highway 121, thence over Kentucky Highway 121 to the Kentucky-Tennessee State line, thence over Tennessee Highway 119 to its junction with U.S. Highway 79, thence over U.S. Highway 79 to Clarksville, Tenn., thence over Tennessee Highway 12 to Nashville, Tenn., and return over the same route, serving all intermediate points.

NOTE: Applicant states that no traffic will be handled from or to any point located on Kentucky Highway 121 between Murray, Ky., and Mayfield, Ky., including Murray and Mayfield; and no traffic will be handled from or to any point located on U.S. Highway 79, except traffic moving between Clarksville, on the one hand, and, on the other, Nashville and points beyond Nashville.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Per-

mit MC 113738 and subs thereunder; therefore dual operations may be involved.

HEARING: October 14, 1963, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 281.

No. MC 96007 (Sub-No. 19) (AMENDMENT), filed April 25, 1963, published FEDERAL REGISTER issue June 5, 1963, amended July 11, 1963, and republished as amended this issue. Applicant: KENNETH HUDSON, INC., doing business as HUDSON BUS LINES, a corporation, 70 Union Street, Medford, Mass. Applicant's attorney: C. Leo Moriarty (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express, mail and newspapers*, in the same vehicle with passengers, (1) between Whitman Depot, and Boston, Mass., (a) from Whitman Depot, over South Street, thence over Washington Street to Abington, thence over Massachusetts Highway 18 to Weymouth, thence over Park Avenue west to Columbian Street, thence over Columbian Street to Grove Street, thence over Grove Street to Washington Street, Braintree, thence over Washington Street to Southeast Expressway and thence over the Southeast Expressway to Boston, and return over the same route, serving all intermediate points, (b) from Whitman Depot, Mass., over South Street, thence over Washington Street, to Abington, thence over Massachusetts Highway 18 to Weymouth at the junction of Massachusetts Highway 128 to Southeast Expressway, and thence over Southeast Expressway to Boston, Mass., and return over the same route serving all intermediate points, (2) between Rockland, and Boston, Mass., and (a) from Rockland, at junction of Union and Market Streets, over Union Street, thence over Weymouth Street to Weymouth Street, Hingham, thence over Weymouth Street to Liberty Street, Weymouth, thence over Liberty Street, Union Street, and Columbian Street to Massachusetts Highway 18, thence over Massachusetts Highway 18 to Massachusetts Highway 3, thence over Massachusetts Highway 3 to Quincy Avenue, Quincy, thence over Quincy Avenue to Hancock Street, thence over Hancock Street to Southeast Expressway and thence over Southeast Expressway to Boston, Mass., and return over the same route serving all intermediate points, (b) from Rockland, Mass., at junction of Union and Market Streets over Union Street, thence over Weymouth Street to Weymouth Street, Hingham, thence over Weymouth Street to Liberty Street, Weymouth, thence over Liberty Street, Union Street, and Columbian Street, to Massachusetts Highway 18, thence over Massachusetts Highway 18, to the junction of Massachusetts Highway 128, thence over Massachusetts Highway 128 to Southeast Expressway and thence over Southeast Expressway to Boston, Mass., and return over the same route, serving all intermediate points.

NOTE: Common control may be involved. The purpose of this republication is to show applicant will serve all intermediate points as shown above, in lieu of service as shown in previous publication.

HEARING: October 3, 1963, at the Hotel Essex, Boston, Mass., before Joint Board No. 231.

No. MC 124836 (Sub-No. 2), filed August 5, 1963. Applicant: RALPH OWNBEY, doing business as VIRGINIA AND KENTUCKY COACH LINES, Box 826, Bristol, Va. Applicant's attorney: Cecil D. Quillen, Gate City, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail, and newspapers*, in the same vehicle with passengers, between Pennington Gap, Va., and Harlan, Ky., from Pennington Gap, Va., over U.S. Highway 421 to Harlan, Ky., and return over the same route, serving all intermediate points.

HEARING: October 11, 1963, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 262.

No. MC 125459 (AMENDMENT), filed May 24, 1963, published in FEDERAL REGISTER issue August 14, 1963, amended August 17, 1963 and republished as amended this issue. Applicant: R. W. BRADSHAW, doing business as R. W. BRADSHAW TRANSIT, Oak Street, Winchester, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers*, and *packages and newspapers*, in the same vehicle with passengers, (1) from Winchester, Tenn., over U.S. Highway 64 to Cowan, Tenn., and return over the same route, serving all intermediate points: (2) from Winchester, Tenn., over U.S. Highway 41–A to Decherd, Estill Springs and Tullahoma, located at or near junction U.S. Highway 41 and Tennessee Highway 55, thence over Tennessee Highway 55 to Hickerson and Manchester, located at or near junction Tennessee Highway 55 and U.S. Highway 41, thence over U.S. Highway 41 to Noah, Beechgrove, Hoover Gap and Murfreesboro, located at or near junction U.S. Highway 41 and U.S. Highway 231, thence over U.S. Highway 231 to its junction with Tennessee Highway 82 to Bell Buckle, returning over the same route, thence over U.S. Highway 231 to Shelbyville, Singleton, Chestnut Ridge and Belleville, thence to the junction of U.S. Highway 231 and U.S. Highway 64 to Fayetteville, located at or near junction of U.S. Highway 231 and U.S. Highway 431, thence over U.S. Highways 231 and 431 to Huntsville, Ala., thence over city streets in Huntsville to the Redstone Arsenal, returning over the same route, thence over U.S. Highway 64 to Kelso, thence over U.S. Highway 64 to its junction with Tennessee Highway 122 to Huntland and Eldora, thence over Tennessee Highway 122 to Belvidere, located on or near U.S. Highway 64, thence over U.S. Highway 64 to Winchester, Tenn., serving all intermediate points.

NOTE: The purpose of this republication is to reflect the addition "and packages and newspapers, in the same vehicle with passengers", to previous passenger description.

HEARING: Remains as assigned October 16, 1963, at the U.S. Court Rooms Montgomery, Ala., before Joint Board No. 106.

No. MC 125568, filed July 31, 1963. Applicant: VALLEY COACH INC., 2177 West Shore Road, Warwick, R.I. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle, in round-trip charter operations, from Warwick, R.I., to Boston and Sturbridge, Mass., and New London and Mystic, Conn., and return.

HEARING: October 1, 1963, at the Federal Building, Providence, R.I., before Joint Board No. 134.

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIER OF PROPERTY

No. MC 12834 (Sub-No. 1), filed October 11, 1962. Applicant: FOX & GINN MOVING & STORAGE COMPANY, a corporation, 195 Thatcher Street, Bangor, Maine. For a license (BMC 4) to engage in operations as a *broker* at Boston, Mass., in arranging for the transportation in interstate or foreign commerce of *Household goods*, between points in the United States, including Alaska and Hawaii.

HEARING: October 2, 1963, at the Hotel Essex, Boston, Mass., before Joint Board No. 231.

MOTOR CARRIERS OF PASSENGERS

No. MC 12858, filed April 4, 1963. Applicant: ANTONETTE SUTTON, 223 Overlook Boulevard, Struthers, Ohio. Applicant's attorney: George B. Woodman, Youngstown, Ohio. For a license (BMC 5) to engage in operations as a *broker* at Struthers, Ohio, in arranging for transportation by motor vehicle, in interstate or foreign commerce of *passengers and their baggage*, in charter operations, both in groups, and individual passengers, all expense tours, beginning and ending at points in Mahoning County, Ohio, and extending to points in Indiana, Illinois, Missouri, Kansas, Oklahoma, Texas, Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Michigan, Pennsylvania, Virginia, Maryland, West Virginia, New Jersey, New York, North Carolina, South Carolina, Georgia, Florida, Ohio, District of Columbia, including the ports of entry on the International Boundary line between the United States and Canada and between the United States and Mexico.

HEARING: September 20, 1963, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117, or, if the Joint Board waives its right to participate before Examiner Lacy W. Hinely.

No. MC 12877, filed July 25, 1963. Applicant: AUTOMOBILE CLUB OF RHODE ISLAND, INC.—AAA, 1035 Reservoir Avenue, Cranston 10, R.I. For a license (BMC 5) to engage in operations as a *broker* at Cranston, Providence and Newport, R.I. and Fall Fiver, Mass., in arranging for transportation by motor vehicle, in interstate or foreign commerce of *Passengers and their baggage*, in round-trip charter and special party operations, beginning and ending at Cranston, Providence and Newport, R.I. and Fall River, Mass., and extending to points in the United States.

HEARING: October 1, 1963, at the Federal Building, Providence, R.I., before Joint Board No. 18.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTOR CARRIERS OF PROPERTY

No. MC 43711 (Sub-No. 13), filed August 11, 1963. Applicant: P & M AUTO TRANSPORT, INCORPORATED, OF ILLINOIS, Post Office Box 224, Lebanon, Pa. Applicant's attorney: William J. Little, 1513 Fidelity Building, Baltimore, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles, and new trucks*, in secondary movements, from Baltimore, Md. and Earnest, Pa., to points in Delaware, and points in Accomac and Northampton Counties, Va., and *damaged and rejected new automobiles and new trucks*, on return.

NOTE: Applicant states the proposed service will be restricted to traffic having a prior movement by railroad. Applicant further states it is presently certificated at MC 43711, to perform initial transportation of automobiles and trucks by truckaway and driveaway to the above destination territory, from Wayne County, Mich., and also secondary authority from Cleveland, Ohio and Buffalo, N.Y. and has been performing such transportation for The Chrysler Corporation, as well as other authorized transportation. The purpose of this application is to permit applicant to continue to participate in this traffic, following initial movement by railroad to Baltimore, Md. and Earnest, Pa. Applicant presently holds non-radial secondary authority for the commodities involved between, among other points, points and places in Connecticut, Illinois, Indiana, Maryland, Massachusetts, Michigan, New York, Ohio, Pennsylvania, and the District of Columbia.

No. MC 61734 (Sub-No. 9), filed August 4, 1963. Applicant: CARLSON TRUCK LINE, INC., Clay Center, Kans. Applicant's attorney: John E. Jandera, 641 Harrison Street, Topeka, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, houshold goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), serving off-route points within a four mile radius of the intersections of U.S. Highway 24 and U.S. Highway 81 located in Cloud County, Kans., in connection with applicant's presently authorized regular-route operations in MC 61734 and MC 61734 (Sub-Nos. 6 and 7), dated August 25, 1958, January 5, 1961 and June 23, 1961, respectively, which authorize operations in the States of Kansas, Missouri and Nebraska.

No. MC 107403 (Sub-No. 494), filed August 20, 1963. Applicant: E. BROOKE MATLACK, INC., 33rd and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Sodium sulphate*, in bulk, from Nitro, W. Va. to Cincinnati, Ohio.

No. MC 109637 (Sub-No. 241), filed August 14, 1963. Applicant: SOUTHERN TANK LINES INC., 4107 Bells Lane, Louisville, Ky., 40211. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Acrylonitrile*, in bulk, in tank vehicles, from Lima, Ohio to Louisville, Ky.

No. MC 111045 (Sub-No. 34), filed August 19, 1963. Applicant: REDWING CARRIERS, INC., Post Office Box 426, Tampa 1, Fla. Applicant's attorney: Gerry R. Gordon, Post Office Box 426, Tampa 1, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup, liquid sugar, dextrose and blends thereof*, in bulk, in tank vehicles, from Tampa, Fla., to Thomasville and Savanah, Ga., and Mobile, Ala.

NOTE: Common control may be involved.

No. MC 124966 (AMENDMENT), filed December 7, 1962, published in FEDERAL REGISTER issue of March 27, 1963, and republished as amended this issue. Applicant: GEORGE E. WILSON, doing business as WILSON GARAGE, 1502 Nevada Highway, Boulder City, Nev. Applicant's representative: H. E. Ringle, Post Office Box 1776, Phoenix 4, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Wrecked, disabled and abandoned motor vehicles*, between points in Clark County, Nev., on the one hand, and, on the other, points in Mohave County, Ariz.

NOTE: The purpose of this republication is to show operations as a common carrier rather than as a contract carrier; to broaden the scope of the territory sought; and to show that the proceeding will be handled under modified procedure.

No. MC 125595, filed Aug. 11, 1963. Applicant: JOSEPH J. BOYLE, 2541 Haverford Road, Ardmore, Pa. Applicant's attorney: Irving R. Segal, 1719 Packard Building, Philadelphia 2, Pa., and Robert L. Kendall, Jr. (same address). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paint, painters' supplies, and allied products*, between the plant and warehouse sites of Finnaren & Haley, Inc., located in Philadelphia, Pa., on the one hand, and, on the other, retail stores of Finnaren & Haley, Inc., located in Wilmington, Del., Mt. Ephraim, Pennsauken, and Somerdale, N.J.

NOTICE OF FILING OF PETITIONS

No. MC 115036 (Sub-No. 4), (Sub-No. 5) and (Sub-No. 15) (PETITION TO AMEND PERMITS), filed August 15, 1963. Petitioner: VAN TASSEL, INCORPORATED, Fifth and Grand, Pittsburg, Kans. Petitioner's representative: H. V. Eskelin, Post Office Box 2028, Kansas City, Mo., 64142. Petitioner is authorized in MC 115036 (Sub-No. 4) (Sub-No. 5) and (Sub-No. 15), to operate as a contract carrier, by motor vehicle, transporting clay, brick and tile, between points in Kansas, Arkansas, Oklahoma and Missouri. In MC 115036 (Sub-No. 4) and (Sub-No. 5) petitioner is limited to a transportation service to be performed under a continuing contract, or contracts, with United Brick and Tile Company, Kansas City, Mo. In MC 115036 (Sub-No. 15) petitioner is limited to a transportation service to be performed under a continuing contract, or contracts, with United Brick Division of Martin-Marietta Corporation, of Kansas City, Mo. The Acme Brick Company of Fort Worth, Tex., purchased the above named contract shippers. By the instant petition, petitioner requests that in MC 115036 (Sub-No. 4) and (Sub-No. 5) United Brick and Tile Company and in MC 115036 (Sub-No. 15) United Brick Division of Martin-Marietta Corporation be eliminated as shippers and that Acme Brick Company of Fort Worth, Tex., be subtituted therefor. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 117815 (Sub-No. 13), filed August 16, 1963. Applicant: PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines 17, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: (1) *Canned goods*, (a) from Grimes and Altoona, Iowa, to Milwaukee, Madison and Appleton, Wis., Pueblo, Colo., Tulsa and Oklahoma City, Okla., Chicago, Springfield, and Staunton, Ill., Minneapolis, Minn., Flint, Grand Rapids, and Muskegon, Mich., Cincinnati and Dayton, Ohio, Kansas City, St. Joseph, Springfield, Joplin and St. Louis, Mo., (b) from Altoona, Dyersville, Dysart, Grimes, Pella, and Perry, Iowa, to Grand Island, Hastings, and Omaha, Nebr., Wichita, Kans., and Denver, Colo., and (c) from Grimes, Iowa, to St. Cloud and Brainerd, Minn., and Grand Forks, Minot, Bismarck, and Fargo, N. Dak. (2) *Canning plant supplies*, from Chicago, Ill., to Grimes and Altoona, Iowa, (3) *Pasteboard and fibreboard boxes* (knocked down), from Lawrence, Kans., to Grimes and Altoona, Iowa, and (4) *Materials and supplies*, used in the conduct of the food-canning business, from Kansas City, Mo., to Grimes and Altoona, Iowa.

NOTE: This application is a matter directly related to MC–F 8532 published this issue.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under section 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240)

MOTOR CARRIERS OF PROPERTY

No. MC–F–8532. Authority sought for purchase by PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines, Iowa, of the operating rights and certain property of MILLARD TRUCK LINES, INC., Post Office Box 21, Grimes, Iowa, and for acquisition by NENVER RIET-

VELD, also of Des Moines, Iowa, of control of such rights through the purchase. Applicants' representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Operating rights sought to be transferred: *Canned goods*, as a *contract carrier*, over irregular routes, from Grimes, Iowa, St. Cloud and Brainerd, Minn., and Grand Forks, Minot, Bismarck, and Fargo, N. Dak., RESTRICTION: The service authorized above is subject to the following conditions: The authority granted shall be subject to the rights of the Commission, which is hereby expressly reserved, to impose such terms, conditions or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of section 210 of the Act. The operations authorized above are limited to a transportation service to be performed, under a continuing contract, or contracts, with Old Grimes Canning Company, of Grimes, Iowa; from Grimes and Altoona, Iowa, to Milwaukee, Madison and Appleton, Wis., Pueblo, Colo., Tulsa and Oklahoma City, Okla., Chicago, Springfield, and Staunton, Ill., and Minneapolis, Minn., Flint, Grand Rapids, and Muskegon, Mich., Cincinnati and Dayton, Ohio, Kansas City, Mo.-Kans., St. Joseph, Springfield, Joplin, and St. Louis, Mo., and from Altoona, Dyersville, Dysart, Grimes, Pella, and Perry, Iowa, to Grand Island, Hastings, and Omaha, Nebr., Wichita, Kans., and Denver, Colo.; *canning plant supplies*, from Chicago, Ill., to Grimes and Altoona, Iowa; *pasteboard and fibreboard boxes* (knocked down), from Lawrence, Kans., to Grimes and Altoona, Iowa; *dried beans* (in bags) from points in Nebraska and Colorado to Grimes and Altoona, Iowa; *dried beans*, from Saginaw, Grand Rapids and Muskegon, Mich., to Altoona and Grimes, Iowa; *materials* and *supplies* used in the conduct of the food-canning business, from Kansas City, Mo., to Grimes and Altoona, Iowa; *whole milk, skim milk, cream, buttermilk and condensed milk*, in bulk, in tank trucks, between points in Iowa, on the one hand, and, on the other, points in Missouri, Kansas, Oklahoma, Arkansas, Louisiana and Texas. Vendee is authorized to operate as a *common carrier* in Illinois, Iowa, New York, Indiana, Kansas, Missouri, Wisconsin, Nebraska, Minnesota, and South Dakota. Application has not been filed for temporary authority under section 210a(b).

NOTE: No. MC-117815 Sub-13 is a matter directly related.

No. MC-F-8533. Authority sought for purchase by KENNETH K. ZECHMAN and HARRY E. ZECHMAN, a partnership, doing business as BLUE DIAMOND COMPANY, 4401 East Fairmount Avenue, Baltimore 24, Md., of the operating rights of THOMAS F. BUZBY, doing business as MARYLAND-PENNSYLVANIA EXPRESS, 2001 Wells Manor Avenue, Baltimore 7, Md. Applicants' attorney: James J. Doherty, 432 West Pratt Street, Baltimore 1, Md. Operating rights sought to be transferred: *Salt*, as a *common carrier* over irregular routes, from Ludlowville, Silver Springs, and Watkins Glen, N.Y., to points in Maryland and Virginia (except points in those parts of Maryland and Virginia south of the Chesapeake and Delaware Canal and east of the Chesapeake Bay), and the District of Columbia; *pepper*, in packages, in mixed shipments with salt, from Silver Springs, N.Y., to points in Maryland and Virginia (except points in Maryland and Virginia south of the Chesapeake and Delaware Canal and east of the Chesapeake Bay), and the District of Columbia. Vendee is authorized to operate as a *common carrier* in Ohio, Pennsylvania, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8534. Authority sought for purchase by LONNIE CASE TRUCKING, INC., 3211 South Sanger Avenue, Sanger, Calif., of the operating rights of ROLLAND TABER, INC., 8458 Avenue 296, Visalia, Calif., and for acquisition by LONNIE CASE, also of Sanger, Calif., of control of such rights through the purchase. Applicants' attorney: William H. Kessler, 638 Divisadero Street, Fresno, Calif., 93721. Operating rights sought to be transferred: *Canned fruits, vegetables, fruit and vegetable juices, and preserves*, as a *common carrier* over irregular routes, between Armona and Visalia, Calif., on the one hand, and, on the other, San Jose, Calif.; *dried fruit, canned fruit and vegetables, fruit and vegetable juices, and preserves*, between points in that part of California bounded by a line beginning at Lemoore, Calif., and extending in a northerly direction to Fowler, Calif., thence in a southerly direction to Dinuba and Visalia, and thence in a westerly direction to Lemoore, on the one hand, and, on the other, Los Angeles, Los Angeles Harbor, Stockton, San Francisco, Alameda, Oakland, Berkeley, Richmond, San Leandro, Hayward, Santa Clara, Sunnyvale, Palo Alto, Campbell, Alviso, Modesto, Turlock, Manteca, and Oakdale; *wool*, from points in Fresno, Kern, Kings, Madera, Merced, Monterey, San Benito Counties, Calif., to Stockton and San Francisco, Calif.; *canned goods and fruits*, from points within 80 miles of Fresno, Calif., to Stockton, Oakland, San Francisco, and Los Angeles Harbor, Calif.; *nails and wire*, from San Francisco, Calif., to points within 80 miles of Fresno, Calif. Vendee claims "grandfather" rights, in California, under section 206(a)(7) of the act, pursuant to BOR-99, in No. MC-99787 Sub-1. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8535. Authority sought for control by JONES MOTOR CO., INC., Bridge Street and Schuylkill Road, Spring City, Pa., of MELVIN TRUCKING CO., 1818 South Washington Street, Peoria, Ill., and for acquisition by WM. S. JONES, Rural Delivery 2, Phoenixville, Pa., R. C. JONES, JR., 1304 Monroe Street, Wyomissing, Pa., H. ELLIS JONES, 440 Highland Road, Pottstown, Pa., ALVIN JONES, 3053 Tremont Street, Allentown, Pa., H. A. HERSHEY, 751 Spruce Street, Royersford, Pa., and MARK R. HERR, Rural Delivery 2, Collegeville, Pa., of control of MELVIN TRUCKING CO., through the acquisition by JONES MOTOR CO., INC. Applicants' attorneys and representative respectively: Rice, Carpenter & Carraway, Suite 618 Perpetual Bldg., 1111 E Street NW., Washington 4, D.C., and H. A. Hershey, Vice-President, Jones Motor Co., Inc., Spring City, Pa. Operating rights sought to be controlled: *General commodities*, excepting, among others, household goods, but not excepting commodities in bulk, as a *common carrier* over regular routes, between Chicago Heights, Ill., and Aurora, Ill., between Chicago Heights, Ill., and East Chicago, Ind., between Chicago Heights, Ill., and Michigan City, Ind., between Chicago, Ill., and Michigan City, Ind., between Chicago, Ill., and Kankakee, Ill., between Gary, Ind., and Kankakee, Ill., serving all intermediate points; *general commodities*, excepting, among others, household goods and commodities in bulk, between Chicago, Ill., and St. Louis, Mo., serving certain intermediate and off-route points, between Peoria, Ill., and Chicago, Ill., serving the intermediate points of Joliet and Dwight, Ill., and the intermediate and off-route points within five miles of Peoria, between Peoria, Ill., and Lincoln, Ill., serving the intermediate point of Morton, Ill., and intermediate and off-route points within five miles of Peoria, between Peoria, Ill., and Galesburg, Ill., serving all intermediate points and off-route points within five miles of Peoria, between Peoria, Ill., and Orchard Mines, Ill., serving all intermediate points and the off-route points within five miles of Peoria, between Dwight, Ill., and junction Illinois Highways 89 and 116 at Metamora, Ill., serving the intermediate point of Streator, Ill., and the terminal point of Dwight, with no service at Metamora, in connection with authorized regular route operations between Peoria and Chicago, Ill., via Metamora and Pontiac, Ill., between Peoria, Ill., and Keokuk, Iowa, serving all intermediate points, and off-route points within five miles of Peoria, between Peoria, Ill., and Keokuk, Iowa, serving all intermediate points between Peoria, Ill., and Fort Madison, Iowa, including Fort Madison, and off-route points within five miles of Peoria, between Springfield, Ill., and Macomb, Ill., for operating convenience only, serving no intermediate points, RESTRICTION: The service authorized herein is restricted against handling traffic over the above route moving between Keokuk, Iowa, and points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone as defined by the Commission; between junction U.S. Highway 66 and Alternate U.S. Highway 66 north of Joliet, Ill., and junction U.S. Highway 66 and Alternate U.S. Highway 66 south of Joliet, Ill., for operating convenience only, serving no intermediate points, between junction U.S. Highway 66 and unnumbered highway near Mt. Olive, Ill., and junction U.S. Highway 66 and Illinois Highway 4, for operating convenience only, serving no intermediate points, serving the junction points on the routes described next above between the junction U.S. Highway 66 and Alternate U.S. Highway 66,

north of Joliet, Ill., and junction of the same highways south of Joliet, and between the junction of U.S. Highway 66 and unnumbered highway, near Mt. Olive, Ill., and junction of U.S. Highway 66 and Illinois Highway 4, is authorized for the purpose of a joinder only; *general commodities,* excepting, among others, household goods and commodities in bulk over irregular routes, between points in Cook and Will Counties, Ill., and Lake County, Ind. JONES MOTOR CO., INC., is authorized to operate as a *common carrier* in Pennsylvania, Delaware, Ohio, Michigan, Indiana, Illinois, West Virginia, Maryland, New Jersey, New York, Massachusetts, Rhode Island, Connecticut, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

NOTE: Application for authority under section 214 was filed in conjunction with the application under section 5, in Finance Docket No. 22744.

No. MC–F–8536. Authority sought for purchase by BELL LINES, INC., 6414 McCorkle Avenue SE., Charleston, W. Va., of the operating rights and certain property of THE INNER MONT EXPRESS, INC., 418 Bluefield Avenue, Bluefield, W. Va., and for acquisition by JOHN E. AMOS, One Morris Street, Charleston, W. Va., FRED SCLAVI, 2004 Kanawha Boulevard East, Charleston, W. Va., and BETTY WINTERHOLLER, 13 Oakmont Road, Wheeling, W. Va., of control of such rights and property through the purchase. Applicants' attorneys: Francis W. McInerny, 1000 16th Street NW., Washington 6, D.C., and Homer Hanna, Jr., Kanawha Valley Building, Charleston, W. Va. Operating rights sought to be transferred: *General commodities,* excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Wytheville, Va., and Bluefield, W. Va., serving the intermediate points of Bland, Bastian, and Rocky Gap, Va., between Mount Airy, N.C., and Galax, Va., serving all intermediate points, between the North Carolina-Virginia State line and Galax, Va., serving all intermediate points, and the off-route point of Fries, Va., between the North Carolina-Virginia State line and Galax, Va., serving no intermediate points, between Independence, Va., and Wytheville, Va., serving no intermediate points, but serving the off-route point of Rural Retreat, Va.; (A) *general commodities,* with exceptions stated above, between Charleston, W. Va., and Mullens, W. Va., serving all intermediate points between Gauley Bridge and Mullens, W. Va., including Gauley Bridge and Mullens, and certain off-route points; *malt beverages,* from Huntington, W. Va., to Bluefield, Va., serving the intermediate points of McDowell and Mercer Counties, W. Va.; (B) *general commodities,* excepting, among others, household goods and commodities in bulk, over irregular routes, between points in Mercer, McDowell, Wyoming, and Raleigh Counties, W. Va., on the one hand, and, on the other, points in Tazewell County, Va., between points in Mercer and McDowell Counties, W. Va., and those in Tazewell, Bland, and Buchanan Counties, Va., except between points in Mercer and McDowell Counties, W. Va., on the one hand, and, on the other, points in Bland County within more than five miles of Bluefield, Va.-W. Va.; (C) *general commodities,* with exceptions stated immediately above, between Bluefield, W. Va.-Va., and points within five miles thereof, on the one hand, and, on the other, points in Virginia other than Bland County, except those within five miles of Bluefield, W. Va.-Va., West Virginia, Kentucky, and Tennessee, within 125 miles of Bluefield, W. Va.-Va., RESTRICTION: The service authorized in Section (C) is subject to the condition that no shipments shall be transported by said carrier between the points in Section (C), on the one hand, and, on the other, points which said carrier is authorized to serve under Sections (A) and (B); *agricultural commodities* and *mine supplies* (not including heavy machinery and equipment), between points in Mercer and McDowell Counties, W. Va., Tazewell, Bland, and Buchanan Counties, Va., on the one hand, and, on the other, points in West Virginia south of U.S. Highway 60, and those in Virginia bounded by a line beginning at the Virginia-West Virginia State line, and extending along Virginia Highway 311 (formerly U.S. Highway 60), to Crows, Va., thence along Virginia Highway 311 to junction Virginia Highway 116, thence along Virginia Highway 116 to Roanoke, Va., thence along U.S. Highway 220 to the Virginia-North Carolina State line, and thence along the Virginia-North Carolina, Virginia-Tennessee, Virginia-Kentucky, and Virginia-West Virginia State lines to the point of beginning, including points on the indicated portions of the highways specified. The carrier may combine two or more of the above-described irregular route authorities provided the authorities have a point common to both to which the carrier may transport a given commodity under one authority and from which it may transport the same commodity under the other, and establish through service under such combination provided in each instance the commodity is transported through the common or gateway point, and provided further that this certificate does not contain any restriction or other indication that through service shall not be conducted; *ground limestone* and *lime,* from points in Giles County, Va., to points in Raleigh and Wyoming Counties, W. Va. Vendee is authorized to operate as a *common carrier* in Indiana, North Carolina, West Virginia, Virginia, Ohio, Pennsylvania, Kentucky, and South Carolina. Application has been filed for temporary authority under section 210a(b).

No. MC–F–8537. Authority sought for purchase by FLORIDA REFRIGERATED SERVICE, INC., Post Office Box 1252, Dade City, Fla., of the operating rights of CARTER TRUCKING CO., INC., doing business as COASTAL REFRIGERATED SERVICE, 905 East Lafayette, Post Office Box 1689, Tampa, Fla., and for acquisition by DAVID A. LINDSAY, also of Dade City, Fla., of control of such rights through the purchase. Applicants' attorneys: Glickstein, Crenshaw, Glickstein & Hulsey, 1205 Universal Marion Building, Jacksonville 1, Fla. (Mailing address—Post Office Box 1086). Operating rights sought to be transferred: *Frozen sea food,* as a *common carrier* over irregular routes, from Boston and Gloucester, Mass., to points in Florida, Georgia, Louisiana, North Carolina, South Carolina, Tennessee, Virginia, Alabama, and West Virginia; *frozen foods,* from Watertown, Mass., to points in North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana, from Boston, Mass., to points in Mississippi, from Washington, D.C., to points in North Carolina, South Carolina, Georgia, and Alabama; *frozen foods,* except frozen sea foods, from Boston, Mass., to points in North Carolina, South Carolina, Georgia, Florida, Alabama, and Louisiana; *frozen fruits* and *frozen vegetables,* from Macon, Ga., to Baltimore, Md., Boston, Springfield, and Worcester, Mass., Newark, Trenton, and Jersey City, N.J., New York, N.Y., Philadelphia, Scranton, and Chester, Pa., Richmond and Norfolk, Va., Hartford, New Haven, Bridgeport, and New London, Conn., Providence, R.I., Wilmington, Del., and the District of Columbia; *cheese,* from Heuvelton and Chateaugay, N.Y., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, and West Virginia; *frozen citrus juice concentrate,* and *citrus products,* not canned and not frozen, in vehicles equipped with mechanical refrigeration, from points in Florida, to Boston, Springfield, Watertown, and Worcester, Mass., Norwalk, East Hartford, and Hartford, Conn., Albany, Binghamton, Buffalo, Elmira, Newburgh, New York, Rochester, Syracuse, Waterport, Brockport, and White Plains, N.Y., Camden, Jersey City, Newark, Bridgeton, and Perth Amboy, N.J., Erie, Harrisburg, Philadelphia, Pittsburgh, Scranton, Steelton, and Williamsport, Pa., Petersburg, Va., Huntington, W. Va., and points in Maine, New Hampshire, and Vermont; *frozen fruits,* and *frozen vegetables,* only when moving in mixed shipments with frozen citrus juice concentrate, from Plant City, Fla., to points in Maryland, Pennsylvania, and Virginia, from Jacksonville, Fla., to Boston, Springfield, Watertown, and Worcester, Mass., Norwalk, East Hartford, and Hartford, Conn., Albany, Binghamton, Buffalo, Elmira, Newburgh, New York, Rochester, Syracuse, Waterport, Brockport, and White Plains, N.Y., Camden, Jersey City, Newark, Bridgeton, and Perth Amboy, N.J., and Huntington, W. Va.; *frozen vegetable juice concentrates,* with additives, in mixed shipments with frozen citrus products, from Auburndale, Leesburg, and Plymouth, Fla., to Watertown and Worcester, Mass., Norwalk, East Hartford, and Hartford, Conn., Albany, Binghamton, Buffalo, Elmira, Newburgh, Rochester, Syracuse, Waterport, Brockport, White Plains, and New York, N.Y., Camden, Jersey City, Newark, Bridgeton, and Perth Amboy, N.J., Erie, Harrisburg, Philadelphia, Pittsburgh, Scranton, Steelton, and Williamsport, Pa., Petersburg, Va., Huntington, W. Va., and points in Maine, New Hampshire, and Vermont; and *frozen fruits,* from Tampa, Fla., to Chicago, Ill., Cana-

joharie and Rochester, N.Y., Richmond, Va., Baltimore, Md., Washington, D.C., Jersey City, N.J., and Sunnyvale, Calif. Vendee is authorized to operate as a *common carrier* in Alabama, Georgia, Florida, Arizona, California, New Mexico, North Carolina, Mississippi, South Carolina, Ohio, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-9235; Filed, Aug. 27, 1963; 8:51 a.m.]

[Notice 857]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 23, 1963.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 66081. By order of August 21, 1963, The Transfer Board approved the transfer to Consolidated Transfer and Warehouse Co., Inc., 1606 Cherry Street, Kansas City, Mo., of a portion of the Certificate in No. MC 5606, issued May 31, 1941, to Albert T. Hamlet, 115 South Cherry Street, Cameron, Mo., authorizing the transportation of: Heavy machinery, structural steel, and road construction machinery and equipment, between points in Kansas, and that part of Missouri on and north of U.S. Highway 50, except between Kansas City, Kans., and Cameron, Mo.

No. MC-FC 66172. By order of August 20, 1963, The Transfer Board approved the transfer to James Montefusco, Newark, N.J., of Certificate in No. MC 48688 issued December 15, 1960, to Reddy's Interstate Express, Inc., Staten Island, N.Y., authorizing the transportation of general commodities, excluding household goods, and commodities in bulk, over irregular routes, between New York, N.Y., and Newark, Elizabeth, and Kearny, N.J. LeRoy Danziger, 334 King Road, North Brunswick, N.J., attorney for applicants.

No. MC-FC 66174. By order of August 20, 1963, The Transfer Board approved the transfer to James Robert Earley and J. Stanley Winborne, a partnership, doing business as Earley & Winborne, Harrellsville, N.C., of Certificate in No. MC 55619, issued April 30, 1942, to Jesse Spence, doing business as Spence Truck Line, North Emporia, Va., authorizing the transportation, over irregular routes, of: Various commodities of a general commodity nature, between certain points in Virginia and North Carolina. Philip P. Godwin, Gatesville, N.C., attorney for transferee, W. P. McBain, 411 Board of Trade Building, Norfolk, Va., attorney for transferor.

No. MC-FC 66179. By order of August 20, 1963, The Transfer Board approved the transfer to Harry Gibson, 8739 Riley, Overland Park, Kans., of Certificate in No. MC 113427, issued November 17, 1961, to Dodson Louis Crooks, 4805 Appleton, Kansas City, Mo., authorizing the transportation, over regular and irregular routes, of: Ice cream mix, ice milk mix, sweet cream, and condensed milk, in cans, from and to specified points in Kansas and Missouri.

No. MC-FC 66185. By order of August 20, 1963, The Transfer Board approved the transfer to Cross-Tie Horse Vans, Inc., Dryden, Mich., of Certificate in No. MC 105206, issued December 22, 1953, to L. J. B. Trucking, Inc., Marion, Ohio, authorizing the transportation, over irregular routes, of: Livestock, other than ordinary, and, in the same vehicle, mascots, personal effects of attendants, trainers, and exhibitors, and supplies and equipment used in the care and exhibition of such livestock, between points in Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Maryland, Michigan, New York, Pennsylvania, Virginia, and West Virginia. William D. Parsley, 117 West Allegan, Lansing, Mich., attorney for applicants.

No. MC-FC 66188. By order of August 20, 1963, The Transfer Board approved the transfer to Ben Blinder, Sioux Falls, S. Dak., of Certificates in Nos. MC 106298 and MC 106298 (Sub-No. 5), issued January 23, 1963 and June 9, 1952, respectively, to Tri-State Transportation Co., Inc., Sioux Falls, S. Dak., authorizing the transportation, over regular routes, of general commodities, excluding commodities in bulk and including household goods, between St. Paul, Minn., and Beresford, S. Dak., serving specified intermediate points and off-route points; between Madelia, Minn., and Worthington, Minn., serving all intermediate points; between Sioux Falls, S. Dak., and Sioux City, Iowa, serving specified intermediate and off-route points; and between Sioux City, Iowa and Yankton, S. Dak., serving all intermediate points; general commodities, excluding household goods and commodities in bulk, from Sioux City, Iowa, to Aberdeen, S. Dak., serving specified intermediate points; between Sioux City, Iowa and Mitchell, S. Dak., serving specified intermediate points; between Mankato, Minn., and Madelia, Minn., serving all intermediate points; between Fairmont, Minn., and Luverne, Minn., serving all intermediate points and specified off-route points; general commodities, with no exceptions, between Beresford, S. Dak., and Sioux City, Iowa, serving all intermediate points and specified off-route points; between Sioux Falls, S. Dak., and Valley Springs, S. Dak., serving all intermediate points; between Brandon, S. Dak., and Corson, S. Dak., serving all intermediate points; general commodities including commodities in bulk, but excluding household goods, between Centerville, S. Dak., and Westerville, S. Dak., serving the intermediate point of Wakonda, S. Dak.; general commodities excluding commodities in bulk, between Beresford, S. Dak., and junction South Dakota Highway 46 and unnumbered County Highway, 1 mile west of junction South Dakota Highways 17 and 46; between junction S. Dak. Highways 19 and 46, and junction S. Dak. Highway 19 and unnumbered County Highway approximately three miles east of Westerville, S. Dak.; between Vermillion, S. Dak., and junction S. Dak. Highway 50 and U.S. Highway 77; and between Centerville, S. Dak., and Sioux City, Iowa, serving the intermediate points of Hubb City and Dalesberg, S. Dak.;

general commodities, excluding household goods and commodities in bulk, between Sioux Falls, S. Dak., and Meridian, S. Dak., serving all intermediate points and specified off-route points; between Sioux Falls, S. Dak., and Yankton, S. Dak., serving all intermediate points and specified off-route points; and between Sioux Falls, S. Dak., and Yankton, S. Dak., serving all intermediate points with exceptions, and specified off-route points; general commodities, over irregular routes, excluding commodities in bulk, between Minneapolis and St. Paul, Minn., on the one hand, and, on the other, the Twin City Ordnance Plant in Mound View Township, Ramsey County, Minn.; general commodities, excluding household goods, between Minneapolis, St. Paul, South St. Paul, Invergrove, West St. Paul, Newport, North St. Paul, Columbia Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, Red Rock, McCarron's Lake, Fort Snelling, and State Fair Grounds, Minn.; general commodities, excluding household goods and commodities in bulk, over regular routes, between Pierre, S. Dak., and Sioux City, Iowa; and

general commodities, over irregular routes, between points on the lines of the Chicago, Milwaukee, St. Paul and Pacific Railroad and the Chicago and North Western Railroad in Brule, Hughes, Hyde, Lyman, Stanley, and Sully Counties, S. Dak., on the one hand, and, on the other, points in such counties excepting points now located on such railroads; dairy products, poultry, butter, and eggs, over regular routes, from Aberdeen, S. Dak., to Sioux City, Iowa, serving specified intermediate points; meat, meat products, meat byproducts, dairy products, and articles distributed by meatpacking houses, as defined by the Commission, from junction of U.S. Highways 14 and 281 (4 miles northwest of Wolsey, S. Dak.) to Cheyenne Agency, S. Dak., and from Cheyenne Agency to junction of U.S. Highways 83 and 14 (17 miles northeast of Pierre, S. Dak.) butter over irregular routes from Tripp and Parkston, S. Dak., to Sioux City, Iowa; eggs, from Yankton and Tripp, S. Dak., to Sioux City, Iowa; poultry, from Parkston and Mitchell, S. Dak., to Sioux City, Iowa, and fruit and vegetables between Vermillion, S. Dak., and Omaha, Nebr., in truckload lots only, over irregular routes, canned goods, from

Sleepy Eye and Marshall, Minn., and Marshalltown, Iowa, to Mitchell, Brookings, Madison, and Sioux Falls, S. Dak.; such commodities, as are dealt in by wholesale hardware concerns, from Sterling and Dixon, Ill., and Minneapolis, and St. Minn., and points in the Chicago, Ill., Commercial Zone, supra, to Sioux Falls, S. Dak.; theatre supplies, from Chicago, Ill., to Sioux Falls, S. Dak.; butter, eggs, and poultry, from Sioux Falls, S. Dak., to Chicago, Ill.; carbonated beverages and empty containers therefor, between Maywood, Ill.; and Sioux Falls, S. Dak., and farm machinery and farm implements, from Sioux Falls, S. Dak., on the one hand, and, on the other, Moline, Rockford, and Rock Island, Ill. Donald A. Morken, 1000 First National Bank Building, Minneapolis 2, Minn., attorney for applicants.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-9236; Filed, Aug. 27, 1963; 8:51 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

AUGUST 23, 1963.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MC-4470 (Sub-No. 1), filed April 26, 1963. Applicant: POTTER FREIGHT LINES, INC., Post Office Box 418, Sparta, Tenn. Applicant's attorney: James Clarence Evans, 710 Third National Bank Building, Nashville, Tenn. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (except used household goods and commodities in bulk), (a) between the junction of U.S. Highway 70 and U.S. Highway 27, south of Rockwood (excluding Rockwood) and Knoxville, with no service at any intermediate point, with this authority to be used in conjunction with all of applicant's existing authority (and authority for which application is now pending) over the following routes: (1) Via U.S. Highway 70. (2) From said junction to Kingston, Tenn., via U.S. Highway 70, thence via Interstate Highway 40 to Knoxville, and return over the same route, and also using additional segments of Interstate Highway 40 between said junction and Kingston when and as they become available and using such access routes between U.S. Highway 70 and said additional segments of Interstate Highway 40 as may from time to time be necessary. (b) Removal of the closed door restriction in applicant's existing authority at the junction of U.S. Highway 70 and U.S. Highway 27, south of Rockwood solely for the purpose of joinder with applicant's other authority. The authority sought and its use in conjunction with existing authority is restricted against either the picking up or delivery of any traffic at any point on U.S. Highway 27 south of Rockwood junction, including Chattanooga, Tenn., and is further restricted against the movement by this carrier of traffic (interstate or intrastate) moving between the points of Nashville and Knoxville. Applicant proposes and seeks authority to operate in both interstate and intrastate commerce.

HEARING: October 23, 1963, at 9:30 a.m., in the Commission's Court Room, C-1 Cordell Hull Building, Nashville, Tenn.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn., 37219, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-9237; Filed, Aug. 27, 1963; 8:51 a.m.]

[No. 34291]

GRAIN IN SINGLE-CAR SHIPMENTS; RIVER CROSSINGS TO THE SOUTH

Order of Investigation

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 11th day of July A.D. 1963.

It appearing, that on February 28, 1963, and later, certain railroads operating in southern territory established point-to-point, single-car rates on grain, subject to minima of 90 tons in jumbo covered hopper cars and 50 tons in conventional equipment, from certain Ohio and Mississippi River crossings to points in the South, which were published in Southern Freight Association's tariff I.C.C. No. S-182;

It further appearing, that those rates were made 120 percent of the multiple-car rates on corresponding traffic which became effective on May 11, 1963, following approval, in part, thereof by Division 2 in its report in Investigation and Suspension Docket No. 7656, Grain in Multiple-Car Shipments—River Crossings to the South, — I.C.C. — (decided January 21, 1963);

It further appearing, that I. & S. Docket No. 7656, by order dated April 12, 1963, was reopened for reconsideration, and that the entire Commission, on July 1, 1963, entered its report on reconsideration, reversing the prior findings therein, in part, and finding the said multiple-car rates not shown to be just and reasonable or otherwise lawful, without prejudice to filing revised schedules;

And it further appearing, that since the said single-car rates are directly related to the multiple-car rates found unlawful in the report on reconsideration in I. & S. Docket No. 7656; and good cause appearing therefor;

It is ordered, That an investigation be, and it is hereby, instituted into and concerning the lawfulness of the single-car rates referred to above, with a view to making such findings and orders as the facts and circumstances shall warrant.

It is further ordered, That the carriers participating in said rates, be and they are hereby, made respondents to this proceeding; that a copy of this order be served upon the said respondents; and that notice of this proceeding be given the public by posting a copy of this order in the Office of the Secretary of the Commission.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-9238; Filed, Aug. 27, 1963; 8:51 a.m.]

[No. 34291]

GRAIN IN SINGLE-CAR SHIPMENTS; RIVER CROSSINGS TO THE SOUTH

Order for Hearing

Upon consideration of the record in the above-entitled proceeding, and it appearing that this matter is one which should be referred to an examiner for recommendation of an appropriate order thereon; and for good cause:

It is ordered, That the above-entitled proceeding be, and it is hereby, referred to Examiner R. C. Bamford for hearing on September 24, 1963, 8:30 a.m., U.S. standard time (9:30 a.m., District of Columbia daylight saving time), at the offices of the Interstate Commerce Commission, Washington, D.C., and for recommendation of an appropriate order thereon, accompanied by the reasons therefor.

Dated at Washington, D.C., this 19th day of August A.D. 1963.

By the Commission, Commissioner Freas.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-9243; Filed, Aug. 27, 1963; 8:52 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

AUGUST 26, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within

15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38504: *Potash from Carlsbad and Loving, N. Mex.* Filed by The Atchison, Topeka and Santa Fe Railway Company (No. 92–A), for itself and interested rail carriers. Rates on potassium (potash), as described in the application, in carloads, from Carlsbad and Loving, N. Mex., to points in Illinois, Iowa and Wisconsin.

Grounds for relief: Market competition.

Tariff: Supplement 16 to The Atchison, Topeka and Santa Fe Railway Company tariff I.C.C. 14954.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 63–9295; Filed, Aug. 27, 1963; 8:47 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

FRANCESCO FRAMARIN

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Francesco Framarin, Via Mercato Nuovo, 17, Vicenza, Italy; Claim No. 44052; Vesting Order No. 1421; $454.98 in the Treasury of the United States.

Executed at Washington, D.C., on August 23, 1963.

For the Attorney General.

[SEAL] ANTHONY L. MONDELLO,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 63–9281; Filed, Aug. 27, 1963; 8:47 a.m.]

KAREL VESELY

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D.C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses, and also subject to the provisions of Executive Order No. 8389, as amended, 5 F.R. 1400, 6 F.R. 2897:

Claimant, Claim No., Property

Karel Vesely, Smetanova ul. 72, Uhrineves u Prague, Czechoslovakia; Claim No. 36967; Property described in Vesting Order No. 676 (8 F.R. 5039, April 17, 1943) relating to United States Letters Patent No. 2,136,161. An undivided one-half part of the whole right, title and interest in property described in Vesting Order No. 676 (8 F.R. 5039, April 17, 1943) relating to United States Letters Patent No. 1,614,415.

Executed at Washington, D.C., on August 22, 1963.

For the Attorney General.

[SEAL] ANTHONY L. MONDELLO,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 63–9282; Filed, Aug. 27, 1963; 8:47 a.m.]

ZDENEK JISKRA

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D.C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses, and also subject to the provisions of Executive Order No. 8389, as amended, 5 F.R. 1400, 6 F.R. 2897:

Claimant, Claim No., Property

Zdenek Jiskra, Bubenska 7, Prague 7, Czechoslovakia; Claim No. 28322; property described in Vesting Order No. 676 (8 F.R. 5039, April 17, 1943) relating to United States Letters Patent No. 2,146,340.

Executed at Washington, D.C., on August 22, 1963.

For the Attorney General.

[SEAL] ANTHONY L. MONDELLO,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 63–9283; Filed, Aug. 27, 1963; 8:47 a.m.]

VINCENT DOHNANSKY ET AL.

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses; and also subject to the provisions of Treasury Circular No. 655, as amended, 31 CFR 211.3, and of Executive Order No. 8389, as amended, 5 F.R. 1400, 6 F.R. 2897:

Claimant, Claim No., Property, and Location

Vincent Dohnansky, Kamenicany c.d. 6 p. Bolesov, okres Pov. Bystrica, Czechoslovakia; $34.01 in the Treasury of the United States; Ursula Prekopova, Cerveny Kamen c.d. 85, okres Povazska Bystrica, Czechoslovakia; $34.01 in the Treasury of the United States; Anna Barcikova, Brunovce c. 155, posta Potvorice, okres Trencin, Czechoslovakia; $34.01 in the Treasury of the United States; Frantisek Dohnansky, Cerveny Kamen c.d. 83, okres Povazska Bystrica, Czechoslovakia; $34.01 in the Treasury of the United States; Maria Jakubkova, Kolonia 951/B/7, Povazska Bystrica, Czechoslovakia; $34.00 in the Treasury of the United States; Apolonia Prekopova, Cerveny Kamen c.d. 283, okres Povazska Bystrica, Czechoslovakia; Claim Nos. 6888 and 39562, Voluntary Turnover; $34.00 in the Treasury of the United States.

Executed at Washington, D.C., on August 22, 1963.

For the Attorney General.

ANTHONY L. MONDELLO,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 63–9284; Filed, Aug. 27, 1963; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—AUGUST

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

1 CFR

Page

CFR Checklist 7818

3 CFR

PROCLAMATIONS:

3546 7929
3547 8237
3548 9279

EXECUTIVE ORDERS:

July 2, 1910 ..... 7976, 8036, 8040
Dec. 16, 1911 7905
Mar. 23, 1912 8040
June 4, 1912 7905
Oct. 18, 1912 7905
Jan. 27, 1913 8035
Mar. 23, 1914 7985
May 31, 1915 8036
Aug. 2, 1915 8036
Mar. 21, 1917 8407
Aug. 22, 1919 8035
9411 8075
10530 8075
11116 8075
11117 8397

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:

Letter, Aug. 15, 1963 ..... 8599, 9131
Memorandum, Aug. 21, 1963 9413

5 CFR

6 ..... 7818, 7887, 7931, 7969, 8240, 8273, 8309, 8439, 9197, 9281, 9417.
24 8117
29 7818
201 8191
202 8191
204 8191
350 9417

7 CFR

1 8117
7 8239
26 8191
28 9133
52 8362
81 ..... 7969, 9381
102 7887
301 ..... 9133, 9137
362 7818
401 ..... 7931, 8239, 8439, 8441, 9140–9143, 9197
402 9143
403 9143
404 8442
405 8442
406 ..... 8239, 9143
701 ..... 9252, 9253
718 8117
722 ..... 7888, 9281, 9381
724 ..... 8018, 9144
728 8239
730 9146
776 7888
906 9417
908 ..... 7931, 8240, 8442, 9343
910 ..... 7932, 8240, 8273, 8442, 8443, 9343
919 8313
921 ..... 8018, 9418
922 9418
923 9419
924 9146
925 7932
927 ..... 7933, 9344
945 8365

7 CFR—Continued

Page

946 7890
948 ..... 8399, 9146, 9253
958 8192
981 9383
987 ..... 7890, 9281
993 8399
1030 8126
1031 8127
1032 7819
1037 7819
1038 8443
1045 ..... 8444, 9147
1062 8127
1063 8193
1067 ..... 8018, 9419
1101 9419
1126 8128
1135 7969
1137 7969
1138 7934
1421 ..... 7819, 7821, 7891, 7892, 8018, 8019, 8273, 8277, 9420.
1427 9420
1446 8195
1464 8019
1481 9420

PROPOSED RULES:

26 7949
28 7952
51 9211
52 ..... 8373, 8374
318 9321
912 9355
980 8324
981 ..... 8157, 9320
987 ..... 8292, 8325
1002 8157
1030 ..... 7884, 8212
1031 7845
1044 7846
1070 8412
1096 7911
1101 8376
1126 7911
1130 7847
1131 9357
1138 7847

8 CFR

242 8279
342 9282
511 7935

9 CFR

74 ..... 8241, 9282
94 7823
122 7896
131 8365
201 9344

10 CFR

1 ..... 8241, 8399
2 7935
40 8021
50 7935
115 7935
130 7896
160 8400

PROPOSED RULES:

40 8043

12 CFR

1 8280
208 8361
211 9421

12 CFR—Continued

Page

213 8361
217 ..... 8282, 9384
224 7824

PROPOSED RULES:

220 9155

13 CFR

121 9344

14 CFR

1 8444
41 9197
61 [New] 8445, 9249
71 [New] ..... 7824, 7825, 7901, 7902, 7936, 7937, 8022, 8129, 8204, 8205, 8241, 8242, 8282, 8400, 8446–8449, 9199, 9200, 9250, 9251, 9283–9286, 9345–9347, 9424–9430.
73 [New] 7936, 8129, 8313, 9200, 9286, 9430
75 [New] 8205, 8283, 9384
151 [New] 8449
159 [New] 9384
202 ..... 9200, 9287
203 9200
211 8283
215 9201
223 9288
292 9202
296 9202
297 9202
302 8284
507 ..... 7902, 7937, 7970, 8242, 8285, 8314, 8450, 9203, 9251, 9252.
514 8285
609 ..... 8130, 8137, 8451
610 9203

PROPOSED RULES:

40 ..... 8214, 9111
41 ..... 8214, 9211
42 ..... 8214, 9211
61 [New] 8157
71 [New] ..... 7853, 7854, 7912–7914, 7954–7956, 7995–7996, 8043–8045, 8215–8217, 8376, 8377, 8414–8416, 9211–9213, 9263, 9322, 9323, 9358, 9437–9441.
73 [New] 7915, 8217, 9323, 9441
75 [New] 7914, 8326
153 [New] 8292, 9324
507 ..... 7957, 8293, 8326, 8472
514 8218

15 CFR

371 7903
399 7903

16 CFR

13 ..... 7908, 8022, 8023, 8205–8208, 8243, 8244, 8401, 8402, 8458–8460, 9253–9255, 9430–9432.

17 CFR

230 8208
240 9433
250 7970

18 CFR

1 8287
141 8140
301 9288

PROPOSED RULES:

101 ..... 7859, 9155
154 7859

18 CFR—Continued

PROPOSED RULES—Continued

	Page
155	7860
157	7859
201	7859, 9155
250	7859
260	7860

19 CFR

8	9207
9	9207
10	9207
16	8129
22	8025

PROPOSED RULES:

1	9263

21 CFR

1	7825, 7936
8	7936, 8309, 8460
15	7971
17	7971
19	9147
29	9347
120	9148
121	7903, 7971, 8024, 8309, 8310, 8313, 8403, 8460, 8461, 9148, 9207, 9208, 9347
146	9148, 9207
146a	8025
146b	8025

PROPOSED RULES:

19	7912
121	8471
141a—141e	8471
146	8471
146a—146e	8471

24 CFR

203	8287
207	7971
213	7971, 8288
234	8288
608	7971

25 CFR

15	8288
47	8314

PROPOSED RULES:

131	8250
163	7949
221	8157, 8212

26 CFR

1	9385

PROPOSED RULES:

1	8148, 8212, 8324, 9389
48	9437

28 CFR

0	9387
42	9255

29 CFR

2	7941
12	9149, 9289
13	7909
101	7909
102	7972
401—453	7972
526	9149
683	9433
697	8288
778	9348
779	7825
1302—1309	7825, 9256
1307	9149
1508	8315
1509	7909

PROPOSED RULES:

516	7850, 9357
522	9357
542	8292

29 CFR—Continued

PROPOSED RULES—Continued

548	7850
694	8325
795	9357
1307	9154
1501	9291
1502	9291
1503	9303

31 CFR

54	8289
211	7975
515	7941

32 CFR

Ch. I	7941
30	9348
132	9434
260	9434
538	8025
609	8026
750	8315
813	9385
891	7941
1001	8141, 9151, 9289
1002	8143
1003	8143, 9151
1004	8244
1007	8246, 9151
1008	8248
1009	8248
1010	8249
1011	8366
1012	8366
1013	8368
1016	9151
1053	8368
1054	8368
1057	8369
1059	8369
1060	8369

32A CFR

OEP (CH. I):

DMO I–21	8402
OEP Cir	8402

33 CFR

202	9208, 9289
203	7909
204	8249
207	7831, 8461

36 CFR

311	7975

PROPOSED RULES:

1	9154
6	7911
7	9398

38 CFR

3	8290
6	8316
8	8316
13	7832

39 CFR

4	9149
13	9149
15	7832
22	9387
47	7832
61	7832
168	8404

41 CFR

1–1	7937, 8461, 9289
1–2	7937, 9289
1–16	7937
2–7	8318, 8463, 9152
5–2	7940
5C–1—5C–70	7836

41 CFR—Continued

5D–1	8406
9–2	8467
9–3	8370
9–16	8026
9–51	9386
11–3	8321
50–202	8033, 9318
50–204	8208

PROPOSED RULES:

50–202	9318

42 CFR

73	7838, 8034, 8239

43 CFR

168	7942

PROPOSED RULES:

259	8042

PUBLIC LAND ORDERS:

42	8038
123	8034
338	9353
944	7976
1027	8147
1228	7989
1317	7985
1371	8034
1493	7989
1613	8034
2586	7907
2861	7907
2867	7907
2992	7907
3053	7907
3061	7986
3075	7907
3109	7907
3129	7905
3130	7906
3131	7907
3132	7907
3133	7907
3134	7976
3135	7976
3136	7977
3137	8034
3138	7977
3139	7977
3140	7977
3141	7977
3142	7978
3143	7979
3144	7979
3145	7979
3146	7980
3147	7980
3148	7980
3149	7981
3150	7981
3151	7981
3152	7982
3153	7983
3154	7984
3155	7984
3156	7985
3157	7985
3158	7985
3159	7985
3160	7986
3161	7986
3162	7986
3163	7986
3164	7986
3165	7987
3166	7987
3167	7988
3168	7988
3169	7988
3170	7988
3171	7988

43 CFR—Continued

PUBLIC LAND ORDERS—Continued

	Page
3172	7989
3173	7989
3174	7989
3175	8034
3176	8034
3177	8034
3178	8035
3179	8035
3180	8036
3181	8036
3182	8037
3183	8037
3184	8037
3185	8038
3186	8038
3187	8038
3188	8039
3189	8040
3190	8040
3191	8040
3192	8147
3193	8407
3194	8407
3195	8407
3196	9351
3197	9351
3198	9352
3199	9352
3200	9352
3201	9353
3202	9353
3203	9353
3204	9353
3205	9387

45 CFR

10	8408
70	7931
141	7989
147	8409
401	8410

46 CFR

2	9182
31	9182
32	9183
33	9183
34	9183
35	9185
51	9185
52	9186
54	9186
55	9188
56	9189
57	9189
61	9190
78	9190
94	9190
97	9191
110	9191
111	9191
112	9192
113	9193
401	7909
511	8041
528	9257
529	9258

47 CFR

0	7942
1	8076, 8102, 8103
2	8103, 9258
3	8076, 8102, 8103, 8114–8116, 8370, 9258
4	8103, 9258
10	7945
13	8116
PROPOSED RULES:	
2	7854
3	7857, 8159, 8160
11	7854
15	8161
31	8161
35	8161

48 CFR

211	7947, 8211

49 CFR

1	8211, 9353
9a	9435
131	7839
195	9208
PROPOSED RULES:	
1	9443
1—450	9442
20	9155
142	7860
188	7860

50 CFR

10	7840
12	9209
32	7909, 8371, 8372, 8410, 8411, 8469, 9153, 9259–9261, 9354, 9436.
33	8290
PROPOSED RULES:	
12	8042
32	7850, 9211
33	9263
266	8412

Latest Revision

GUIDE TO RECORD RETENTION REQUIREMENTS

[Updated to January 1, 1963]

Lists (1) published requirements (in laws and regulations) on the keeping of non-Federal records, (2) what records must be kept and who must keep them, and (3) retention periods.

Price: 15 cents

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, Government Printing Office, Washington D.C., 20402

FEDERAL REGISTER

Telephone WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, 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, D.C., 20402.

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 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

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 August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.