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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.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1964, and specifies how they are affected.

Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

1964 Issuances

This checklist, published in the first issue of each month, is arranged in order of titles, and shows the issuance date and price of revised volumes and pocket supplements of the Code of Federal Regulations issued to date during 1964. New units issued during the month are announced in the FEDERAL REGISTER as they become available. Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

CFR unit (as of Jan. 1, 1964)	*Price*
1-4 Supp	$1.25
3 1963 Supp	1.00
5 Rev	4.75
6 Rev	1.00
7 Parts:	
1–50 Supp	1.00
51–52 Supp	1.00
53–209 Supp	.75
210–399 Supp	.60
400–899 Rev	3.00
900–944 Rev	1.00
945–980 Rev	.70
981–999 Rev	.60
1000–1029 Rev	1.00
1030–1059 Rev	1.00
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1090–1119 Rev	.65
1120–1199 Rev	.70
1200–end Rev	2.00
8 Supp	.55
9 Supp	.75
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12 Supp	.50
13 Supp	.40
14 Parts:	
1–19 Rev	2.50
20–199 Rev	1.75
200–399 Rev	1.25
400–end Rev	1.00
15 Rev	1.50
16 Supp	1.00
17 Rev	6.00
18 Supp	.55
19 Rev	1.75
20 Supp	.60
21 Rev	3.25
22–23 Supp	.65
24 Supp	.50
25 Supp	.60
26 Parts:	
1 (§§ 1.0-1—1.400) Supp	.65
1 (§§ 1.401—1.860) Supp	1.00
1 (§§ 1.861—end) to 19 Supp	.75
20–29 Supp	.40
30–39 Supp	.40
40–169 Supp	1.00
170–299 Supp	.60
300–499 Supp	.40
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32 Parts:	
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32 Parts—Continued	
700–799 Supp	$0.55
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35 Supp	.35
36 Supp	.50
37 Supp	.35
38 Rev	2.25
39 Supp	1.00
40–41 Parts:	
1-1—1-17 Rev	1.25
2-1—end Rev	2.25
42 Supp	.60
43 Rev	2.50
43 Spec. Supp.[1]	2.25
44 Supp	.50
45 Supp	.65
46 Parts:	
1–145 Supp	.45
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150–end Supp	1.50
47 Parts:	
0–19 Rev	1.00
20–69 Rev	1.50
70–79 Rev	1.00
80–end Rev	1.50
48 New	.45
49 Parts:	
0–70 Supp	.40
71–90 Rev	2.50
91–164 Supp	.60
165–end Rev	6.25
50 Supp	.50
General Index Rev	.65

[1] Special supplement, as of April 1, 1964.

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

National Aeronautics and Space Administration

Section 213.3148 is amended to except ten medical officer positions for employment, for not more than one year, of third year medical residents in the field of aerospace medicine. Effective upon publication in the FEDERAL REGISTER, paragraph (d) is added to § 213.3148 as set out below.

§ 213.3148 National Aeronautics and Space Administration.

* * * * *

(d) Ten medical officer positions for employment of third year medical residents in the field of aerospace medicine. An individual may not be employed more than one year under this exception.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 64-6517; Filed, June 30, 1964; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[Sugar Determination 849.2, Rev. 2]

PART 849—DOMESTIC BEET SUGAR PRODUCING AREA PREVENTED ACREAGE CREDIT; 1964 AND SUBSEQUENT CROPS

Scope and Purpose

Pursuant to the provisions of section 302(b) of the Sugar Act of 1948, as amended, the title of Part 849 is amended to read "Part 849—Domestic Beet Sugar Producing Area Prevented Acreage Credit; 1964 and Subsequent Crops" and § 849.2 is revised to read as follows:

§ 849.2 Scope and purpose.

(a) *Applicability.* The provisions of this section apply only in the Domestic Beet Sugar Area and provide procedures which apply to sugarbeet crops of the 1964 and subsequent crop years designated as provided in Part 891 of this chapter. This regulation is designed to protect the interests of producers in local producing areas whose past production has been adversely, seriously and generally affected by drought, storm, flood, freeze, disease, insects or other similar abnormal and uncontrollable conditions, as provided in section 302(b) of the act. The designation of sugarbeet crops and crop years set forth in Part 891 of this chapter shall apply to this section for purposes of identifying crops and crop years with respect to States.

(b) *Definitions.* For the purpose of this section the terms:

(1) "Provisional abandoned acreage" means with respect to the 1964 and subsequent crop years the acreage on a farm which was determined by a member of the Agricultural Stabilization and Conservation (hereinafter referred to as "ASC") county committee to be bona fide abandoned acreage to the extent of fulfilling at least the requirements for abandonment payment set forth in paragraph (a) (1) through (5) of § 842.2 of this chapter, as shown by county committee office records.

(2) "Planted acres" means the acreage of sugarbeets harvested for sugar plus any bona fide abandoned acreage.

(3) "Prevented acreage" means the number of acres which the ASC county committee determines would have been seeded during the 1964 or subsequent crop years to sugarbeets for the production of sugar or liquid sugar on a farm in a local producing area approved for prevented acreage credit pursuant to paragraph (d) of this section, but were not seeded to sugarbeets because of drought, flood, storm, freeze, disease or

insects, or upon prior approval of the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, because of other similar abnormal and uncontrollable conditions; and such term also shall include the number of acres which were seeded to sugarbeets on a farm during the 1964 or subsequent crop years in a local producing area approved for prevented acreage credit pursuant to paragraph (d) of this section, which the ASC county committee, upon prior approval of the Deputy Administrator, State and County Operations, determines were not harvested for the extraction of sugar or liquid sugar because of abnormal and uncontrollable natural conditions such as wild animals or an intervening force of nature, but which could not be determined by a member of the ASC county committee to be provisional abandoned acreage because the reason for the abandonment was not drought, flood, storm, freeze, disease or insects.

(4) "Local producing area" shall be a local producing area as identified or defined under the provisions of Part 842 of this chapter.

(5) "Personal history area" means a State or substantial portion thereof in which the Secretary determines that sugarbeet production is organized generally around persons rather than units of land and where the personal sugarbeet production history of farm operators was used generally prior to 1962 in establishing farm proportionate shares or where proportionate shares were not established prior to 1962.

(c) *Prevented acreage credit.* The ASC county committee shall determine prevented acreage credits in accordance with the provisions of this section as part of the general determination of performance. The following limitations are applicable in determining prevented acreage credit for farms in all areas including personal history areas.

(1) The farm must be located (see § 842.2, this chapter) in a local producing area approved for prevented acreage credit in accordance with paragraph (d) of this section.

(2) The prevented acreage to be credited to a farm for a crop year when proportionate shares are in effect shall not be larger than the amount by which the proportionate share initially established for the farm, including adjustment under appeals, but excluding any reallotments, exceeds the acreage for such year which was harvested for the extraction of sugar or liquid sugar plus any provisional abandoned acreage for such year: *Provided*, That for any crop year in which a producer other than a new producer (as defined in the proportionate share determination for the crop year for which prevented acreage credit is claimed), did not request a proportionate share for a farm or requested one smaller than he would have requested because of his knowledge that he would be limited in his seedings due to the occurrence in such year of one or more of the conditions referred to in paragraph (b)(3) of this section, the prevented acreage credit for such farm shall be limited to the difference between the seeded acreage, if any, and the proportionate share that would have been established in such year for such farm except for such conditions, as determined by the county committee.

(3) The prevented acreage to be credited to a farm for a crop year when proportionate shares are not in effect shall not exceed the difference between the sum of the acreage harvested during such year for sugar or liquid sugar plus any provisional abandoned acreage for such year and the largest sum of the harvested acreage, provisional abandoned acreage and prevented acres for any of the three crop years immediately preceding such crop year.

(4) In a personal history area, priority shall be given to including the prevented acreage credit for a farm for any crop year, as a part of the personal history record of the person who was the operator of the farm in the crop year for which prevented acreage may be credited to such farm pursuant to the provisions of this section.

(d) *Determination and approval of local producing areas for prevented acreage credits.* For the 1964 and subsequent crop years the ASC county committees shall determine the local producing areas (1) wherein the planting of sugarbeets during any crop year was adversely, seriously and generally affected by one or more of the conditions specified in paragraph (b)(3) of this section, or (2) wherein acreage seeded to sugarbeets could not be harvested for the extraction of sugar because of abnormal and uncontrollable natural conditions such as wild animals or an intervening force of nature and such acreage would not be determined by a member of the ASC county committee to be provisional abandoned acreage. The ASC county committee shall approve for a given crop year each local producing area wherein the planting or harvesting of sugarbeets was so affected on ten percent or more of the sugarbeet farms in the area, or wherein the number of acres so affected on farms in the area for a given crop are equal to ten percent or more of the number of planted acres in the area or are equal, if proportionate shares are in effect, to ten percent or more of the total proportionate share acreage established for farms in the area.

(e) *Determining and recording prevented acreage credits.* Subject to the provisions of this section, the ASC county committee shall determine the extent of prevented acreage for the 1964 and subsequent crop years to be credited to each farm and in personal history areas to be included in the production records of farm operators, upon the basis of the prevented acreage reported to the committee with respect to such farm by the operator or owner thereof, and information brought to the attention of the ASC county committee. For all areas except California, such information shall be reported or brought to the attention of the committee not later than November 1 of the year used to designate the crop involved in prevented acreage. In California, such information shall be reported or brought to the attention of the committee not later than April 1 of the year following that used to designate the crop involved in prevented acreage. The prevented acreage credit for each farm for any given crop year as determined by the ASC county committee, together with a brief reference to the basis relied upon by the committee in determining the extent of such credit, shall be recorded on the appropriate county office records. The committee shall report to the ASC State Committee the local producing areas approved pursuant to paragraph (d) of this section, together with related data on numbers of farms, proportionate shares (if such shares are in effect) and the conditions causing the prevented acreages. The ASC State Committee shall record prevented acreage credits in accordance with instructions issued by the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, United States Department of Agriculture.

(f) *Notice.* In each case of denial or reduction of credit for prevented acreage as reported for the 1964 or subsequent crops, the ASC county committee shall notify the person reporting the prevented acreage regarding the credit, if any, approved in his case, giving the basis of such denial or reduction.

(g) *Appeals.* All appeals shall be handled in accordance with the procedure provided in Part 891 of this chapter.

STATEMENT OF BASES AND CONSIDERATIONS

Section 302(b)(5) of the Sugar Act provides, in part, that in determining farm proportionate shares, the Secretary shall, insofar as practicable, protect the interests "* * * of the producers in any local producing area whose past production has been adversely, seriously and generally affected by drought, storm, flood, freeze, disease, insects or other similar abnormal and uncontrollable conditions". This revision of the determination of Prevented Acreage Credit reflects changes in references to other regulations, and provides that prevented acreage credits shall be included in production records of farm operators in personal history areas.

The definition of "local producing area" contained in § 842.2—"Eligibility for Acreage Abandonment and Crop Deficiency Payments", was recently amended (29 F.R. 4139) to include not only townships, or ASC communities in Texas and Utah, but also certain designated combinations of townships or communities and certain designated counties. This action was based on recommendations resulting from a detailed study conducted by the county offices in each sugarbeet producing county of the number and location of each sugarbeet farm in each such county. This revision provides that this same definition of local producing area be included in the determination of "Prevented Acreage Credit".

Further, the revision provides that any appeal will be conducted in accordance with the provisions set forth in Part 891 of this chapter.

Accordingly, I hereby find and conclude that this determination will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, sec. 302, 61 Stat. 930; 7 U.S.C. 1132)

Effective date: Date of publication.

Signed at Washington, D.C., on June 25, 1964.

CHARLES S. MURPHY,
Acting Secretary of Agriculture.

[F.R. Doc. 64-6544; Filed, June 30, 1964; 8:47 a.m.]

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

[Milk Order 32]

PART 1032—MILK IN THE SUBURBAN ST. LOUIS 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 Suburban St. Louis marketing area (7 CFR Part 1032), it is hereby found and determined that:

(a) The following provision of the order does not tend to effectuate the declared policy of the Act for June 1964: In § 1032.13(a) the following: "a volume equal to not less than 50 percent of the total receipts of."

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 relieves for the month of June the requirement that a pool distributing plant dispose of as Class I milk on routes 50 percent of its receipts of producer milk and milk from cooperatives. This action will permit a plant to retain pool status although its utilization in Class I is below this percentage, but will retain the requirement that it distribute on routes in the marketing area an average of not less than 7,000 pounds per day or not less than 20 percent of the plant's total Class I milk, whichever is less.

(4) Interested parties were afforded opportunity to file written data, views or arguments concerning this suspension (29 F.R. 7893). None were filed in opposition to the proposed suspension.

Therefore, good cause exists for making this order effective June 1, 1964.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the month of June 1964.

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

Effective date: June 1, 1964.

Signed at Washington, D.C., on June 26, 1964.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 64-6575; Filed, June 30, 1964; 8:51 a.m.]

[Milk Order 131]

PART 1131—MILK IN THE CENTRAL ARIZONA MARKETING AREA

Order Amending Order

§ 1131.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Central Arizona marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* (1) It is necessary in the public interest to make this order amending the order effective not later than July 1, 1964. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

(2) The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Agricultural Marketing Service, was issued June 1, 1964, and the decision of the Assistant Secretary containing all amendment provisions of this order was isued June 18, 1964. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective July 1, 1964, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c (9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Central Arizona marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

§ 1131.8 [Amended]

1. The following sentence is added to § 1131.8(c): "Milk received by such cooperative, in a truck owned or under contract to the cooperative, from a pool plant and transferred in such truck to another pool plant for the account of the cooperative shall be considered a receipt at the cooperative's plant and a transfer from such plant."

2. Section 1131.15 is revised as follows:

§ 1131.15 Fluid milk product.

"Fluid milk product" means the following milk products, including such products made by reconstituting or recombining concentrated or dehydrated milk constituents with water. Milk (including frozen or concentrated milk), cream (sweet or sour), skim milk, buttermilk, flavored milk, flavored milk drinks, or any mixtures in fluid form of milk, skim milk or cream, with or without other ingredients, which are designated as milk products by the appropriate health authority. This definition shall not include sterilized products packaged in hermetically sealed containers, eggnog, yogurt, ice cream mix or aerated, plastic or frozen cream.

3. The introductory text of § 1131.51 (a) and paragraph (b) are revised as follows:

§ 1131.51 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $2.50 for the months of July 1964 through December 1964 and thereafter $2.10 for each of the months of March, April, May and June and plus $2.40 for all other months and shall be increased or decreased by a "supply-demand adjustment" (except that such supply-demand adjustment shall not be applicable to the Class I prices computed for July, August and September 1964) of not more than 50 cents computed as follows:

* * * * *

(b) *Class II milk price.* The price for Class II milk shall be the Class III price for the month, plus 25 cents.

4. Section 1131.84 is revised as follows:

§ 1131.84 Adjustment of accounts.

(a) Whenever audit by the market administrator of any reports, books, records, or accounts or other verification discloses errors resulting in monies due (1) the market administrator from a handler, (2) a handler from the market administrator, or (3) any producer or cooperative association from a handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth in the provisions under which such error occurred.

(b) Any unpaid obligation of a handler pursuant to § 1131.82 or paragraph (a) of this section relative to payments to the producer-settlement fund shall be increased one-half of one percent on the second day following the due date of such obligation and on the 15th day of each month thereafter until such obligation is paid.

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

Effective date: July 1, 1964.

Signed at Washington, D.C., on June 26, 1964.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 64–6576; Filed, June 30, 1964; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT [NEW]

[Reg. Docket No. 1437]

PART 31—AIRWORTHINESS REQUIREMENTS: MANNED FREE BALLOONS [NEW]

This rule making action adds Part 31 "Airworthiness Standards: Manned Free Balloons" [New] to Chapter I of Title 14 of the Code of Federal Regulations. It is based on notice of proposed rule making No. 63–23 (28 F.R. 6459).

The purpose of the new Part is to prescribe airworthiness requirements for issuing type certificates, and changes to those certificates, for manned free balloons. In order to avoid issuance and then immediate reissuance in a recodified form, the revision is issued as Part 31 of the Federal Aviation Regulations [New] rather than as Part 12 of the Civil Air Regulations as initially proposed.

Interested persons have been afforded an opportunity to participate in the making of this rule, and due consideration has been given to all relevant matters presented. Some of the comments suggested changes that, while having apparent merit, go beyond the scope of the notice of proposed rule making. In order to get public comment on these suggestions, the Agency is issuing another notice of proposed rule making, simultaneously with the publication of this rule. The preamble to the notice explains the new proposals and their relation to this rule.

The certification procedural rules for this Part have been placed at the end. Upon the final publication of Part 21 "Airworthiness Certification Procedures" [New] of the Federal Aviation Regulations, the procedural sections of this part will be eliminated. The procedural sections of this part are identical in essence to those contained in other airworthiness parts so the combination will not result in any substantive change. It is the stated policy of the Agency to restate in one part, all of the airworthiness procedural provisions to provide necessary procedural uniformity.

The Air Line Pilots Association recommended that the proposed part be given additional study and evaluation in the interests of safety. They state that manned free balloons serve little useful purpose compared with the potential hazard to air navigation that they present, because of the balloon's limited maneuvering capability and lack of navigational instruments. The Agency does not concur in this view as there is no evidence to support it. Past experience has not indicated that balloons have created a hazard to air travel or that they will do so in the future, nor does the Association provide any evidence that such will be the case. If future developments show balloons to be a hazard to air navigation, the Agency will take appropriate action.

Industry comments suggested the refinement of certain definitions and the addition of others. In this connection, since the Part applies both to gas filled and hot air balloons definitions of both of these types have been included in the rule. In addition the definition of "envelope" has been changed by including in the definition the purpose which the envelope serves. With the exception of "design maximum weight" the Agency sees no need to change the definitions of "limit load", "factor of safety", and "ultimate load". These definitions are similar to those in other airworthiness Parts and are either executed in the writing of the new Part or will be consolidated and placed in Part 1 "Definitions" of the Federal Aviation Regulations as a part of the Agency's recodification program. The definition of "design maximum weight" has been restated to show that it consists of the total weight of the balloon less the lifting gas, to be consistent with the weight customarily used by balloon designers.

Several comments contended that the safety factor of five prescribed for envelopes was excessive. This factor was based on the U.S. Bureau of Standards Aeronautical Safety Code, dated 1925, to take into account creep-rupture phenomena of cotton fabrics. The Agency agrees that the prescribed factor of five is unrealistic when applied to new synthetic fabrics, such as nylon, dacron, and rayon. For this reason, and on the basis of experience in balloon design since publication of the Code, the Agency agrees that the section should be amended to allow the use of a reduced factor of safety if it can be shown that the selected factor is such as to preclude failure because of creep or instantaneous rupture due to lack of rip stoppers. In any case, however, a minimum factor of two must be used as there is no evidence to substantiate the use of a smaller factor.

It was suggested by one of the commenters that, for hot air type balloons, it would be preferable to specify a fabric strength based on balloon volume, operating temperature, and throat design and rigging design. For this reason, the section dealing with envelope strength has been amended to require that the envelope strength be based on either the maximum operating pressure or stress whichever is more critical. This revision is considered to be more appropriate and would eliminate the need to specify strength in terms of certain design parameters, which would automatically be taken into account in determining either the maximum pressure or stress.

Similarly, one comment suggested that the factor of safety of seven prescribed for the envelope rigging and its attachments is excessive. It was suggested that the factor be reduced to four which is the figure used airship design and be restated to apply only to fibrous materials. The Agency agrees that the prescribed factor of seven may be excessive. It does not agree, however, that this factor should be reduced to four, based on airship design, on the grounds that balloons are subject to entirely different kinds of operations. It does agree, however, that the factor should be reduced to five to make it conform to that prescribed for the envelope.

The notice of proposed rule making on this part did not define occupant weight. In view of the fact that some standard is necessary for design purposes, an occupant weight of 170 pounds has been added. This weight is consistent with those prescribed in other airworthiness parts for design purposes.

As published, the notice of proposed rule making requires the trapeze and basket to withstand free-fall drop of not less than 36 inches. Information available to the Agency indicates that an average descent rate of 817 feet per minute can result in the event of a flame out in the hot air type balloon. Since this descent rate corresponds to an equivalent free-fall height of approximately 34.5 inches (which simulates an emergency descent condition) the Agency finds that the proposed 36 inches limit drop test may be excessive for this reason. The section dealing with strength of trapeze and basket has been changed to allow the use of a lesser drop height, provided such height is properly substantiated as resulting in the greatest possible sink speed expected in service. In addition, it has been pointed out that the section on strength requirements is deficient in that it does not specify the type of surface upon which the test must be conducted. The section is therefore amended to provide that the surface used must be a concrete surface, as representative of the hardest surface on which the balloon is likely to land.

A comment from one of the companies engaged in manufacturing balloons stated that it did not consider the proposed section on materials to be applicable to them as their design is based on company-owned patents as well as proprietary manufacturing methods for which no definite specification exists. The use of company-owned patents and proprietary manufacturing methods for which no definite specification exists are acceptable if it is shown that the materials are suitable and that the strength and other properties assumed in design are being attained. Although the latter is usually accomplished by using materials conforming to existing government or industry specification, company specifications are acceptable and can be approved. All such design data, manufacturing processes, etc. submitted by the applicant are considered to be proprietary data and are not revealed or released by the FAA. In any case, therefore, the provisions of § 31.33 are directly applicable.

Another manufacturer commented that the use of the standard locking devices required by the notice would hamper operations. It pointed out that it is often necessary to remove the wing nuts that are used to secure the valve wishbone and the valve quickly upon landing to deflate the envelope. If locking devices are required, this operation would be unnecessarily hampering and could affect safety. It also commented that there is no vibration in balloons and experience with present attachments has been satisfactory. The Agency concurs that, in the absence of vibration in ballooning, and on the basis of favorable service experience, locking devices need not be specifically required on all bolts, pins, and screws. The section on fasteners has therefore been changed to require locking devices only in those installations that are subject to vibration. In addition, the word "standard" has been changed to "approved", since there are a variety of standard parts presently available to the balloon designer. The term "standard" is misleading and since the objective of this provision is to require the use of only "approved" type fastenings, this change has been made.

Two industry comments stated that the section dealing with ballast should be amended because hot air type balloons achieve ascent by the addition of heat rather than by the release of ballast. The Agency concurs and therefore has changed the section dealing with ballast so that it applies only to captive gas balloons.

The notice of proposed rule making, in dealing with deflation means, required the release of at least 30 percent of the gas in the first minute of deflation. One of the comments contended that the 30 percent deflation rate may be too slow for safety and that the system should permit essentially 100 percent deflation in one minute. The Agency agrees that there is a possibility that the 30 percent rate may not be entirely adequate for safety. Since the Agency has no experience or statistics to establish a more realistic rate at this time, the 30 percent rate has been adopted. The 30 percent rate has apparently been used by some segments of the industry for some time. For these reasons, the Agency is proposing a change to this section in the new notice of proposed rule making mentioned above. The proposed change would provide that the deflation means must allow a safe emergency landing, without requiring a specific rate of discharge. In this connection one manufacturer pointed out that the deflation section would not apply to its design because on final landing the envelope being an expendable item is released. So far as airworthiness is concerned this design would appear to meet this requirement since it in effect provides 100 percent deflation.

As originally proposed, the section on drag ropes required a suitable drag rope for all balloons. It has been pointed out, however, that in captive gas type balloons vertical control is accomplished by releasing contained gas or removing ballast. Since the drag rope serves as recoverable ballast and as a slow-down device, it is therefore, usually installed in this type balloon. In hot air type balloons, however, vertical control is accomplished by adding or reducing the heat. Therefore, since ballast is not required for vertical control in this latter type of balloon, the provision has been amended accordingly.

Industry comment recommended that the minimum load required to operate the rip cord be changed to 20 pounds or eliminated altogether. This comment was based on the fact that the light breakable cord used to secure the rip cord to the envelope automatically provides the minimum load and therefore only the maximum force of 75 pounds need be prescribed. The Agency does not concur in this view. The provision is considered to be essential to preclude inadvertent operation. In this regard, other comments suggested that the section be amended to require that the rip cord be attached at only one point instead of two. This provision requiring attachments at two points was intended to preclude entanglement. However, further investigation indicates that this can be accomplished by one attachment point. Therefore the provision has been amended by eliminating the number of attachment points and specifying only that the design be such as to preclude entanglement.

Information that became available to the Agency after the notice of proposed rule making was issued indicates that there may be a means provided for carrying passengers other than in a trapeze or basket. The section dealing with the passenger-carrying compartment has therefore been amended to include other means provided for carrying occupants.

One comment suggested that certain design details be included in the section dealing with functional and installation requirements. Design detail requirements have not been included in the part as they relate solely to the fabrication of hot air type balloons and are covered by the provisions of § 31.35.

The identification and marking provisions contained in the notice of proposed rule making have been eliminated as they are identical to the requirements of Part 45 "Identification and Registration Marking" [New] of the Federal Aviation Regulations which applies to all aircraft. In this connection several industry comments contended that the identification marking may not be practical for certain type of envelope material and recommended as an alternative that a suitable banner be affixed to the balloon. The Agency does not regard identification by means of a banner to be a practicable means of identifying the balloons. Banners tied to the basket or trapeze or other means of carrying passengers could make the identification extremely difficult or impossible depending on the direction or velocity of the wind. Banners tied to the envelope could also present a problem in that it might be difficult to accurately take into account expansion or contraction during flight. In any event, the October 1963, issue of the bulletin published by the Wing Foot Lighter-Than-Air Society, Akron, Ohio, gives specific pictorial examples, in which identification markings have been permanently affixed to the envelope without apparent difficulty. On this basis therefore the Agency sees no need to amend the section.

Several balloon societies and manufacturers contend that the painting or dyeing of certain envelope materials would create control problems due to the non-uniform generation of superheat and might have an adverse effect on the physical properties of certain envelope materials. The intent of this section is to assure that the balloon will be conspicuous during its operation. The conventional silver color balloon would be conspicuous under certain conditions but not under others. In view of the above described comments therefore, the Agency has amended the section to allow the use of contrasting colored banners for conspicuity purposes if they are large enough and are appropriately located.

Comments received on the notice of proposed rule making suggested changes in the following areas which could not be made (as explained above) because they were not within the purview of the notice. These changes will be submitted by the Agency for comment in an appropriate notice of proposed rule making:

1. Factor of safety.
2. Fuel cell testing.
3. Gas heater controls.
4. Gas heater tests.
5. Controlled release of hot air.
6. Means to indicate maximum envelope skin temperature.
7. Static discharge.
8. Safety belts.
9. Position lights.
10. Required basic equipment.

If compliance with any of the above specified changes is determined to be essential to safety, that change will be adopted retroactively to the effective date of this Part.

Other minor changes of a technical or clarifying or relaxatory nature have been made. They are not substantive and do not impose any burden on regulated persons. The definitions, abbreviations, and rules of construction contained in Part 1 [New] of the Federal Aviation Regulations apply to this regulation.

The Agency appreciates the cooperative spirit in which the public's comments were received.

In consideration of the foregoing, Chapter I of Title 14 of the Code of Federal Regulations is amended by inserting the following new part in Subchapter C "Aircraft" [New] effective July 1, 1964.

Issued in Washington, D.C., on June 26, 1964.

N. E. HALABY,
Administrator.

AUTHORITY: The provisions of this Part 31 [New] issued under secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354 (a), 1421, 1423.

Subpart A—General

§ 31.1 Applicability.

(a) This part prescribes airworthiness requirements for issuing type certificates, and changes to those certificates, for manned free balloons.

(b) For the purposes of this part—

(1) A captive gas balloon is a balloon that derives its lift from a captive lighter-than-air gas;

(2) A hot air balloon is a balloon that derives its lift from heated air;

(3) The envelope is the enclosure in which the lifting means is contained;

(4) The basket is the container, suspended beneath the envelope, for the balloon occupants;

(5) The trapeze is a harness or is a seat consisting of a horizontal bar or platform suspended beneath the envelope for the balloon occupants; and

(6) The design maximum weight is the maximum total weight of the balloon, less the lifting gas or air.

Subpart B—Flight Requirements

§ 31.11 Controllability.

The applicant must show that the balloon is safely controllable and maneuverable during takeoff, ascent, descent, and landing without requiring exceptional piloting skill.

Subpart C—Strength Requirements

§ 31.21 Loads.

Strength requirements are specified in terms of limit loads, that are the maximum load to be expected in service, and ultimate loads, that are limit loads multiplied by prescribed factors of safety. Unless otherwise specified, all prescribed loads are limit loads.

§ 31.23 Flight load factor.

In determining limit load, the limit flight load factor must be at least 1.4.

§ 31.25 Factor of safety.

(a) Except as specified in paragraphs (b) and (c) of this section, the factor of safety is 1.5.

(b) A factor of safety of at least five must be used in envelope design. A reduced factor of safety of at least two may be used if it is shown that the selected factor will preclude failure due to creep or instantaneous rupture from lack of rip stoppers. The selected factor must be applied to the more critical of the maximum operating pressure or envelope stress.

(c) A factor of safety of at least five must be used in the design of all fibrous or non-metallic parts of the rigging and related attachments of the envelope to basket, trapeze, or other means provided for carrying occupants.

(d) In applying factors of safety, the effect of temperature, and other operating characteristics, or both, that may affect strength of the balloon must be accounted for.

(e) For design purposes, an occupant weight of at least 170 pounds must be assumed.

§ 31.27 Strength.

(a) The structure must be able to support limit loads without detrimental effect.

(b) The structure must be substantiated by test to be able to withstand the ultimate loads for at least three seconds without failure. For the envelope, a test of a representative part is acceptable, if the part tested is large enough to include critical seams, joints, and load attachment points and members.

(c) An ultimate free-fall drop test must be made of the basket, trapeze, or other place provided for occupants. The drop test height must be that height that results in a contact velocity at least equal to the maximum contact velocity expected in service, including emergency descent conditions. The test must be made at design maximum weight on a horizontal concrete surface, with the basket, trapeze, or other means provided for carrying occupants, striking the surface at angles of 0, 15, and 30 degrees. The weight may be distributed to simulate actual conditions. There must be no distortion or failure that is likely to cause serious injury to the occupants. In the absence of a rational analysis, a drop test height of 36 inches may be used.

Subpart D—Design Construction

§ 31.31 General.

The suitability of each design detail or part that bears on safety must be established by tests or analysis.

§ 31.33 Materials.

(a) The suitability and durability of all materials must be established on the basis of experience or tests. Materials must conform to approved specifications that will ensure that they have the strength and other properties assumed in the design data.

(b) Material strength properties must be based on enough tests of material conforming to specifications so as to establish design values on a statistical basis.

§ 31.35 Fabrication methods.

The methods of fabrication used must produce a consistently sound structure. If a fabrication process requires close control to reach this objective, the process must be performed in accordance with an approved process specification.

§ 31.37 Fastenings.

Only approved bolts, pins, screws, and rivets may be used in the structure. Approved locking devices or methods must be used for all these bolts, pins, and screws, unless the installation is shown to be free from vibration. Self-locking nuts may not be used on bolts that are subject to rotation in service.

§ 31.39 Protection.

Each part of the balloon must be suitably protected against deterioration or loss of strength in service due to weathering, corrosion, or other causes.

§ 31.41 Inspection provisions.

There must be a means to allow close examination of each part that require repeated inspection and adjustment.

§ 31.43 Fitting factor.

(a) A fitting factor of at least 1.15 must be used in the analysis of each fitting the strength of which is not proven by limit and ultimate load tests in which the actual stress conditions are simulated in the fitting and surrounding structure. This factor applies to all parts of the fitting, the means of attachment, and the bearing on the members joined.

(b) Each part with an integral fitting must be treated as a fitting up to the point where the section properties become typical of the member.

(c) The fitting factor need not be used if the joint design is made in accordance with approved practices and is based on comprehensive test data.

§ 31.45 Fuel cells.

If fuel cells are used the attachments and related supporting structure must be able to withstand, without failure, any inertia loads to which the installation may be subjected, including the drop tests prescribed in § 31.27(c).

§ 31.47 Heaters.

(a) If a heater is used to provide the lifting means, the system must be designed and installed so as not to create a fire hazard.

(b) There must be shielding to protect parts adjacent to the burner flame, and the occupants, from heat effects.

§ 31.49 Control systems.

(a) Each control must operate easily, smoothly, and positively enough to allow proper performance of its functions. Controls must be arranged and identified to provide for convenience of operation and to prevent the possibility of confusion and subsequent inadvertent operation.

(b) Each control system and operating device must be designed and installed in a manner that will prevent jamming, chafing, or interference from passengers, cargo, or loose objects. Precaution must be taken to prevent foreign objects from jamming the controls. The elements of the control system must have design features or must be distinctly and permanently marked to minimize the possibility of incorrect assembly that could result in malfunctioning of the control system.

(c) Each balloon using a captive gas as the lifting means must have an automatic valve or appendix that is able to release gas automatically at the rate of at least three percent of the total volume per minute when the ballon is at its maximum operating pressure.

§ 31.51 Ballast.

Each captive gas balloon must have a means for the safe storage and controlled release of ballast. The ballast must consist of material that, if released during flight, is not hazardous to persons on the ground.

§ 31.53 Drag rope.

If a drag rope is used, the end that is released overboard must be stiffened to preclude the probability of the rope becoming entangled with trees, wires, or other objects on the ground.

No. 128——2

§ 31.55 Deflation means.

There must be a means for deflating the envelope so as to allow the release of at least 30 percent of the gas in the first minute of deflation.

§ 31.57 Rip cords.

(a) If a rip cord is used for emergency deflation, it must be designed and installed to preclude entanglement.

(b) The force required to operate the rip cord may not be less than 25, or more than 75, pounds.

(c) The end of the rip cord to be operated by the pilot must be colored red.

(d) The rip cord must be long enough to allow an increase of at least 10 percent in the vertical dimension of the envelope.

§ 31.59 Trapeze, basket, or other means provided for occupants.

(a) The trapeze, basket, or other means provided for carrying occupants may not rotate independently of the envelope.

(b) Each projecting object on the trapeze, basket, or other means provided for carrying occupants, that could cause injury to the occupants, must be padded.

Subpart E—Equipment

§ 31.71 Functional and installational requirements.

Each item of equipment on a balloon must be—

(a) Designed and installed to ensure that it will perform the intended function reliably under all reasonably foreseeable operating conditions;

(b) Designed to safeguard against hazards to the balloon if it malfunctions; and

(c) Shown to function properly in the balloon.

Subpart F—Operating Limitations and Information

§ 31.81 General.

The operating limitations, normal and emergency procedures, and other pertinent information peculiar to the balloon's operating characteristics and necessary for safe operation must be provided by the manufacturer by a balloon flight manual furnished with each balloon, or by a placard or marking on the balloon that is clearly visible to the operator. The operating limitations must include the maximum certificated weight.

§ 31.83 Conspicuity.

The exterior surface of the envelope must be of a contrasting color or colors so that it will be conspicuous during operation. However, multicolored banners or streamers are acceptable if it can be shown that they are large enough, and there are enough of them of contrasting color, to make the balloon conspicuous during flight.

Subpart G—Certification Procedures

§ 31.91 Issue of type certificate; manned free balloons.

An applicant is entitled to a type certificate for a balloon if the applicant submits the type design, test reports, and computations required by this Part and the Administrator finds—

(a) That the balloon meets the airworthiness requirements of this part or that any provisions not complied with are compensated for by factors that provide an equivalent level of safety;

(b) That no feature or characteristic of the balloon makes it unsafe; and

(c) That the applicant has complied with the applicable requirements of Part — of this chapter [present Part 1].

§ 31.93 Designation of applicable regulations; new or original type certificate.

(a) An applicant for an original or a new type certificate must show that the balloon meets the airworthiness requirements of this part that are effective on the date of application for the certificate, unless—

(1) Otherwise specified by the Administrator; or

(2) Compliance with later effective amendments is elected or required under this section.

(b) If the interval between the date of application for a type certificate and the issue of that type certificate exceeds three years, a new application for a type certificate must be filed. An applicant may elect to file a new application before the expiration of the three year period but in either case, paragraph (a) of this section applies to the new application as if it were an original application.

(c) If an applicant elects to comply with an amendment to this part that is effective after the filing of the application for a type certificate, he must also comply with any other amendment that the Administrator finds is directly related.

§ 31.95 Designation of applicable regulations; change to a type certificate.

(a) An applicant for a change to a type certificate must comply with either—

(1) The regulations incorporated by reference in the type certificate; or

(2) The applicable regulations in effect on the date of the application, plus any other amendments the Administrator finds to be directly related.

(b) Where the Administrator finds that a proposed change consists of a new design or a substantially complete redesign of a component, equipment installation, or a system installation, and that the regulations incorporated by reference in the type certificate for the balloon do not provide complete standards with respect to the proposed change, the applicant must comply with the applicable provisions of this part in effect on the date of the application for the change found by the Administrator to provide a level of safety equal to that established by the regulations incorporated by reference in the type certificate for the balloon.

§ 31.97 Changes requiring a new type certificate.

Any person who proposes to change a type certificated balloon must apply for a new type certificate if the Administrator finds that the proposed change in design, configuration, or weight is so extensive that a substantially complete investigation of compliance with the applicable regulations is required.

§ 31.99 Type certificate.

Each type certificate is considered to include the type design, the operating limitations, the type certificate data sheet, the applicable regulations of this part with which the Administrator records compliance, and any other conditions or limitations prescribed for the balloon in this subchapter.

§ 31.101 Type design.

The type design consists of—

(a) The drawings and specifications necessary to show the configuration of the balloon and the design features covered in this Part;

(b) Information on dimensions, materials, and processes necessary to define the structural strength of the balloon; and

(c) Any other data necessary to allow, by comparison, the determination of the airworthiness of later balloons of the same type.

§ 31.103 Inspection and tests.

Each applicant must make all inspections and tests necessary to determine compliance with the applicable airworthiness requirements, including the following:

(a) The materials and products must conform to the specification in the type design.

(b) The parts of the balloon must be made in accordance with the drawings in the type design.

(c) The manufacturing processes, construction, and assembly must be as specified in the type design.

§ 31.105 Flight tests.

Each applicant for a balloon type certificate must make any official flight tests found necessary by the Administrator to determine compliance with the requirements of this part. Before making the tests the applicant must show—

(a) Compliance with the applicable structural requirements of this part;

(b) Completion of necessary ground inspections and tests;

(c) That the balloon conforms with the type design; and

(d) That the Administrator received a flight test report from the applicant containing the results of his tests.

[F.R. Doc. 64-6566; Filed, June 30, 1964; 8:50 a.m.]

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 64-LAX-6]

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

Controlled Airspace

The purpose of these amendments to Part 71 [New] of the Federal Aviation Regulations is to realign segments of VOR Federal airways Nos. 12 and 518; alter a boundary description in the Victorville, Calif., transition area, and to alter the description of the Barstow, Calif., domestic low altitude reporting point.

The Federal Aviation Agency is relocating the Palmdale, Calif., VOR to a new site (lat. 34°37′52″ N., long. 118°03′47″ W.), located on the Air Force Plant No. 42 Airport, Palmdale, Calif., on or about July 17, 1964. Concurrent with this relocation, the Palmdale VOR will be modified to an improved type facility (VORTAC) to provide better navigational guidance along the airway segments designated on this facility.

Action is taken herein for the following associated airspace amendments:

1. Alter the width of VOR Federal airway No. 12 segment to six nautical miles from Palmdale to 38 nautical miles east of Palmdale so as to provide lateral separation with aircraft movements conducted in the vicinity of the El Mirage, Calif., Airport.

2. Realign VOR Federal airway No. 518 from Fillmore, Calif., via the intersection of the Fillmore 107°and the Ventura, Calif., 061° True radials; intersection of the Ventura 061° and the Palmdale 233° True radials; to Palmdale.

3. Redescribe the Victorville, Calif., transition area by substituting the Palmdale to Thermal, Calif., segment of VOR Federal airway No. 137 as the SW boundary, presently described as the Palmdale VOR 124° True radial.

4. Redescribe the Barstow, Calif., low altitude reporting point as the intersection of the Hector 263° and the Daggett, Calif., 229° True radials.

In response to a letter dated March 20, 1964, and circulated by the Western Region Area office to all people with probable interests in the airspace utilization change set forth therein, three comments were submitted. Due consideration was given to all relevant matter presented. The Air Transport Association advised that the proposed actions were acceptable.

Comments submitted on behalf of the National Aviation Trades Association, National Air Taxi Conference, and National Pilots Association raised the question of why a direct alignment for V-518 between the relocated Twin Lakes Intersection and Palmdale was not considered. It was determined that the proposed alignment is necessary since it would be used primarily as an inbound routing for aircraft transitioning to the Burbank, Calif., ILS. The proposed intersections would be necessary to permit acceptable descent rates for arriving aircraft.

The owner-manager of El Mirage Field, Adelanto, Calif., objected to the restriction to glider activities in that vicinity which would result from the proposed realignment of V-12. Using a normal route width, the realigned V-12 would overlie the El Mirage Airport. At an informal meeting held at El Mirage Field on May 12, 1964, it was pointed out that although banks and changes in altitude in excess of 60° and 30°, respectively, are normal flight maneuvers for gliders, such altitude changes are classified as acrobatic flight and are not permitted within a Federal airway. It was concluded that the designation of the southern boundary of the realigned airway at 3 nmi. from the centerline would not extend the airway closer to El Mirage Field than the border of the present designated airway. This solution was acceptable to the interested parties.

Since these actions are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, the following actions are taken:

1. Section 71.123 (29 F.R. 557, 1009, 2336, 3226, 3756, 4963, 5786) is amended as follows:

a. In V-12 "Hector, Calif.;" is deleted and "Hector, Calif., (6 miles wide Palmdale to 38 miles E Palmdale);" is substituted therefor.

b. V-518 is amended to read:

V-518 From Fillmore, Calif., via INT of Fillmore 107° and Ventura, Calif., 061° radials; INT of Ventura 061° and Palmdale, Calif., 233° radials; to Palmdale.

2. Section 71.181 (29 F.R. 1160) is amended as follows:

In the Victorville, Calif., transition area "a line 5 miles SW of and parallel to the Palmdale, Calif., VOR 124° radial." is deleted and "V-137." is substituted therefor.

3. In § 71.203 (29 F.R. 1211) Barstow INT is amended to read:

Barstow INT: INT Hector, Calif., 263°, Daggett, Calif., 229° radials; V-8N, V-12 W bound, V-210 SW bound.

These amendments shall become effective 0001 e.s.t., August 20, 1964.

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

Issued in Washington, D.C., on June 24, 1964.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-6520; Filed, June 30, 1964; 8:45 a.m.]

[Airspace Docket No. 63-SO-85]

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

Revocation of Federal Airway Segment

On February 15, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 2508) stating that the Federal Aviation Agency proposed to revoke VOR Federal airway No. 152 north alternate from Orlando, Fla., to Daytona Beach, Fla.

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 reason stated in the notice, § 71.123 (29 F.R. 1009) is amended as follows:

In V-152 "N alternate via INT of Orlando 354° and Daytona Beach 219° radials and also an" is deleted.

This amendment will become effective 0001 e.s.t., August 20, 1964.

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

Issued in Washington, D.C. on June 24, 1964.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-6521; Filed, June 30, 1964; 8:45 a.m.]

[Airspace Docket No. 63-WE-71]

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

Alteration of Federal Airway

On March 11, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 3236) stating that the Federal Aviation Agency proposed to realign VOR Federal airway No. 25 main airway segment from Paso Robles, Calif., direct to Salinas, Calif., and realign the east alternate of this airway from Paso Robles to Salinas via the intersection of the Paso Robles 342° and the Salinas 131° True radials.

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, § 71.123 (28 F.R. 13742, 29 F.R. 1009) is amended as follows:

In V-25 "INT of Paso Robles 317° and Salinas, Calif., 147° radials; Salinas including an E alternate from Paso Robles to Salinas via INT of Paso Robles 332° and Salinas 131° radials;" is deleted and "Salinas, Calif., including an E alternate from Paso Robles to Salinas via INT of Paso Robles 342° and Salinas 131° radials;" is substituted therefor.

This amendment shall become effective 0001 e.s.t., August 20, 1964.

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

Issued in Washington, D.C., on June 24, 1964.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-6523; Filed, June 30, 1964; 8:45 a.m.]

[Airspace Docket No. 63-WE-88]

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

Alteration of Federal Airway

On February 15, 1964, a notice of proposed rule making was published in the FEDERAL REGISTER (29 F.R. 2507) stating that the Federal Aviation Agency proposed to revoke a segment of VOR Federal Airway No. 12, south alternate, the Drake, Ariz., low altitude reporting point, and a portion of the Prescott, Ariz., transition area, and realign segments of VOR Federal Airway Nos. 12, 105, and 257 in the vicinity of Prescott, Ariz.

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 requested a direct alignment for the segment of Victor 257 between Bryce Canyon, Utah, and Delta, Utah, to reduce the en-route distance between those points. It has been determined, however, that the alignment as proposed in the Notice permits the minimum enroute altitude to be established 2,500 feet lower than would be possible on a direct alignment. Since a minimum altitude of 14,500 feet MSL would be required for a direct routing, a subsequent designation of an off-airway direct route thereover would preserve the advantages of the shorter route for higher altitude air carrier flights while providing the additional lower altitudes possible over the proposed routing. No other comments were received.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended, effective 0001 e.s.t. August 20, 1964, as hereinafter set forth.

1. Section 71.123 (29 F.R. 1009) is amended as follows:

a. In V-12 (29 F.R. 557, 2336, 3226, 3756, and 4963) "INT of Needles 077° and Drake, Ariz., 274° radials; Drake; Winslow, Ariz.; including an S alternate from Needles to Winslow via Prescott, Ariz., and INT of Prescott 095° and Winslow 248° radials, excluding the airspace between the main and this alternate airway;" is deleted, and "Prescott, Ariz.; Winslow, Ariz.;" is substituted therefor.

b. In V-105 delete "Drake, Ariz.;" and substitute therefor "INT of Prescott 319° and Peach Springs, Ariz. 134° radials;".

c. In V-257 (29 F.R. 2337) delete all before "INT of Delta 004° and Malad City, Idaho, 179° radials;" and substitute therefor "From Phoenix, Ariz., via Prescott, Ariz.; Bryce Canyon, Utah; INT Bryce Canyon 338° and Delta, Utah, 186° radials; Delta".

2. In § 71.181 (29 F.R. 1160), amend the Prescott, Ariz., transition area in part as follows:

Delete all after "20-mile radius area to 25 miles NW" and substitute therefor "of the RBN."

3. In § 71.203 (29 F.R. 1211) the Drake, Ariz., domestic low altitude reporting point is revoked.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 24, 1964.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-6524; Filed, June 30, 1964; 8:45 a.m.]

[Airspace Docket No. 64-WA-39]

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

Revocation of Reporting Points

The purpose of this amendment to Part 71 [New] of the Federal Aviation Regulations is to revoke the Fort Jones, Calif., radio range; Medford, Oreg., radio range and the Red Bluff, Calif., radio range, domestic low altitude reporting points.

In an amendment to Part 71 [New] published as Airspace Docket No. 63-WE-53 (29 F.R. 7595) the segments of Amber Federal airway No. 1 from Red Bluff, Calif., to Eugene, Oreg., and from Portland, Oreg., to Seattle, Wash., were revoked, effective 0001 e.s.t., August 20, 1964. Accordingly, there no longer exists an air traffic control requirement for the retention of these reporting points associated with the segments of Amber 1 being revoked. Therefore, action is taken herein to revoke the Fort Jones, Calif., RR; Medford, Oreg., RR; and the Red Bluff, Calif., RR reporting points.

Since these actions are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary.

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

Section 71.203 (29 F.R. 1211) is amended by deleting "Fort Jones, Calif., RR," "Medford, Oreg., RR" and "Red Bluff, Calif., RR."

This amendment shall become effective 0001 e.s.t., August 20, 1964.

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

Issued in Washington, D.C., on June 24, 1964.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-6522; Filed, June 30, 1964; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

Subchapter A—Procedures and Rules of Practice

[Docket 8100]

PART 13—PROHIBITED TRADE PRACTICES

Morris Paper Co. et al.

Subpart—Discriminating in price under sec. 5, Federal Trade Commission Act: § 13.892 *Knowingly inducing or receiving discriminating payments.*

(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, ATD Catalogs, Inc. (New York, N.Y.) et al., [Morris Paper Company], Docket 8100, June 4, 1964]

In the Matter of ATD Catalogs, Inc., a corporation, et al.

Order modifying consent order of Apr. 3, 1964, 29 F.R. 6276 as provided therein, to require a Pittsburgh jobber to cease knowingly inducing and receiving from suppliers payments for advertising in toy catalogs which were not made available on proportionally equal terms to all its jobber competitors.

The order to cease and desist as modified is as follows:

It is ordered, That respondent Morris Paper Company, a corporation, its officers, directors, representatives, agents and employees, directly or through any corporate or other device in or in connection with any purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Inducing and receiving, or receiving, the payment of anything of value to or for the benefit of the respondent, as compensation or in consideration for any services or facilities consisting of advertising or other publicity furnished by or through respondent in a toy catalog, handbill, circular or any other printed publication, serving the purpose of a buying guide, distributed, directly or through any corporate or other device, by said respondent, in connection with the processing, handling, sale or offering for sale of any toy, game, or hobby products manufactured, sold or offered for sale by the manufacturer or supplier, when the said respondent knows or should know that such payment or consideration is not made available on proportionally equal terms to all other customers competing with said respondent in the distribution of such toy, game or hobby products.

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

Issued: June 4, 1964.

By the Commission.[1]

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

[F.R. Doc. 64-6526; Filed, June 30, 1964; 8:46 a.m.]

[Docket 8100]

PART 13—PROHIBITED TRADE PRACTICES

Southland Distributors, Inc.

Subpart—Discriminating in price under sec. 5, Federal Trade Commission Act: § 13.892 *Knowingly inducing or receiving discriminating payments*.

(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, ATD Catalogs, Inc. (New York, N.Y.) et al., [Southland Distributors, Inc.], Docket 8100, June 4, 1964]

In the Matter of ATD Catalogs, Inc., a Corporation et al.

Order setting aside consent order of respondent Southland Distributors, Inc., dated April 3, 1964, and dismissing as to such jobbers, complaint charging illegal inducement and receipt of payments for advertising in toy catalogs.

The modified order in this case is as follows:

It is ordered, that the consent order of respondent Southland Distributors, Inc., be, and it hereby is, set aside and that the complaint as to the aforesaid respondent be, and it hereby is, dismissed.

Issued: June 4, 1964.

By the Commission.[1]

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

[F.R. Doc. 64-6527; Filed, June 30, 1964; 8:46 a.m.]

[Docket 8529]

PART 13—PROHIBITED TRADE PRACTICES

Hugh J. McLaughlin & Son, Inc., and J. V. McLaughlin

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1880 *Old, used, or reclaimed as unused or new*.

(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, Hugh J. McLaughlin & Son, Inc., et al., Crown Point, Ind., Docket 8529, June 12, 1964]

In the Matter of Hugh J. McLaughlin & Son, Inc., a corporation, J. V. McLaughlin, individually and as an officer of said corporation

Order requiring a Crown Point, Ind., manufacturer of golf balls which it distributed to dealers for resale to the public together with previously used golf balls which it had rebuilt or reconditioned, to cease selling rebuilt golf balls without disclosure on the boxes in which they were packaged that such balls were not new but were previously used and had been rebuilt or reconstructed.

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

It is ordered, That the respondent Hugh J. McLaughlin & Son, Inc., a corporation, and its officers, and respondent J. V. McLaughlin, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of used, rebuilt or reconstructed golf balls in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Failing clearly to disclose on the boxes in which respondents' rebuilt or reconstructed golf balls are packaged, on the wrapper and on said golf balls themselves, that they are previously used balls which have been rebuilt or reconstructed. *Provided, however*, That disclosure need not be made on the golf balls themselves if respondents establish that the disclosure on the boxes and/or wrappers is such that retail customers, at the point of sale, are informed that the golf balls are previously used and have been rebuilt or reconstructed.

2. Placing any means or instrumentality in the hands of others whereby they may mislead the public as to the prior use and rebuilt nature and construction of their golf balls.

It is further ordered, That the initial decision as modified be, and it hereby is, adopted as the decision of the Commission.

It is further ordered, That the enforcement of the provisions of the order and respondents' duty to comply therewith be, and they hereby are, suspended until further order of the Commission.

Issued: June 12, 1964.

By the Commission.

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

[F.R. Doc. 64-6528; Filed, June 30, 1964; 8:46 a.m.]

[Docket 7533]

PART 13—PROHIBITED TRADE PRACTICES

Marcus Rosenfeld et al.

Subpart—Advertising falsely or misleadingly: § 13.20 *Comparative data or merits*; § 13.50 *Dealer or seller assistance*; § 13.110 *Indorsements, approval and testimonials*; § 13.185 *Refunds, repairs, and replacements*; § 13.205 *Scientific or other relevant facts*; § 13.230 *Size or weight*.

(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, Marcus Rosenfeld et al. trading as Towel Shop etc., St. Louis, Mo., Docket 7533, June 4, 1964]

In the Matter of Marcus Rosenfeld and Leon Rosenfeld, individually and as copartners trading as Towel Shop, L and M Company, 40 Towel Co., 60 Towel Co., and Wholesale Towel Company

Order modifying the Commission's consent order of March 11, 1960, 56 F.T.C. 1049, to eliminate the requirement that respondent distributors make affirmative disclosure that their non-woven cotton and rayon fiber towel product did not have the appearance, texture and thickness of fabric towels in common use.

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

It is ordered, That respondents Marcus Rosenfeld and Leon Rosenfeld, individually and as copartners trading as Towel Shop, L and M Company, 40 Towel Co., 50 Towel Co., and Wholesale Towel Company or under any other name, their agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution of their non-woven cotton and rayon fiber product, or any other like 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, through the use of photographs, or in any other manner, that their non-woven product has the appearance, thickness or texture of fabric towels in com-

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[1] Commissioner Reilly not participating.

mon use or misrepresenting in any manner the appearance, thickness or texture of their said product.

2. Representing, directly or by implication:

(a) That products referred to as towels, whose dimensions are 12" x 18" are large, or misrepresenting in any manner the size of their said product;

(b) That the money paid for their product will be refunded to dissatisfied purchasers, unless all of the money paid, including postage, is refunded; *Provided, however*, That nothing herein shall prevent respondents from truthfully representing that a specific amount will be refunded to dissatisfied purchasers;

(c) That respondents' product is superior to ordinary woven towels in every way; or in any way that is not in accordance with the facts;

(d) That any solicited testimonial letter used by respondents was unsolicited;

(e) That respondents guarantee the success of those selling their product or that they do not have competition;

(f) That respondents' product is made by a scientific new process.

It is further ordered, That respondents herein 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: June 4, 1964.

By the Commission.

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

[F.R. Doc. 64-6529; Filed, June 30, 1964; 8:46 a.m.]

[Docket 8255]

PART 13—PROHIBITED TRADE PRACTICES

United Variety Wholesalers et al.

Subpart—Discriminating in price under sec. 5, Federal Trade Commission Act: § 13.892 *Knowingly inducing or receiving discriminating payments*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, United Variety Wholesalers (New York, N.Y.) et al., Docket 8255, June 11, 1964]

In the Matter of United Variety Wholesalers, and Cornelius B. Meyers, Morris Kling, Mack Forbes, Marvin Singer, Individually and as Officers and Directors of United Variety Wholesalers; Gail Enterprises, Inc., a Corporation; Kling Company, Incorporated, a Corporation; The C. B. Meyers Company, a Corporation; Progressive Wholesalers, Inc., a Corporation; Singer & Co., a Corporation; Variety Supply Company, a Corporation

Order modifying consent order of Apr. 3, 1964, 29 F.R. 6152, as provided therein, to require a New York City association formed by 6 toy wholesalers in different states to publish toy catalogs, to cease knowingly inducing and receiving from suppliers payments for advertising in such catalogs which were not made available on proportionally equal terms to all their jobber competitors.

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

It is ordered, That respondent United Variety Wholesalers, an unincorporated association, and the following individual respondents: Cornelius B. Meyers, Morris Kling, Mack Forbes, and Marvin Singer; and the following corporate respondents: Gail Enterprises, Inc., Kling Company, Incorporated, The C. B. Meyers Company, Progressive Wholesalers, Inc., Singer & Co., and Variety Supply Company; and their respective officers, directors, representatives, agents and employees, directly or through any corporate or other device in or in connection with any purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Inducing and receiving, or receiving, the payment of anything of value to or for the benefit of the respondents, or any of them, as compensation or in consideration for any services or facilities consisting of advertising or other publicity furnished by or through respondents, or any of them, in a toy catalog, handbill, circular, or any other printed publication, serving the purpose of a buying guide, distributed, directly or through any corporate or other device, by said respondents, or any of them, in connection with the processing, handling, sale or offering for sale, of any toy, game or hobby products manufactured, sold, or offered for sale by the manufacturer or supplier, when the said respondents know or should know that such payment or consideration is not made available on proportionally equal terms to all other customers competing with said respondents in the distribution of such toy, game or hobby products.

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.

By the Commission.[1]

Issued: June 11, 1964.

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

[F.R. Doc. 64-6530; Filed, June 30, 1964; 8:46 a.m.]

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[1] Commissioner Reilly not participating.

SUBCHAPTER C—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS

PART 300—RULES AND REGULATIONS UNDER THE WOOL PRODUCTS LABELING ACT OF 1939

Maintenance of Records

On May 20, 1964 the Commission issued miscellaneous amendments to the rules and regulations under the Wool Products Labeling Act of 1939 (54 Stat. 1128; 15 U.S.C. 68). Such amendments were published in the FEDERAL REGISTER on May 21, 1964.

The reference in paragraph (a)(4) of amended § 300.31 (Rule 31) to "paragraph (c) of this section" as appearing on page 6627 of the Thursday, May 21, 1964 issue of the FEDERAL REGISTER is hereby corrected to read "subparagraph (3) of this paragraph".

(Sec. 6 of the Wool Products Labeling Act of 1939 54 Stat. 1131; 15 U.S.C. 68d)

Issued: June 26, 1964.

By direction of the Commission.

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

[F.R. Doc. 64-6542; Filed, June 30, 1964; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Animal Feed or Animal Feed Supplements

AMPROLIUM, OLEANDOMYCIN

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 700) filed by Chas. Pfizer and Co., Inc., 235 East 42d Street, New York 17, New York, and other relevant material, has concluded that § 121.210 should be amended to provide the conditions under which oleandomycin may be safely used in combination with amprolium in complete chicken feed. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(e)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), § 121.210 *Amprolium* is amended by adding new items to Table 1 in paragraph (c), as follows:

TABLE 1.—AMPROLIUM IN FINISHED CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
2.1 Amprolium * * * o. 2.1	113.5–227	Oleandomycin	2	For broiler chickens; not for laying chickens; regulation limited to holders of approved new-drug applications.	Growth promotion and feed efficiency.
* * *	* * *	* * *	* * *	* * *	* * *
3.1 Amprolium * * * o. 3.1	36.3–113.5	Oleandomycin	2	For replacement chickens; not for laying chickens; regulation limited to holders of approved new-drug applications.	Growth promotion and feed efficiency.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: June 23, 1964.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 64-6559; Filed, June 30, 1964; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH DRY FOOD

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Eastman Chemical Products, Inc., Kingsport, Tennessee (FAP 1314) and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of an additional substance as a component of paper and paperboard in contact with dry food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), paragraph (b) of § 121.2571 *Components of paper and paperboard in contact with dry food* is amended by inserting alphabetically in the "List of substances" the following new item:

List of substances	*Limitations*
* * *	* * *
Polyethylene, air oxidized (minimum molecular weight 1,200).	

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: June 15, 1964.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 64-6560; Filed, June 30, 1964; 8:49 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

Subpart B—Contract Rights and Obligations

Correction

In F.R. Doc. 64-5798 appearing at page 7508 of the issue for Thursday, June 11, 1964, the word "Commander" in § 203.278(a) should be corrected to read "Commissioner".

Title 29—LABOR

Chapter IV—Office of Labor-Management and Welfare-Pension Reports, Department of Labor

SUBCHAPTER A—LABOR-MANAGEMENT REPORTS

PART 417—PROCEDURE FOR REMOVAL OF LOCAL LABOR ORGANIZATION OFFICERS

On November 7, 1962, a notice of proposed rule making relating to the removal of officers of a local labor organization was published in the FEDERAL REGISTER (27 F.R. 10845) pursuant to sections 401(i) and 402(b) of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 481, 482).

The notice provided an opportunity for interested persons to submit data, views, or arguments pertaining to the proposed regulation.

After consideration of all the relevant matter presented, numerous changes have been made in the proposed rule by way of clarification or modification of the effect of the regulation upon current practices of labor organizations. These changes occur in §§ 417.2, 417.3, 417.4, 417.5, 417.6, 417.7, 417.10, 417.13, 417.16, 417.17, 417.18, 417.19, 417.20, 417.21, 417.22, and 417.23.

Therefore, pursuant to sections 401(i) and 402(b) of the Labor-Management Reporting and Disclosure Act of 1959 (73 Stat. 533, 534, 29 U.S.C. 481, 482), Secretary's Order 24-63 (28 F.R. 9172), and Secretary's Order 25-63 (28 F.R. 9173), and for the purpose of implementing sections 401(h) and 402(a) of the aforesaid Act, the proposed regulation is hereby adopted subject to the changes indicated above and shall become effective 30 days after publication in the FEDERAL REGISTER.

Part 417 is added to read as follows:

GENERAL

AUTHORITY: The provisions of this Part 417 issued under secs. 401(i), 402(b), 73 Stat. 533, 534, 29 U.S.C. 481, 482; Secretary's Order 24–63 (28 F.R. 9172), and Secretary's Order 25–63 (28 F.R. 9173).

GENERAL

§ 417.1 Purpose and scope.

Section 401(h) of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 481) provides that if, upon application of any member of a local labor organization, the Secretary of Labor finds, after hearing in accordance with the Administrative Procedure Act, that the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, such officer may be removed for cause shown and after notice and hearing, by the members in good standing voting in a secret ballot. Section 401(i) (29 U.S.C. 481) requires the Secretary to promulgate rules and regulations prescribing minimum standards and procedures for determining the adequacy of the removal procedures referred to in section 401(h). Section 402(a) (29 U.S.C. 482) provides that a member of a labor organization who has exhausted the available internal remedies of such organization and of any parent body, or who has invoked such remedies without obtaining a final decision within three months, may file a complaint with the Secretary within one month thereafter alleging violation of section 401 (including violation of the constitution and bylaws of the labor organization pertaining to the removal of officers). Section 402(b) (29 U.S.C. 482) provides that upon suit initiated by the Secretary, a federal court may direct the conduct of a hearing and vote upon the removal of officers under the supervision of the Secretary, and in accordance with such rules and regulations as the Secretary may prescribe. It is the purpose of this part to implement those sections by prescribing regulations relating to the procedures and standards for determining the adequacy of removal procedures and the procedures for holding elections for the removal of officers.

§ 417.2 Definitions.

(a) "Secretary" means the Secretary of Labor.

(b) "Administrator" means the Labor-Management Services Administrator.

(c) "Director" means the Director, Office of Labor-Management and Welfare-Pension Reports.

(d) "Act" means the Labor-Management Reporting and Disclosure Act of 1959.

(e) "Adequate procedure" shall mean any procedure which affords reasonable and equitable opportunity for trial of an officer(s) charged with serious misconduct, and removal of such an officer(s) if found guilty, and which contains the elements set forth in each of the subparagraphs of this paragraph: *Provided, however*, That any other procedure which provides otherwise reasonable and equitable measures for removal from office may also be considered adequate:

(1) A reasonable opportunity is afforded for filing charges of serious misconduct against any elected officer(s) without being subject to retaliatory threats, coercion, or acts of intimidation.

(2) The charges of serious misconduct are communicated to the accused officer(s), and reasonable notice is given the members of the organization, reasonably in advance of the time for hearing thereon.

(3) Subject to reasonable restrictions, a fair and open hearing upon such charges is held after adequate notice and, adequate opportunity is afforded for testimony or the submission of evidence in support of or in opposition to such charges. Within a reasonable time following such hearing, a decision is reached as to the guilt or innocence of the accused.

(4) If the hearing upon such charges is held before a trial committee or other duly authorized body, reasonable notice of such bodies' findings is given to the membership of the organization promptly.

(5) If such accused officer(s) is found guilty, he may be removed by a procedure which includes:

(i) A secret ballot vote of the members at an appropriately called meeting, or

(ii) A vote of a trial committee or other duly authorized body, subject to appeal and review by the members voting by a secret ballot at an appropriately called meeting.

(6) Within a reasonable time after the charges of serious misconduct are filed with the labor organizations final disposition (including appellate procedures is made of the charges.

(f) "Elected officer" means any constitutional officer, any person authorized to perform the functions of president, vice-president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

(g) "Cause shown" means substantial evidence of serious misconduct.

(h) "Interested person" means any person or organization whose interests are or may be affected by a proceeding.

(i) "Court" means the district court of the United States in the district in which the labor organization in question maintains its principal office.

Subpart A—Procedures To Determine Adequacy of Constitution and Bylaws for Removal of Officers of Local Labor Organizations

§ 417.3 Initiation of proceedings.

(a) Any member of a local labor organization who has reason to believe that: (1) An elected officer(s) of such organization has been guilty of serious misconduct, and (2) the constitution and bylaws of his organization do not provide an adequate procedure for the removal of such officer(s), may file with the Office of Labor-Management and Welfare-Pension Reports a written application, which may be in the form of a letter, for initiation of proceedings under section 401(h) of the Act.

(b) An application filed under paragraph (a) of this section shall set forth the facts upon which it is based including a statement of the basis for the charge that an elected officer(s) is guilty of serious misconduct; and shall contain: (1) Information identifying the labor organization and the officer or officers involved, and (2) any data such member desires the Office of Labor-Management and Welfare-Pension Reports to consider in connection with his application.

§ 417.4 Pre-hearing conference.

(a) Upon receipt of an application filed under § 417.3, the Director shall investigate the allegations contained therein, and if he finds probable cause to believe that the constitution and bylaws of the labor organization do not provide an adequate procedure for the removal of an elected officer(s) guilty of serious misconduct he shall: (1) Advise the labor organization of his findings and (2) afford such labor organization the opportunity for a conference to be set not earlier than 10 days thereafter except where all interested persons elect to confer at an earlier time. Any such conference shall be conducted for the purpose of hearing the views of interested persons and attempting to achieve a settlement of the issue without formal proceeding.

(b)(1) If: (i) The labor organization declines the opportunity to confer afforded under paragraph (a) of this section, and fails to undertake compliance with the provisions of section 401(h) of the Act, or if (ii) after consideration of any views presented by the labor organization the Director still finds probable cause to believe that the removal procedures are not adequate and if agreement for the adoption of adequate procedures for removal has not been achieved and the labor organization refuses to enter into a stipulation to comply with the provisions of section 401(h) of the Act, the Director shall submit his findings and recommendations to the Administrator.

(2) Upon consideration of the Director's recommendations, the Administrator may order a hearing to be conducted before a Hearing Examiner duly assigned by him to receive evidence and arguments (i) on the applicability of section 401(h) of the Act to the labor organization involved, and (ii) on the question of whether its constitution and bylaws provide an adequate procedure for the removal of an elected union officer guilty of serious misconduct.

§ 417.5 Notice.

Notice of hearing shall be given not less than 10 days before such hearing is held unless the parties agree to a shorter notice period. Such notice shall be transmitted to the labor organization and the officer(s) accused of misconduct and other interested persons, insofar as they are known, and shall inform them of:

(a) The time, place, and nature of the hearings;

(b) The legal authority and jurisdiction under which the hearing is to be held; and

(c) The matters of fact and law asserted.

The Labor organization shall inform its members of the provisions of the notice and copies of the notice shall be made available for inspection at the offices of the labor organization.

§ 417.6 Powers of Hearing Examiner.

The designated Hearing Examiner shall have authority:

(a) To give notice concerning and to conduct hearings;

(b) To administer oaths and affirmations;

(c) To issue subpoenas;

(d) To rule upon offers of proof and receive relevant evidence;

(e) To take or cause depositions to be taken whenever the ends of justice would be served thereby;

(f) To regulate the course of the hearing;

(g) To hold conferences for the settlement or simplification of the issues by consent of the parties;

(h) To dispose of procedural requests or other matters;

(i) To limit the number of witnesses at hearings, or limit or exclude evidence or testimony which may be irrelevant, immaterial, or cumulative;

(j) If appropriate or necessary to exclude persons or counsel from participation in hearings for refusing any proper request for information or documentary evidence, or for contumacious conduct;

(k) To grant continuances or reschedule hearings for good cause shown;

(l) To consider and decide procedural matters;

(m) To take any other actions authorized by the regulations in this part.

The Hearing Examiner's authority in the case shall terminate upon his filing of the record and his initial decision with the Administrator, or when he shall have withdrawn from the case upon considering himself disqualified, or upon termination of his authority by the Administrator for good cause stated. However, the Hearing Examiner's authority may be reinstated upon referral of some or all the issues by the Administrator for rehearing. This authority will terminate upon certification of the rehearing record to the Administrator.

The hearing shall be stenographically reported and a transcript shall be made available to interested persons upon request addressed to the Labor-Management Services Administrator, United States Department of Labor, Fourteenth Street and Constitution Avenue Northwest, Washington 25, D.C. Transcript rates shall be fixed by the Hearing Examiner.

§ 417.8 Appearances.

The Department of Labor does not maintain a register of persons or attorneys who may participate at hearings. Any interested person may appear and be heard in person or be represented by counsel.

§ 417.9 Evidence: Contumacious or disorderly conduct.

(a) Formal rules of evidence or procedure in use in courts of law or equity shall not obtain. Rules of evidence are to be within the discretion of the Hearing Examiner. However, it shall be the policy to exclude testimony or matter which is irrelevant, immaterial, or unduly repetitious.

(b) Contumacious or disorderly conduct at a hearing may be ground for exclusion therefrom. The refusal of a witness at any hearing to answer any questions which have been ruled to be proper shall, in the discretion of the Hearing Examiner, be ground for striking all testimony previously given by such witness on related matter.

(c) At any stage of the hearing the Hearing Examiner may call for further evidence or testimony on any matter. After the hearing has been closed, no further information shall be received on any matter, except where provision shall have been made for it at the hearing, or except as the Hearing Examiner or Administrator may direct by reopening the hearing.

§ 417.10 Rights of participants.

Every interested person shall have the right to present oral or documentary evidence, to submit evidence in rebuttal, and to conduct such examination or cross-examination as may be required for a full and true disclosure of the facts (subject to the rulings of the Hearing Examiner), and to object to admissions or exclusions of evidence. The Department of Labor, through its officers and attorneys shall have all rights accorded interested persons by the provisions of this Subpart A.

§ 417.11 Objections to evidence.

Objections to the admission or exclusion of evidence may be made orally or in writing, but shall be in short form, stating the grounds for such objection. The transcript shall not include argument or debate thereon except as required by the Hearing Examiner. Rulings on such objections shall be a part of the transcript. No such objections shall be deemed waived by further participation in the hearing. Formal exceptions are unnecessary and will not be taken to rulings on objections.

§ 417.12 Proposed findings and conclusions.

Within 10 days following the close of hearings, interested persons may submit proposed findings and conclusions to the Hearing Examiner, together with supporting reasons therefor, which shall become a part of the record.

§ 417.13 Initial decision of Hearing Examiner.

Within 25 days following the period for submitting proposed findings and conclusions, the Hearing Examiner shall consider the whole record, file an initial decision as to the adequacy of the constitution and bylaws for the purpose of removing officers with the Administrator, and forward a copy to each party participating in the hearing. His decision shall become a part of the record and shall include a statement of his findings and conclusions, as well as the reasons or basis therefor, upon all material issues.

§ 417.14 Form and time for filing of appeal with Administrator.

(a) An interested person may appeal from the Hearing Examiner's initial decision by filing written exceptions with the Administrator within 15 days of the issuance of the Hearing Examiner's initial decision (or such additional time as the Administrator may allow), together with supporting reasons for such exceptions. Blanket appeals shall not be received. Impertinent or scandalous matter may be stricken by the Administrator, or an appeal containing such matter or lacking in specification of exceptions may be dismissed.

(b) In the absence of either an appeal to the Administrator or review of the Hearing Examiner's initial decision by the Administrator on his own motion, such initial decision shall become the decision of the Administrator.

§ 417.15 Decision of Administrator.

Upon appeal filed with the Administrator pursuant to § 417.14, or within his discretion upon his own motion, the complete record of the proceedings shall be certified to him; he shall notify all interested persons who participate in the proceedings; and he shall review the record, the exceptions filed and supporting reasons, and shall issue a decision as to the adequacy of the constitution and bylaws for the purpose of removing officers, or shall order such further proceedings as he deems appropriate. His decision shall become a part of the record and shall include a statement of his findings and conclusions, as well as the reasons or basis therefor, upon all material issues.

Subpart B—Procedures (1) Upon Failure of Union To Act Following Subpart A Procedures or (2) Upon Complaint of Violation of Constitution and Bylaws Pertaining To Removal of Officers of Local Labor Organizations

§ 417.16 Initiation of proceedings.

Any member of a local labor organization may file a complaint with the Office of Labor-Management and Welfare-Pension Reports alleging that: (a)(1) An elected officer of such labor organization has been guilty of serious misconduct; and (2) the constitution and bylaws of the labor organization pertaining to the removal of officers have been violated, or (b) following a finding by the Administrator, that such removal provisions are inadequate, or a stipulation of compliance with the provisions of section 401(h) of the Act reached with the Director in connection with a prior charge of the inadequacy of a union's constitution and bylaws to remove officers, as provided in Subpart A of this part, the labor organization (1) has failed to act within a reasonable time, or

(2) has violated the procedures agreed to with the Director, or (3) has violated the principles governing adequate removal procedures under § 417.2(e). (c) The complaint must be filed pursuant to section 402(a) of the Act within one calendar month after one of the two following conditions has been met: (1) The member has exhausted the remedies available to him under the constitution and bylaws of the organization, or (2) the member has invoked such remedies without obtaining a final decision within three calendar months after invoking them.

§ 417.17 Investigation of complaint and court action.

The Office of Labor-Management and Welfare-Pension Reports shall investigate such complaint, and if upon such investigation the Secretary finds probable cause to believe that a violation of Title IV of the Act has occurred and has not been remedied, the Secretary shall within 60 days after the filing of such complaint, bring a civil action against the labor organization in the district court of the United States for the district in which such labor organization maintains its principal office, to direct the conduct of a hearing and vote upon the removal of officer(s) under the supervision of the Administrator as provided in section 402(b) of the Act.

§ 417.18 Hearings—removal of officers of local labor organizations.

Hearings pursuant to order of the court and concerning the removal of officers under section 402(b) of the Act shall be for the purpose of introducing testimony and evidence showing why an officer or officers accused of serious misconduct should or should not be removed. Hearings shall be conducted by the officers of the labor organization (subject to § 417.19 of this part) in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with Title IV of the Act, or with the provisions of this Part 417: *Provided, however,* That no officer(s) accused of serious misconduct shall participate in such hearings in any capacity except as witness or counsel.

§ 417.19 Administrator's representative.

The administrator shall appoint a representative or representatives whose functions shall be to supervise the hearing and vote. Such representative(s) shall have final authority to issue such rulings as shall be appropriate or necessary to insure a full and fair hearing and vote. Upon his own motion or upon consideration of the petition of any interested person the Administrator's Representative may disqualify any officer(s) or member(s) of the union from participation in the conduct of the hearing (except in the capacity of witness or counsel).

§ 417.20 Notice of hearing.

Notice of hearing, not less than 10 days in advance of the date set for such hearing, shall be transmitted to the officer or officers accused of serious misconduct and other interested persons, insofar as they are known, and shall inform them of (a) the time, place, and nature of the hearing; (b) the legal authority and jurisdiction under which the hearing is to be held; (c) the matters of fact and law asserted; and (d) their rights to challenge the appointment of certain of, or all of, the officers of the union to conduct the hearing in accordance with this subpart. The labor organization shall promptly inform its members of the provisions of the notice. Copies of the notice shall be made available for inspection at the office of the labor organization.

§ 417.21 Transcript.

It shall be within the discretion of the Administrator to require the hearings to be stenographically reported. In the event he does so require, a transcript shall be made available to interested persons upon request addressed to the Labor-Management Services Administrator, United States Department of Labor, Fourteenth Street and Constitution Avenue, Northwest, Washington 25, D.C. Transcript rates shall be fixed by the Administrator.

§ 417.22 Vote among members of the labor organization.

Within a reasonable time after completion of the hearing, and after proper notice thereof, a secret ballot vote shall be conducted among the members of the labor organization in good standing on the issue of whether the accused officer or officers shall be removed from office. The vote shall be in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of the Act or this Part 417. The presiding officer or officers at the taking of such vote shall entertain objections or suggestions as to the rules for conducting the vote, eligibility of voters, and such other matters as may be pertinent; and shall rule on such questions, shall establish procedures for the conduct of the vote, and for tabulation of the ballots; and shall appoint observers and compile a list of eligible voters. All rulings of the presiding officer or officers shall be subject to the provisions of § 417.19.

§ 417.23 Report to Administrator.

Following completion of the hearing and vote, the Administrator's Representative shall file a report with the Administrator setting out the results of the balloting; and pertinent details of the hearing and vote. Notice thereof shall be given to the membership of such labor organization promptly and copies shall be furnished to all interested parties.

§ 417.24 Appeal to Administrator.

(a) Within 15 days after mailing of the report of the Administrator's Representative, any interested party may appeal the conduct of the hearing and vote or both by filing written exceptions with the Administrator. Blanket appeals shall not be received. Impertinent or scandalous matter may be stricken by the Administrator, or an appeal containing such matter or lacking in specifications may be dismissed.

(b) Upon review of the whole record, the Administrator shall issue a decision or may order further hearing, a new vote, or such further proceedings as he deems appropriate.

§ 417.25 Certification of results of vote.

Upon receipt of the report of the Administrator's Representative on the hearing and vote on removal, the Administrator shall certify the results of the vote to the court as required by section 402(c) of the Act.

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

JAMES J. REYNOLDS,
Labor-Management Services Administrator.

[F.R. Doc. 64-6459; Filed, June 30, 1964; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Distributions in Kind by Certain Foreign Corporations

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:LR, Washington, D.C., 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 245 and 301 of the Internal Revenue Code of 1954 to section 5 of the Revenue Act of 1962 (76 Stat. 977), such regulations are amended as follows:

PARAGRAPH 1. Section 1.245 is amended by revising section 245 and by adding a historical note. These revised and added provisions read as follows:

§ 1.245 Statutory provisions; dividends received from certain foreign corporations.

SEC. 245. *Dividends received from certain foreign corporations*—(a) *General rule.* In the case of dividends received from a foreign corporation (other than a foreign personal holding company) which is subject to taxation under this chapter, if, for an uninterrupted period of not less than 36 months ending with the close of such foreign corporation's taxable year in which such dividends are paid (or, if the corporation has not been in existence for 36 months at the close of such taxable year, for the period the foreign corporation has been in existence as of the close of such taxable year) such foreign corporation has been engaged in trade or business within the United States and has derived 50 percent or more of its gross income from sources within the United States, there shall be allowed as a deduction in the case of a corporation—

(1) An amount equal to the percent (specified in section 243 for the taxable year) of the dividends received out of its earnings and profits specified in paragraph (2) of the first sentence of section 316(a), but such amount shall not exceed an amount which bears the same ratio to such percent of such dividends received out of such earnings and profits as the gross income of such foreign corporation for the taxable year from sources within the United States bears to its gross income from all sources for such taxable year, and

(2) An amount equal to the percent (specified in section 243 for the taxable year) of the dividends received out of that part of its earnings and profits specified in paragraph (1) of the first sentence of section 316 (a) accumulated after the beginning of such uninterrupted period, but such amount shall not exceed an amount which bears the same ratio to such percent of such dividends received out of such accumulated earnings and profits as the gross income of such foreign corporation from sources within the United States for the portion of such uninterrupted period ending at the beginning of such taxable year bears to its gross income from all sources for such portion of such uninterrupted period.

(b) *Property distributions.* For purposes of subsection (a), the amount of any distribution of property other than money shall be the amount determined by applying section 301(b) (1) (B).

[Sec. 245 as amended by sec. 5(c), Rev. Act 1962 (76 Stat. 977)]

PAR. 2. Section 1.245-1 is amended by revising paragraph (b) and by adding a new example (3) to paragraph (d). These revised and added provisions read as follows:

§ 1.245-1 Deduction for dividends received from certain foreign corporations.

* * * * *

(b) The deduction provided in section 245(a) for a taxable year, except as provided in section 246, is the sum of the amounts computed under paragraphs (1) and (2) of section 245(a). For purposes of section 245(a), the amount of a distribution shall be determined under section 301(b) (1) (B).

* * * * *

(d) The application of section 245 may be illustrated by the following examples:

* * * * *

Example (3). Corporation A (a foreign corporation filing its income tax returns on a calendar year basis) whose stock is 100 percent owned by corporation B (a domestic corporation filing its income tax returns on a calendar year basis) for the first time engaged in trade or business within the United States on January 1, 1960, and qualifies under section 245 for the entire period beginning on that date and ending on December 31, 1963. In 1963, A derived 75 percent of its gross income from sources within the United States. A's earnings and profits for 1963 (computed as of the close of the taxable year without diminution by reason of any distributions made during the taxable year) are $200,000. On December 31, 1963, corporation A distributes to corporation B 100 shares of corporation C stock which have an adjusted basis in A's hands of $40,000 and a fair market value of $100,000. For purposes of computing the deduction under section 245 for dividends received from a foreign corporation, the amount of the distribution is $40,000. B is allowed a deduction under section 245 of $25,500, i.e., $34,000 ($40,000 multiplied by 85 percent, the percent specified in section 243 for 1963), multiplied by 75 percent (the portion of the gross income of corporation A derived during 1963 from sources within the United States).

PAR. 3. Section 1.301 is amended by adding a new subparagraph (C) to section 301(b) (1), by adding a new paragraph (3) to section 301(d), and by adding a historical note. These added provisions read as follows:

§ 1.301 Statutory provisions; distributions of property.

* * * * *

(b) *Amount distributed*—(1) *General rule.* For purposes of this section, the amount of any distribution shall be—

(A) *Noncorporate distributees.* If the shareholder is not a corporation, the amount of money received, plus the fair market value of the other property received.

(B) *Corporate distributees.* If the shareholder is a corporation, the amount of money received, plus whichever of the following is the lesser:

(i) The fair market value of the other property received; or

(ii) The adjusted basis (in the hands of the distributing corporation immediately before the distribution) of the other property received, increased in the amount of gain to the distributing corporation which is recognized under subsection (b) or (c) of section 311 or under section 1245(a).

(C) *Certain corporate distributees of foreign corporation.* Notwithstanding subparagraph (B), if the shareholder is a corporation and the distributing corporation is a foreign corporation, the amount taken into account with respect to property (other than money) shall be the fair market value of such property; except that if any deduction is allowable under section 245 with respect to such distribution, then the amount taken into account shall be the sum (determined under regulations prescribed by the Secretary or his delegate) of—

(i) The proportion of the adjusted basis of such property (or, if lower, its fair market value) properly attributable to gross income from sources within the United States, and

(ii) The proportion of the fair market value of such property properly attributable to gross income from sources without the United States.

* * * * *

(d) *Basis.* * * *

(3) *Certain corporate distributees of foreign corporation.* In the case of property described in subparagraph (C) of subsection (b) (1), the basis shall be determined by substituting the amount determined under such subparagraph (C) for the amount described in paragraph (2) of this subsection.

* * * * *

[Sec. 301 as amended by sec. 5 (a) and (b), Rev. Act 1962 (76 Stat. 977)]

PAR. 4. Section 1.301-1 is amended by revising paragraphs (d) and (e), by revising paragraph (f) (exclusive of the examples), by revising subdivision (ii) of paragraph (h)(2), by adding a new subdivision (iii) to paragraph (h)(2), by revising paragraphs (j) and (k), by redesignating paragraph (n) as paragraph (o), and by adding a new paragraph (n). These revised and added provisions read as follows:

§ 1.301-1 Rules applicable with respect to distributions of money and other property.

* * * * *

(d) *Distributions of property to corporate shareholders.* If property (other than money and other than the obligations of the distributing corporation) is distributed in kind to a shareholder which is a corporation and the fair market value of such property is greater than the adjusted basis in the hands of the distributing corporation, only the adjusted basis of such property (determined immediately before the distribution and increased for any gain recognized to the distributing corporation under section 311 (b) and (c) and section 1245(a)) shall be taken into account under section 301(c). Thus, in such a case, the amount of such a dividend in kind under section 301(c)(1) may not exceed such adjusted basis. Similarly, in such cases where the distribution is not out of earnings and profits, the amount of the reduction in basis of the shareholder's stock and the amount of any gain resulting from such distribution are determined by reference to the adjusted basis of the property distributed. If the property distributed is money, the amount of the distribution shall be the amount of such money. If the property distributed consists of the obligations of the distributing corporation, or stock of the distributing corporation treated as property under section 305(b), or rights to acquire such stock treated as property under section 305(b), the amount of such distribution shall be an amount equal to the fair market value of such obligations, stock, or rights. For special rules as to distributions by a foreign corporation of property (other than money, the obligations of the distributing corporation, stock of the distributing corporation treated as property under section 305(b), or rights to acquire such stock treated as property under section 305(b)) after December 31, 1962, to a shareholder which is a corporation, see section 301(b)(1)(C) and paragraph (n) of this section.

(e) *Adjusted basis.* In determining the adjusted basis of property distributed in the hands of the distributing corporation immediately before the distribution for purposes of section 301 (b)(1)(B)(ii), (b)(1)(C)(i), and (d)(2)(B), the basis to be used shall be the basis for determining gain upon a sale or exchange.

(f) *Examples.* The application of this section (except paragraph (n)) may be illustrated by the following examples:

* * * * *

(h) *Basis.* * * *

(2) * * *

(ii) In the case of the distribution of in subdivision (iii) of this subparagraph, any other property, except as provided whichever of the following is the lesser—

(*a*) The fair market value of such property; or

(*b*) The adjusted basis (in the hands of the distributing corporation immediately before the distribution) of such property increased in the amount of gain to the distributing corporation which is recognized under section 311(b) (relating to distributions of LIFO inventory), section 311(c) (relating to distributions of property subject to liabilities in excess of basis) or section 1245(a) (relating to gain from dispositions of certain depreciable property);

(iii) In the case of the distribution by a foreign corporation of any other property after December 31, 1962, the amount determined under paragraph (n) of this section.

* * * * *

(j) *Transfers for less than fair market value.* If property is transferred by a corporation to a shareholder which is not a corporation for an amount less than its fair market value in a sale or exchange, such shareholder shall be treated as having received a distribution to which section 301 applies. In such case, the amount of the distribution shall be the difference between the amount paid for the property and its fair market value. If property is transferred in a sale or exchange by a corporation to a shareholder which is a corporation, for an amount less than its fair market value and also less than its adjusted basis, such shareholder shall be treated as having received a distribution to which section 301 applies, and—

(1) Where the fair market value of the property equals or exceeds its adjusted basis in the hands of the distributing corporation the amount of the distribution shall be the excess of the adjusted basis over the amount paid for the property;

(2) Where the fair market value of the property is less than its adjusted basis in the hands of the distributing corporation, the amount of the distribution shall be the excess of such fair market value over the amount paid for the property.

If property is transferred in a sale or exchange after December 31, 1962, by a foreign corporation to a shareholder which is a corporation for an amount less than the amount which would have been computed under paragraph (n) of this section if such property had been received in a distribution to which section 301 applied, such shareholder shall be treated as having received a distribution to which section 301 applies, and the amount of the distribution shall be the excess of the amount which would have been computed under paragraph (n) of this section with respect to such property over the amount paid for the property. In all cases, the earnings and profits of the distributing corporation shall be decreased by the excess of the basis of the property in the hands of the distributing corporation over the amount received therefor. In computing gain or loss from the subsequent sale of such property, its basis shall be the amount paid for the property increased by the amount of the distribution.

(k) *Application of rule respecting transfers for less than fair market value.* The application of paragraph (j) of this section may be illustrated by the following examples:

Example (1). On January 1, 1955, A, an individual shareholder of corporation X, purchased property from that corporation for $20. The fair market value of such property was $100, and its basis in the hands of corporation X was $25. The amount of the distribution determined under section 301 (b) is $80. If A were a corporation, the amount of the distribution would be $5, the excess of the basis of the property in the hands of corporation X over the amount received therefor. The basis of such property to corporation A would be $25. If the basis of the property in the hands of corporation X were $10, the corporate shareholder, A, would not receive a distribution. The basis of such property to corporation A would be $20. Whether or not A is a corporation, the excess of the amount paid over the basis of the property in the hands of corporation X ($20 over $10) would be a taxable gain to corporation X.

Example (2). On January 1, 1963, corporation A, which is a shareholder of corporation B (a foreign corporation engaged in business within the United States), purchased one share of corporation X stock from B for $20. The fair market value of the share was $100, and its adjusted basis in the hands of B was $25. Assume that if the share of corporation X stock had been received by A in a distribution to which section 301 applied, the amount of the distribution under paragraph (n) of this section would have been $55. The amount of the distribution under section 301 is $35, i.e., $55 (amount computed under paragraph (n) of this section) minus $20 (amount paid for the property). The basis of such property to A is $55.

* * * * *

(n) *Distributions of certain property by foreign corporations to corporate shareholders.* (1) If a foreign corporation distributes property (other than money, the obligations of the distributing corporation, stock of the distributing corporation treated as property under section 305(b), or rights to acquire such stock treated as property under section 305(b)) after December 31, 1962, to a shareholder which is a corporation, then, except as provided in subparagraph (2) of this paragraph, the fair market value of the property shall be taken into account under section 301(c).

(2) If any deduction is allowable to the recipient under section 245 with respect to a distribution of property described in subparagraph (1) of this paragraph and if the fair market value of the property exceeds its adjusted basis in the hands of the distributing corporation (increased by any gain to the distributing corporation recognized under section 311 (b) or (c), or under section 1245(a)), then the amount taken into account under section 301(c) shall be determined under subparagraph (3) of this paragraph. In order to determine such amount—

(i) First, compute the portion, if any, of the adjusted basis of the property (increased by any gain to the distributing corporation recognized under section 311 (b) or (c), or under section 1245(a)) which is out of earnings and profits of the taxable year (within the meaning of section 316(a)(2)).

(ii) Second, compute the portion, if any, of the adjusted basis of the property (increased by any gain to the distributing corporation recognized under section 311 (b) or (c), or under section 1245 (a)) which is out of earnings and profits accumulated during the portion of the uninterrupted period described in section 245(a) which ends at the beginning of the taxable year.

(iii) Third, compute the portion, if any, of the adjusted basis of the property (increased by any gain to the distributing corporation recognized under section 311 (b) or (c), or under section 1245(a)) which is out of sources other than earnings and profits of the taxable year and earnings and profits accumulated during the uninterrupted period described in section 245(a).

(iv) Fourth, with respect to each of the portions computed under subdivisions (i), (ii), and (iii) of this subparagraph, determine the proportionate part of the fair market value of the property attributable to such portion. The proportionate part of the fair market value attributable to each portion shall be such fair market value multiplied by the ratio which such portion bears to the sum of all portions.

(3) The amount taken into account under section 301(c) shall be the sum of—

(i) The portion computed under subparagraph (2)(i) of this paragraph, multiplied by the ratio which the gross income of the distributing corporation for the taxable year from sources within the United States bears to its gross income from all sources for such taxable year,

(ii) The portion computed under subparagraph (2)(ii) of this paragraph, multiplied by the ratio which the gross income of the distributing corporation from sources within the United States for the portion of the uninterrupted period described in section 245(a) which ends at the beginning of the taxable year bears to its gross income from all sources for such portion of such uninterrupted period,

(iii) The porportionate part of the fair market value of the property attributable to the portion of the adjusted basis computed under subparagraph (2)(i) of this paragraph, multiplied by the ratio which the gross income of the distributing corporation for the taxable year from sources without the United States bears to its gross income from all sources for such taxable year,

(iv) The proportionate part of the fair market value of the property attributable to the portion of the adjusted basis computed under subparagraph (2)(ii) of this paragraph, multiplied by the ratio which the gross income of the distributing corporation from sources without the United States for the portion of the uninterrupted period described in section 245(a) which ends at the beginning of the taxable year bears to its gross income from all sources for such portion of such uninterrupted period, and

(v) The proportionate part of the fair market value of the property attributable to the portion of the adjusted basis computed under subparagraph (2)(iii) of this paragraph.

In determining the source of income for purposes of this subparagraph, see part I (section 861 and following), subchapter N, chapter 1 of the Code, and the regulations thereunder.

(4) See section 301(b)(2) and paragraph (g) of this section for reduction in the amount of a distribution on account of certain liabilities.

(5) The provisions of this paragraph may be illustrated by the following examples:

Example (1). Corporation A (a foreign corporation filing its income tax returns on a calendar year basis) whose stock is 100 percent owned by corporation B (a domestic corporation filing its income tax returns on a calendar year basis) for the first time engaged in trade or business within the United States on January 1, 1959, and qualifies under section 245 for the entire period beginning on that date and ending on December 31, 1963. During the period January 1, 1959, through December 31, 1962, corporation A derived 80 percent of its gross income from sources within the United States, and for 1963 corporation A derived 90 percent of its gross income from sources within the United States. As of December 31, 1962, A had earnings and profits of $50,000 accumulated during the period January 1, 1959, through December 31, 1962, and for the year 1963 A had earnings and profits of $10,000. On December 31, 1963, corporation A distributes to corporation B 100 shares of stock in domestic corporation C which have an adjusted basis of $40,000 in A's hands and a fair market value of $100,000. Corporation A makes no other distributions during 1963. Since a deduction is allowable to B under section 245 with respect to the distribution, and since the fair market value of the property ($100,000) exceeds the adjusted basis of the property in A's hands ($40,000), the amount of the distribution taken into account under section 301(c) is $50,500, which is the sum of—

(i) $9,000, i.e., $10,000 (the portion of the adjusted basis of the property which is out of earnings and profits for 1963), multiplied by 90 percent (the ratio which the gross income of A from sources within the United States for 1963 bears to its gross income from all sources for such year),

(ii) $24,000, i.e., $30,000 (the portion of the adjusted basis of the property which is out of earnings and profits accumulated during the period January 1, 1959 through December 31, 1962), multiplied by 80 percent (the ratio which the gross income of A from sources within the United States for such period bears to its gross income from all sources for such period),

(iii) $2,500, i.e., $25,000 (the proportionate part of the fair market value of the property attributable to the portion of the adjusted basis which is out of earnings and profits for 1963 ($100,000 multiplied by $10,000/$40,000)), multiplied by 10 percent (the ratio which the gross income of A for 1963 from sources without the United States bears to its gross income from all sources for such year), and

(iv) $15,000, i.e., $75,000 (the proportionate part of the fair market value of the property attributable to the portion of the adjusted basis which is out of earnings and profits accumulated during the period January 1, 1959 through December 31, 1962 ($100,000 multiplied by $30,000/$40,000)), multiplied by 20 percent (the ratio which gross income from sources without the United States for such period bears to gross income from all sources for such period).

Example (2). Assume the same facts as in example (1) except that as of December 31, 1962, A had earnings and profits of $20,000 accumulated during the period January 1, 1959 through December 31, 1962. Since a deduction is allowable to B under section 245 with respect to the distribution and since the fair market value of the property ($100,000) exceeds the adjusted basis of the property in A's hands ($40,000), the amount of the distribution taken into account under section 301(c) is $62,500, which is the sum of—

(i) $9,000, i.e., $10,000 (the portion of the adjusted basis of the property which is out of earnings and profits for 1963), mulitplied by 90 percent (the ratio which the gross income of A for 1963 from sources within the United States bears to its gross income from all sources for such year),

(ii) $16,000, i.e., $20,000 (the portion of the adjusted basis of the property which is out of earnings and profits accumulated during the period January 1, 1959 through December 31, 1962), multiplied by 80 percent (the ratio which the gross income of A from sources within the United States for such period bears to its gross income from all sources for such period),

(iii) $2,500, i.e., $25,000 (the proportionate part of the fair market value of the property attributable to the portion of the adjusted basis which is out of earnings and profits for 1963 ($100,000 multiplied by $10,000/$40,000)), multiplied by 10 percent (the ratio which the gross income of A for 1963 from sources without the United States bears to its gross income from all sources for such year),

(iv) $10,000, i.e., $50,000 (the proportionate part of the fair market value of the property attributable to the portion of the adjusted basis which is out of earnings and profits accumulated during the period January 1, 1959 through December 31, 1962 ($100,000 multiplied by $20,000/$40,000)), multiplied by 20 percent (the ratio which the gross income of A from sources without the United States for such period bears to its gross income from all sources for such period), and

(v) $25,000, the proportionate part of the fair market value of the property attributable to the portion of the adjusted basis which is out of sources other than earnings and profits for 1963 and earnings and profits accumulated during the uninterrupted period described in section 245(a) ($100,000 multiplied by $10,000/$40,000).

(o) *Cross references.* For certain rules relating to adjustments to earnings and profits and for determining the extent to which a distribution is a dividend, see sections 312 and 316 and regulations thereunder.

[F.R. Doc. 64-6568; Filed, June 30, 1964; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 32]

ALABAMA AND MASSACHUSETTS; HUNTING

Proposed List of Open Areas; Migratory Game Birds

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), it is proposed to amend 50 CFR 32.11 by the addition of Wheeler National Wildlife Refuge, Alabama, and Parker River National Wildlife Refuge, Massachusetts, to the list of wildlife refuges open to the hunting of migratory game birds.

It has been determined that the regulated hunting of migratory game birds may be permitted on Wheeler and Parker River National Wildlife Refuges without detriment to the objectives for which the areas were established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240 within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 32.11 is amended by the addition of the following refuges as areas where hunting of migratory game birds is authorized:

§ 32.11 List of open areas; migratory game birds.

* * * * *

ALABAMA

Wheeler National Wildlife Refuge.

* * * * *

MASSACHUSETTS

Parker River National Wildlife Refuge.

* * * * *

STEWART L. UDALL,
Secretary of the interior.

JUNE 24, 1964.

[F.R. Doc. 64-6541; Filed, June 30, 1964; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1068]

MILK IN MINNEAPOLIS-ST. PAUL, MINNESOTA, MARKETING AREA

Proposed Suspension of a Provision of Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of a provision of the order regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area is being considered for the period of July 1, 1964, through November 30, 1964.

The provision proposed to be suspended is: In § 1068.56(a) the words "during each of the months of December through June, and 35 percent during each of the remaining months", relating to the computation of the Class I butterfat differential.

This action was requested by cooperatives representing more than 90 percent of the producers supplying the market who allege that the suspension is necessary to promote orderly marketing during the July-November period. The proposed suspension would result in a uniform Class I butterfat differential throughout the year. The order presently provides for a higher Class I butterfat differential for the months of July through November.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington, D.C., 20250, not later than three days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in duplicate.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Signed at Washington, D.C., on June 26, 1964.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 64-6573; Filed, June 30, 1964; 8:50 a.m.]

[7 CFR Part 1099]

[Docket No. AO-183-A11]

MILK IN PADUCAH, KENTUCKY, MARKETING AREA

Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in Circuit Court Room, McCracken County Court House, Paducah, Kentucky, beginning at 10:00 a.m., on July 21, 1964, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Paducah, Kentucky, marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposals relative to redefinition of the marketing area raise the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture:

Proposed by the Paducah Graded Milk Producers Association and the Southland Corporation:

Proposal No. 1. Amend § 1099.5 by adding the counties of Scott, Mississippi, New Madrid and Pemiscott in Missouri; and Todd County, Kentucky, to the Paducah marketing area.

Proposed by the George L. Atkins Dairy, Inc., and Model Pure Milk Company:

Proposal No. 2. Amend § 1099.5 by adding Todd County, Kentucky, to the Paducah marketing area.

Proposed by the Paducah Graded Milk Producers Association:

Proposal No. 3. Amend § 1099.8(a) to read as follows:

§ 1099.8 Pool plant.

"Pool plant" means:

(a) Distributing plant from which a volume equal to not less than 45 percent of its receipts of producer milk and pool milk from plants qualified pursuant to paragraph (b) of this section is distributed during the month as Class I on routes and from which an average of not less than 500 pounds per day or not less than 10 percent of the plant's receipts of producer milk and pool milk from plants qualified pursuant to paragraph (b) of this section, whichever is less, is distributed on routes in the marketing area: *Provided*, That a plant which qualifies as a pool plant by complying with the foregoing percentages during any month shall be a pool plant during the following month; or

Proposal No. 4. Amend § 1099.10 to read as follows:

§ 1099.10 Handler.

"Handler" means:

(a) Any person in his capacity as an operator of a distributing plant or a supply plant or any person who processes, packages or distributes fluid milk products in the marketing area or any person who transports, brokers or distributes any nonfluid milk products to a pool plant;

(b) A producer-handler;

(c) A cooperative association qualified pursuant to § 1099.87(b) with respect to milk of producers diverted for the account of such cooperative association from a pool plant to a nonpool plant; or

(d) A cooperative association which chooses to report as a handler with respect to milk which is delivered to the pool plants of another handler or to a producer-handler in a tank truck owned or operated by, or under contract to, such cooperative association for the account of such cooperative association. Milk moved to pool plants under this paragraph (d) shall be allocated pro rata to each class in the proportion remaining after the computations made pursuant to § 1099.45(a)(5) and the corresponding step of § 1099.45(b) and shall be deemed to have been received at a pool plant at the location of the pool plant to which delivered.

Proposal No. 5. Amend § 1099.11 to read as follows:

§ 1099.11 Producer.

"Producer" means any person, except a producer-handler, who produces milk under a Grade A dairy farm permit or rating issued by a duly constituted health authority, which milk is received at a pool plant or is diverted pursuant to § 1099.13.

Proposal No. 6. Amend § 1099.13 to read as follows:

§ 1099.13 Producer milk.

"Producer milk" means all skim milk and butterfat contained in milk which is:

(a) Received during the month at a pool plant directly from producers or from a cooperative association pursuant to § 1099.10(d): *Provided*, That milk received at a pool plant by diversion from a plant at which such milk could be fully subject to pricing and pooling under the terms or provisions of another order issued pursuant to the Act shall not be producer milk;

(b) Diverted by the operator of a pool plant or by a cooperative association to a nonpool plant subject to the following conditions:

(1) Any number of days during the months of February through August;

(2) To the extent of not more than ten days production during the months of September through January: *Provided*, That no milk so diverted shall be considered to have been received at a pool plant from a producer if production of more than ten days is diverted in any month during such September through January period;

(3) Milk diverted to a plant at which such milk would be subject to pricing and pooling under the terms or provisions of another order issued pursuant to the act shall not be producer milk under this part; and

(4) Milk diverted for the account of a handler in his capacity as operator of a pool plant shall be deemed to have been received at the pool plant from which diverted and milk diverted for the account of a cooperative association shall be deemed to have been received by a cooperative association at a pool plant at the location of the pool plant from which diverted.

Proposal No. 7. Add a new definition § 1099.16 Route to read as follows:

§ 1099.16 Route.

"Route" means a delivery (including disposition from a plant store or from a distribution point and distribution by a vendor or vending machine) of any fluid milk products to a retail or wholesale outlet other than a milk plant or a commercial food processing establishment.

Proposal No. 8. Add a new definition § 1099.17 Fluid milk product to read as follows:

§ 1099.17 Fluid milk product.

"Fluid milk product" means milk, skim milk, buttermilk, flavored milk and flavored milk drinks modified or "fortified" including "dietary milk products" and reconstituted milk or skim milk; concentrated milk not in hermetically sealed containers; cream, sweet and sour; and mixtures of cream and milk or skim milk but not including the following: frozen cream, aerated cream products, eggnog and boiled custard, ice cream, and ice cream and ice milk mixes, and sterilized cream or mixtures in hermetically sealed containers.

Proposal No. 9. Amend § 1099.41 to read as follows:

§ 1099.41 Classes of utilization.

The classes of utilization shall be as follows:

(a) *Class I milk.* Class I milk shall be all skim milk and butterfat:

(1) Disposed of in the form of fluid milk products: *Provided*, That fluid milk products which have been fortified by the addition of nonfat solids shall be Class I in an amount equal only to the weight of an equal volume of an unmodified product of the same nature and butterfat content; and

(2) All milk, skim milk and cream not specifically accounted for as Class II milk;

(b) *Class II milk.* Class II milk shall be:

(1) All skim milk and butterfat accounted for as having been used to produce products other than a fluid milk product;

(2) Contained in inventory of fluid milk products on hand at the end of the month;

(3) The skim milk and butterfat contained in that portion of "fortified" fluid milk products not classified as Class I milk pursuant to paragraph (a)(1) of this section;

(4) All skim milk and butterfat disposed of in bulk to any manufacturer of candy, soup or bakery products who does not dispose of fluid milk, or operate a retail or wholesale outlet; and

(5) Plant shrinkage not to exceed two percent of the total receipts of skim milk and butterfat, respectively, in producer milk and other source milk (except other source milk received in the form of packaged fluid milk products): *Provided*, That such shrinkage shall be assigned pro rata to such producer milk and other source milk.

Proposal No. 10. Amend § 1099.50 Basic formula price to read as follows:

§ 1099.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the United States Department of Agriculture for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

Proposal No. 11. Amend § 1099.51(b) to read as follows:

§ 1099.51 Class prices.

* * * * *

(b) *Class II milk price.* The Class II price shall be the basic formula computed pursuant to § 1099.50.

Proposal No. 12. Amend § 1099.51(a) by adding a proviso to read as follows:

§ 1099.51 Class prices.

* * * * *

(a) *Class I milk price.* The price of Class I milk for the month shall be the basic formula price for the preceding month plus $0.9 in April, May and June, $1.20 in July and March, and $1.50 in the other months: *Provided*, That $.10 shall be added to the price for Class I milk at pool plants located within the State of Missouri.

Proposal No. 13. Amend § 1099.61(b) to read as follows:

§ 1099.61 Plants subject to other Federal orders.

* * * * *

(b) Any supply plant which would be subject to the classification and pricing provisions of another order issued pursuant to the Act unless such plant qualified as a pool plant pursuant to § 1099.8(b).

Proposed by Cedar Grove Dairy, Memphis, Tennessee; Dean Foods Company, Inc., Memphis, Tennessee; and Sealtest Foods, Division of National Dairy Products Corporation, Memphis, Tennessee:

Proposal No. 14. Amend § 1099.51(a) by deleting the language therein and replacing the same with the following:

(a) *Class I milk price.* The price of Class I milk for the month shall be the Memphis order, Part 1097 of this chapter, Class I price for the month less 24 cents per hundredweight.

Proposal No. 15. Amend § 1099.51(a) by adding the provision that the Class I price as specified therein shall be adjusted by the amount of the plus or minus supply-demand adjustment computed for the month in the Memphis milk market order, Part 1097 of this Chapter, pursuant to § 1097.51(a) thereof.

Proposed by the Milk Marketing Orders Division, Agricultural Marketing Service:

Proposal No. 16. Make such changes as may be necessary to make the marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Fred L. Shipley, 2710 Hampton Avenue, St. Louis, Missouri 63139, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington, D.C. 20250, or may be there inspected.

Signed at Washington, D.C., on June 26, 1964.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 64-6574; Filed, June 30, 1964; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 31 [New]]

[Reg. Docket No. 6065, Notice 64-38]

MANNED FREE BALLOONS

Proposed Additional Airworthiness Requirements

The Federal Aviation Agency is considering a proposal to amend Part 31

[New] of the Federal Aviation Regulations to prescribe additional airworthiness requirements for manned free balloons.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Ave. SW., Washington, D.C., 20553. All communications received before August 3, 1964, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

On June 17, 1963 (28 F.R. 6459) the Agency issued a notice of proposed rule making that proposed a new Part 12 of the Civil Air Regulations, "Manned Free Balloon Airworthiness." The substance of the rules proposed, as modified to some extent by comments received, in that notice have now been adopted by the Agency as Part 31 "Airworthiness Standards: Manned Free Balloons" [New] of the Federal Aviation Regulations. There were, however, several comments on the notice that, while having evident merit, could not be adopted as they went beyond the purview of the notice and would have imposed additional regulatory requirements without the usual public notice given by the Agency in such cases. Therefore, these additional provisions are made the subject of this notice. If subsequently determined to be necessary in the interest of safety, any of these additional provisions may be adopted retroactively to the effective date of Part 31.

Factor of safety. It is proposed to add a provision to § 31.25 to require that the primary attachments of the envelope to the basket or trapeze be designed such that the possibility of failure is extremely remote or so that any single failure will not jeopardize safety of flight. The purpose of this amendment is to prevent the use of a single attachment which, if it failed during flight, could have catastrophic results. This requirement is consistent with the Agency's basic design philosophy that no single failure have such results.

Fuel cells. As originally proposed, this section did not contain structural strength provisions for pressurized fuel systems. The Agency considers that such a provision is necessary for safety.

Heaters. It is proposed to add requirements relating to controls, instruments, and other equipment essential to safe operation of the heater. It is also proposed to require endurance tests of the heater system. The section relating to heaters did not, as originally proposed, require either these controls or testing. The Agency believes that such provisions are necessary for safe operation and to establish minimum reliability of the heater system.

Control system. A provision requiring a means for the controlled release of hot air is proposed as a necessary ingredient for flight control. In the absence of such a control, altitude could be controlled only by cooling the hot air, which would, in effect, amount to a complete lack of such control. In addition, a provision for a skin temperature measuring means has been added. In hot air type balloons, control is accomplished primarily by the addition or reduction of heat. For this reason, and since knowledge of the maximum envelope skin temperature is essential for safety, the Agency believes that there should be such a measuring means, located so as to measure the maximum temperature of the envelope skin.

Deflation means. As proposed, this section required only that there be a deflation means allowing the release of at least 30 percent of the gas in the first minute of deflation. Numerous comments stated that the 30 percent rate may be too slow for safety. One comment stated that the system should allow essentially 100 percent deflation in one minute. In the absence of a uniformly agreed rate necessary for safety, it is proposed to change this rule to provide that the deflation means must allow a safe emergency landing, without requiring a specific rate of discharge. This would still allow a 30 percent discharge rate, if it can be shown that such a rate is adequate.

Static discharge. A comment received on the original notice of rule making pointed out that certain materials used for balloon envelopes have a negligible susceptibility to a static charge, but not in the case of materials such as two mil polyethyline or mylar. It was further stated that if materials having a high susceptibility to a static charge are used with a flammable gas, such as hydrogen or coke gas, a hazard could exist, on termination of a balloon flight, due to an electrostatic charge. For this reason, a new section is proposed to require the providing of a means to bleed off electrostatic charges when certain envelope materials and gases are used.

Safety belts. A comment received on the original notice of rule making recommended the requiring of safety belts or other means for restraining or securing the occupants of balloons. Experience with captive gas type balloons gives no evidence that belts or other means of restraining or securing the passengers are necessary for safety. On trapeze type installations, however, the Agency believes that such provisions are necessary to ensure the safety of the occupants during flight.

Position lights. Under Part 91 [New] of the Federal Aviation Regulations, manned free balloons may be operated at night if the balloon is equipped with lighted position lights. Since neither FAR 91 or the proposed Part 12 of the CARs contained position light provisions, the Agency is proposing a new section on lighting, along the lines suggested by several comments received. The proposed section would provide that, when position lights are otherwise required by the regulations, there must be one steady white position light, and one flashing red position light, both with 360 degree horizontal coverage and visible for at least two miles under clear atmospheric conditions.

Required basic equipment. Several comments stated that certain operating equipment should be prescribed in the regulation. In this regard, the Air Transport Association stated that since balloons will operate in the same environment as transport aircraft, the same basic equipment requirements should apply. Section 91.33 of the Federal Aviation Regulations does prescribe certain minimum instrument and equipment requirements for powered civil aircraft. However, there are no provisions for non-powered types of aircraft such as balloons. For this reason, and since certain basic instruments and equipment would appear to be essential for flight safety, the Agency proposes to add a section requiring a compass, altimeter, and rate of climb indicator for all balloons, and a fuel quantity gauge and envelope temperature indicator for hot air balloons.

In consideration of the foregoing, it is proposed to amend Part 31 of the Federal Aviation Regulations as hereinafter set forth.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1431, and 1423).

Issued in Washington, D.C., on June 26, 1964.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

1. Section 31.25 is amended by adding the following at the end of paragraph (c):

§ 31.25 Factor of safety.

* * * * *

(c) * * * The primary attachments of the envelope to the basket, trapeze, or other place provided for occupants must be designed so that failure is extremely remote or so that any single failure will not jeopardize safety of flight.

2. Section 31.45 is amended by adding the following at the end thereof:

§ 31.45 Fuel cells.

* * * For pressurized fuel systems, each element and its connecting fittings must be tested to an ultimate pressure of at least twice the maximum pressure to which the system will be subjected in normal operation. In the test, no part of the system may fail or malfunction.

3. Section 31.47 is amended by adding the following new paragraphs:

§ 31.47 Heaters.

* * * * *

(c) There must be controls, instruments, or other equipment essential to the safe control and operation of the heater. They must be shown to be able to perform their intended functions during normal and emergency operation.

(d) The heater system (including the burner unit, controls, fuel lines, fuel cells, regulators, control valves, and other related elements) must be substantiated by an endurance test of at least 50 hours. In making the test, each element of the system must be installed and tested so as to simulate the actual balloon installation. The test program must be conducted so that each 10-hour part of the test includes seven hours at maximum heat output of the heater and three hours divided into at least 10 equal increments between minimum and maximum heat output ranges.

(e) The test must also include at least three flame-outs and restarts.

(f) Each element of the system must be serviceable at the end of the test.

4. Section 31.49 is amended by adding the following new paragraph:

§ 31.49 **Control systems.**

* * * * *

(d) Each hot air balloon must have a means to allow the controlled release of hot air during flight.

(e) Each hot air balloon must have a means to indicate the maximum envelope skin temperatures occurring during operation. The indicator must be readily visible to the pilot and marked to indicate the limiting safe temperature of the envelope material. If the markings are on the cover glass of the instrument, there must be provisions to maintain the correct alignment of the glass cover with the face of the dial.

5. Section 31.55 is amended to read as follows:

§ 31.55 **Deflation means.**

There must be a means to allow emergency deflation of the envelope so as to allow a safe emergency landing. If a system other than a manual system is used, the reliability of the system used must be substantiated.

6. Subpart D is amended by adding the following sections after § 31.59:

§ 31.61 **Static discharge.**

Unless shown not to be necessary for safety, there must be appropriate bonding means in the design of each balloon using flammable gas as a lifting means to ensure that the effects of static discharges will not create a hazard.

§ 31.63 **Safety belts.**

There must be a safety belt, harness, or other restraining means for each occupant, unless the Administrator finds it unnecessary. If installed, the belt, harness, or other restraining means and its supporting structure must meet the strength requirements of Subpart C.

§ 31.65 **Position lights.**

(a) If position lights are otherwise required by this chapter, there must be one steady white position light, and one flashing red position light with an effective flash frequency of at least 40, but not more than 100, cycles per minute.

(b) Both lights must have 360 degrees horizontal coverage and must be visible for at least two miles under clear atmospheric conditions.

(c) The white light must be located not more than 20 feet below the basket, trapeze, or other means for carrying occupants. The red light must be located not less than 7, or more than 10, feet below the white light.

(d) There must be a means to retract and store the lights.

7. Subpart F is amended by adding the following new section after § 31.83:

§ 31.85 **Required basic equipment.**

In addition to any equipment required by this subchapter for a specific kind of operation, the following equipment is required:

(a) For all balloons:

(1) A compass.

(2) An altimeter.

(3) A rate of climb indicator.

(b) For hot air balloons:

(1) A fuel quantity gauge.

(2) An envelope temperature indicator.

[F.R. Doc. 64-6577; Filed, June 30, 1964; 8:51 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 6062]

AIRWORTHINESS DIRECTIVES

Piper Model PA-24 Series Aircraft

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the Regulations of the Administrator to include an airworthiness directive for Piper Model PA-24 Series aircraft. There has been an instance of failure of the landing gear attributable to loose wires in the terminals at their connection to the safety switch on the left main gear. To correct this condition, this AD requires inspection and repair of the wires on the main landing gear safety switch.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue, SW., Washington, D.C. 20553. All communications received on or before July 31, 1964, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601 and 6033 of the Federal Aviation Act of 1958; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423.

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

PIPER. Applies to Models PA-24 and PA-24-250 aircraft Serial Numbers 24-1 through 24-3284.

Compliance required within the next 50 hours' time in service after the effective date of this AD, unless already accomplished.

To eliminate possible breakage or loosening of the wires leading to the landing gear safety switch with resultant malfunction of the landing gear safety switch accomplish the following:

(a) On the left main landing gear, inspect for broken and loose wires and terminals at the connections to the landing gear safety switch. Repair any broken or loose wires and terminals before further flight.

(b) Install Piper Kit No. 754475, or FAA-approved equivalent, leaving sufficient slack in the wires between the new clamp and the safety switch to prevent pulling of the wires.

(Piper Service Letter No. 379, dated July 12, 1962, pertains to this same subject.)

Issued in Washington, D.C., on June 24, 1964.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 64-6525; Filed, June 30, 1964; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 170]

COMMERCIAL ZONES

Chicago, Ill.; Notice of Proposed Rule Making

JUNE 26, 1964.

Removal of the exemption applicable under section 203(b) (8) of the Interstate Commerce Act to transportation by motor vehicle between points in the Chicago, Ill., commercial zone, heretofore defined in No. MC-C-3 and No. MC-C-3 (Sub-No. 1), Chicago, Ill. Commercial zone, 1 MCC 637, 86 MCC 735, 94 MCC 568.

Petitioners: Advance Transportation Company, J. Artim & Sons, Inc., Burren Transfer Company, C.P.T. Freight, Inc., Canal Motor Service, Inc., Chicago-Aurora Motor Service, Inc., James L. Emrick, doing business as Chicago Terminal Clearance, Consolidated Cartage Co., Inc., Edw. C., Ernest J. & Theo. W. Kammenske, doing business as Daily Freight Lines, De Groot Motor Service, Inc., De Rosa Transportation, Inc., Elgin Storage & Transfer Co., Gold Star Motor Service, Inc., Gumprecht Trucking Co., Hall Freight Lines, Inc., Hanson Transfer, Inc., Holland Cartage Company, Houdek Motor Service, Inc., Hughes Cartage Co., Inc., J. L. Cartage & Warehouse, Inc., Joliet Warehouse & Transfer Co., Kehe Motor Service, Inc., Knox Motor Service, Inc., Krema Trucking Company, Inc., Kutzler Cartage, Inc., Leoni Motor Express, Inc., Liberty Trucking Co., J. F. Martin Cartage Co., Murphy Motor Express, Inc., National Cartage Co., R. L. Nehls Transfer, Inc., Walter F. Nelson, doing business as Nelson Bros. Transfer, Niedert Motor Service, Inc., Fred Olson Motor Service Co., Parnell Motor Service Transport, Inc., Pearson Motor Service, Inc., Peer Cartage Co., Inc., Race Motor Service, Inc., Rudolph Express Co., Joseph T. Rayan Cartage, Inc., Schiek Motor Express, Inc., Service Cartage Co., Inc., James V. Shepley, doing business as Shepley Motor Express, Sims Motor Transport Lines, Inc., Steel Transportation Co., Inc., Taylor Transfer Co., Inc., Tim's Motor Service, Inc., Welsh Bros. Motor Service, Inc., M. A. Wheat Motor Service, Inc., The Willett Company, W. W. Young & Son, Inc., Yule Truck Lines, Inc.

Petitioners' attorneys: Eugene L. Cohn and Bernard G. Colby, One North LaSalle St., Chicago, Ill., 60602.

By petition filed April 17, 1964, Advance Transportation Company and 51 other motor carriers seek removal of the partial exemption conditionally provided by section 203(b)(8) of the Interstate Commerce Act as to transportation by motor vehicle wholly within the commercial zone of Chicago, Ill., which zone was last defined on March 12, 1964, reported at 94 MCC 568 (49 CFR 170.2). Approval of the petition would make for-hire transportation by motor vehicle in interstate or foreign commerce wholly within the Chicago commercial zone subject to all of the requirements of the Interstate Commerce Act, including the filing of rates and the necessity for obtaining operating authority.

Anyone wishing to make representation in favor of, or in opposition to, the proposed removal of the partial exemption may do so by the submission of written data, views, or arguments. An original and six copies of such data, views, and arguments shall be filed with the Commission on or before August 17, 1964.

Notice to the general public of the action herein taken shall be given by depositing a copy of this notice in the Office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission, Division 1.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 64-6550; Filed, June 30, 1964; 8:47 a.m.]

[49 CFR Part 170]

COMMERCIAL ZONES

St. Louis, Mo. and East St. Louis, Ill.; Proposed Redefinition

JUNE 26, 1964.

Redefinition of the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone, heretofore defined in No. MC-C-1 (Sub-No. 1), St. Louis, Mo.-East St. Louis, Ill., Commercial Zone, 1 M.C.C. 656, 2 M.C.C. 285, 61 M.C.C. 489, 76 M.C.C. 418.

Petitioners: Carps, Inc., Linclay Corporation, Automatic Devices, Inc., Watlow Electric Manufacturing Co., St. Louis Home Insulators, Inc.

Petitioner's attorney: G. M. Rebman, 1230 Boatmen's Bank Building, St. Louis, Mo., 63102.

Upon consideration of a petition filed May 21, 1964, as amended, by Carp, Inc., and others, for reopening and redefinition of the zone adjacent to and commercially a part of St. Louis, Mo.-East St. Louis, Ill., within the meaning of section 203(b)(8) of the Interstate Commerce Act, which was last defined on May 21, 1958, reported at 76 M.C.C. 418 (49 CFR 170.3), the Interstate Commerce Commission, pursuant to section 4(a) of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1003), hereby gives notice that revision of the description of the present zone boundaries (west of U.S. Highway 66 and east of Interstate Highway 244 (under construction), set forth in 49 CFR 170.3 is under consideration as pertinent, to read as follows (underlining encompasses additional area): (1) All points within the corporate limits of St. Louis, Mo., and (2) all points within St. Louis County, Mo., within a line drawn 0.5 mile south, west, and north of the following line, but not including any point north of the Meramec River and west of Kirkwood, or points beyond the established corporate boundaries of Kirkwood, Huntleigh, and St. Ferdinand, Mo.: Beginning at the Jefferson Barracks Bridge across the Mississippi River and extending westerly along Missouri Highway 77 to junction U.S. Highway 61 Bypass and thence along U.S. Highway 61 Bypass to junction U.S. Highway 66, thence westerly along U.S. Highway 66 to junction Bowles Avenue, thence northerly along Bowles Avenue actual or projected to the Meramec River, thence easterly along the south bank of the Meramec River to a point directly south of the western boundary of Kirkwood, thence across the Meramec River to and along the western and northern boundaries of Kirkwood to the western boundary of Huntleigh, Mo., thence along the western and northern boundaries of Huntleigh to junction U.S. Highway 66, thence in a northerly direction along U.S. Highway 66 (Lindbergh Boulevard) to junction *Missouri Highway 340, thence in a westerly direction along Missouri Highway 340 to junction of actual or projected Interstate Highway 244, thence in a northerly direction along actual or projected Interstate Highway 244 to junction Interstate Highway 70, thence in an easterly direction along Interstate Highway 70 to junction U.S. Highway 66, thence in a northerly direction along U.S. Highway 66 to junction* Natural Bridge Road, thence in an easterly direction along U.S. Highway 66 to the western boundary of St. Ferdinand (Florissant), Mo., thence along the western, northern, and eastern boundaries of St. Ferdinand to junction U.S. Highway 66 thence along U.S. Highway 66 (Taylor Road) to the corporate limits of St. Louis (near Chain of Rocks Bridge); and (3) all points within the corporate limits of East St. Louis, Belleville, Granite City, Madison, Venice, Brooklyn, National City, Fairmont City, Washington Park and Monsanto, Ill.

The effect of the revision would be to include in the zone a newly developed commercial and industrial area immediately adjacent to the present western boundary of the St. Louis, Mo., side of the presently defined zone. Transportation by motor vehicle wholly within such zone would be exempt from regulation under certain provisions of the Interstate Commerce Act, including the requirement that certificates of public convenience and necessity be obtained.

No oral hearing is contemplated, but anyone wishing to make representations in favor of, or against, the above-proposed revision of the defined boundary of the St. Louis, Mo.-East St. Louis, Ill., commercial zone, may do so by the submission of written data, views, or arguments. An original and five copies of such data, views, or arguments shall be filed with the Commission on or before August 3, 1964.

Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 64-6551; Filed, June 30, 1964; 8:47 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

[LA/Field-5]

DIRECTOR, A.I.D. MISSION TO ECUADOR

Delegation of Authority

Pursuant to the authority vested in the Deputy U.S. Coordinator, Alliance for Progress, by the Foreign Assistance Act of 1961, as amended, and the delegations of authority issued thereunder, I hereby delegate to the Director, United States A.I.D. Mission to Ecuador ("Director"), retaining for myself concurrent authority to exercise any of the functions herein delegated:

(1) Authority to execute Capital Assistance Authorizations, loan or grant, for projects or programs whenever:

(a) The amount proposed for obligation is less than $2.5 million; and

(b) An Intensive Review Request for the project or program has been approved by the Assistant Administrator or his designee.

(2) Authority to execute amendments to Capital Assistance Authorizations executed heretofore or hereafter, where the amount originally authorized is less than $2.5 million and the amendment does not increase the maximum total amount of the loan or grant to $2.5 million or more.

(3) Authority to negotiate, execute and implement all agreements and amendments to agreements hereafter authorized by the Director.

(4) Authority to implement all loans heretofore authorized for Ecuador by the Development Loan Fund, the International Corporation Administration, and the Agency for International Development, and all Capital Assistance activities heretofore or hereafter authorized by the Agency for International Development, this authority to include authority to negotiate, execute and implement agreements and amendments to agreements.

The authority hereby delegated may not be redelegated.

Dated: June 19, 1964.

WILLIAM D. ROGERS,
Deputy U.S. Coordinator,
Alliance for Progress.

[F.R. Doc. 64-6535; Filed, June 30, 1964; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

UINTAH AND OURAY RESERVATION

Transfer of Land Records to Phoenix Area Office

JUNE 25, 1964.

In accordance with 25 C.F.R. 120 and pursuant to authority delegated by Amendment No. 49 to Secretarial Order 2508 (26 F.R. 11395), notice is hereby given that all source title documents and land records pertaining to Indian-owned trust or restricted lands on the Uintah and Ouray Reservation in the State of Utah, have been transferred from the City of Washington, D.C., to the Phoenix Area Office, Bureau of Indian Affairs, 124 West Thomas Road, Phoenix, Arizona.

Effective June 29, 1964, the Phoenix Area Office will be the office for the maintenance of records for all such trust and restricted lands.

GRAHAM HOLMES,
Assistant Commissioner,
Phoenix Area Office.

[F.R. Doc. 64-6536; Filed, June 30, 1964; 8:46 a.m.]

Bureau of Land Management

[Group 385]

ARIZONA

Notice of Filing of Plats of Survey

JUNE 23, 1964.

1. Plats of survey of the lands described below will be officially filed in the Land Office, Phoenix, Arizona, effective at 10:00 a.m., July 29, 1964.

GILA AND SALT RIVER MERIDIAN

T. 4 N., R. 7 E.
Sec. 5, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, S½NW¼, N½SW¼, SW¼SW¼;
Sec. 6, lots 1, 2, 3, 4, 5, 6, 7, SE¼NW¼, E½SW¼, S½NE¼, SE¼;
Sec. 7, lots 1, 2, 3, 4;
Sec. 8, lot 1.
T. 5 N., R. 7 E.
Sec. 29, lots 1, 2, 3, 4, 5, 6, NW¼NW¼, E½NW¼, NE¼, SE¼;
Sec. 30, lots 1, 2, 3, 4, 5, 6, 7, 8, W½NW¼, SE¼NW¼, SW¼, N½SE¼, SW¼SE¼;
Sec. 31, lots 1, 2, 3, W½, W½NE¼, W½SE¼, SE¼SE¼;
Sec. 32, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, E½E½, S½SW¼, NE¼SW¼.

The area described aggregates 3,661.13 acres.

2. The lands vary from nearly level to rough and stony. The soil is an alluvial silt and loam. The Verde River crosses through the subject townships and both banks of the river are densely covered with salt cedar and cottonwood trees.

3. All the above described lands are embraced in the Tonto National Forest by Proclamation 1672 of August 14, 1923.

4. The lands in T. 5 N., R. 7 E. are embraced in Secretary's Order of Withdrawal for Salt River Project, December 4, 1904; the lands in sec. 5, T. 4 N., R. 7 E., are embraced in the Temporary Withdrawal by Secretary's Order of July 2, 1902 for Salt River Survey; sec. 5, T. 4 N., R. 7 E., and E½ sec. 32, T. 5 N., R. 7 E. are embraced in Order of Withdrawal of March 17, 1952, Central Arizona Project; sec. 4 and sec. 8 are embraced in the Order of Withdrawal of January 26, 1956 for Salt River Project, and are required for retention in federal ownership for reclamation purposes.

5. In view of the above, the lands described will not be subject to disposition under the general public land laws by reason of the official filing of the plats.

ROY T. HELMANDOLLAR,
Manager.

[F.R. Doc. 64-6538; Filed, June 30, 1964; 8:47 a.m.]

[W-0310202]

NEBRASKA

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 24, 1964.

The Bureau of Reclamation, Region 7, Denver, Colorado, has filed an application, serial number Wyoming 0310202, for the withdrawal of the lands described below, from all forms of appropriation including the mining laws but not the mineral leasing laws, pursuant to the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388).

The lands are located within the Nebraska National Forest and the applicant desires the lands for the construction, operation and maintenance of Merritt Dam and Reservoir, Ainsworth Unit, Missouri River Basin Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 2002 Capitol Avenue, Cheyenne, Wyoming, 82001.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Bureau of Reclamation.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, NEBRASKA

T. 31 N., R. 31 W.
Sec. 25, S½NE¼;
Sec. 26, N½NW¼ and S½SW¼.

The area described aggregates 240 acres.

AUBREY F. SMITH,
Acting State Director.

[F.R. Doc. 64-6539; Filed, June 30, 1964; 8:47 a.m.]

[Classification Orders Nos. 103, 158, 184 and 198]

NEVADA

Small Tract Classification; Amendment

1. Pursuant to authority delegated by Bureau Order No. 684 dated August 28, 1961 (26 F.R. 8216) and the State Director June 29, 1962 (F.R. Doc. 62-6376), the classification orders are amended to provide for sale at public auction.

Dated: June 22, 1964.

DANIEL P. BAKER,
Chief, Division of Lands and Minerals Management.

[F.R. Doc. 64-6540; Filed, June 30, 1964; 8:47 a.m.]

Geological Survey

[Idaho No. 19]

IDAHO

Coal Land Classification Order

Coal Land Classification Order Idaho No. 18, of April 24, 1963 (28 F.R. 4464, May 3, 1963), so far as it describes sec. 31, T. 5 N., R. 44 E., Boise Meridian, is corrected to read as follows:

E½NE¼, NW¼NE¼

THOMAS B. NOLAN,
Director.

JUNE 19, 1964.

[F.R. Doc. 64-6537; Filed, June 30, 1964; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

WAREHOUSEMEN OPERATING UNDER CCC'S BEAN STORAGE AGREEMENT, UNIFORM GRAIN STORAGE AGREEMENT AND UNIFORM RICE STORAGE AGREEMENT

Blanket Insurance Policy Covering Obligations

Notice is hereby given that Commodity Credit Corporation has purchased from Farmers Elevator Mutual Insurance Company, Des Moines, Iowa, a blanket insurance policy covering obligations to CCC of all warehousemen operating under CCC's Bean Storage Agreement, Uniform Grain Storage Agreement and Uniform Rice Storage Agreement. The insurance policy is for a period of 5 years effective as of noon, July 1, 1964, e.s.t., and will protect CCC against losses up to $2 million annually at each warehouse facility, with an annual maximum aggregate liability to the insurance company of $50 million. Warehousemen covered by the blanket insurance policy will not be required to furnish individual bonds in favor of CCC covering obligations under the Bean Storage Agreement, Uniform Grain Storage Agreement and Uniform Rice Storage Agreement except bonds which are required to make up for deficiencies in warehousemen's financial condition. The insurance policy does not affect bonds furnished by warehousemen pursuant to the U.S. Warehouse Act or State statutes.

In the case of warehousemen operating under the Bean Storage Agreement and Uniform Rice Storage Agreement, CCC will send a notice to the surety on the bond (CCC Form 33) consenting to termination of the bond or a reduction in the amount of the bond, whichever the case may be, effective as of noon, July 1, 1964, e.s.t., to the extent that the bond is not required to make up for deficiencies in net worth.

If the bond is terminated, the liability of the surety shall terminate as of noon, July 1, 1964, e.s.t., except as to claims arising under such bond, whether presented or not, before the termination date.

Effective date: July 1, 1964.

Signed at Washington, D.C., on June 29, 1964.

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

[F.R. Doc. 64-6629; Filed, June 30, 1964; 11:00 a.m.]

Office of the Secretary

WISCONSIN

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Wisconsin natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

WISCONSIN

Buffalo.	Pepin.
Jackson.	Trempealeau.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1965, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 25th day of June 1964.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 64-6545; Filed, June 30, 1964; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

ASSISTANT DIRECTOR, OFFICE OF CARTOGRAPHY

Delegation of Authority Relating to Certifications

1. Pursuant to the authority vested in the Assistant Secretary of Commerce for Administration by Department Order No. 166 (Revised), the Assistant Director, Office of Cartography is hereby authorized to sign as Certifying Officer, certifications as to the official nature of copies of correspondence and records from the files, publications and other documents of the Department and to affix the seal of the Department of Commerce to such certifications or documents for all purposes, including the purpose authorized by 28 U.S.C. 1733(b).

2. This delegation of authority shall be effective as of the date hereof.

Dated: June 24, 1964.

HERBERT W. KLOTZ,
Assistant Secretary for Administration.

[F.R. Doc. 64-6543; Filed, June 30, 1964; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

FINE ORGANICS, INC.

Notice of Filing of Petition Regarding Food Additive Stearyl Erucamide

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 1165) has been filed by Fine Organics, Inc., 205 Main Street, Lodi, New Jersey, proposing that § 121.2509 *Release agents* be amended by adding stearyl erucamide to the list of substances contained therein.

Dated: June 24, 1964.

MALCOM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 64-6561; Filed, June 30, 1964; 8:49 a.m.]

GEIGY INDUSTRIAL CHEMICALS

Notice of Filing of Petition Regarding Food Additive

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 petitions (FAP 1428, 1438) have been filed by Geigy Industrial Chemicals, Division of Geigy Chemical Corporation, P.O. Box 430, Yonkers, New York, proposing the amendment of § 121.1056 *Disodium EDTA* * * * to provide for the safe use of not more than 295 parts per million disodium EDTA in dried banana products of not less than 70 percent banana solids and not more than 160 parts per million disodium EDTA in canned, cooked chick peas. The functional effect of the addition of disodium EDTA in each instance is to promote color retention.

Dated: June 24, 1964.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 64-6562; Filed, June 30, 1964; 8:50 a.m.]

NAUGATUCK CHEMICAL DIVISION OF UNITED STATES RUBBER

Notice of Filing of Petition Regarding Food Additives

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 1425) has been filed by Naugatuck Chemical Division of United States Rubber, Elm Street, Naugatuck, Connecticut, proposing that § 121.2566 *Antioxidants and/or stabilizers for polymers* be amended to provide for the optional use of up to 1 percent by weight of triisopropanolamine in tri(mixed mono- and dinonylphenyl) phosphite.

Dated: June 24, 1964.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 64-6563; Filed, June 30, 1964; 8:50 a.m.]

SCHERING CORP.

Notice of Filing of Petition Regarding Food Additive Dienestrol Diacetate

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 1140) has been filed by Schering Corporation, Bloomfield, New Jersey, proposing the issuance of a regulation to provide for the safe use of dienestrol diacetate in chicken and turkey feeds, as follows:

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1. Dienestrol diacetate	20.9 (0.0023%)	----------	----------	For broiler chickens; withdraw 48 hours before slaughter; start treatment at 5 or 6 weeks of age; treat 4 to 6 weeks.	Promote the distribution of fat for tenderness and bloom.
2. Dienestrol diacetate	20.9 (0.0023%)	----------	----------	For roaster chickens; withdraw 48 hours before slaughter; start treatment 5 or 6 weeks of age; treat 6 to 10 weeks.	Do.
3. Dienestrol diacetate	31.8 (0.0035%)	----------	----------	For roaster chickens; withdraw 48 hours before slaughter; start treatment at 8 or 9 weeks of age; treat 5 to 7 weeks.	Do.
4. Dienestrol diacetate	63.6 (0.007%)	----------	----------	For broiler chickens; withdraw 48 hours before slaughter; start treatment at 3 weeks of age, treat for 3 weeks.	Do.
5. Dienestrol diacetate	63.6 (0.007%)	----------	----------	For turkey broilers; withdraw 48 hours before slaughter; start treatment at 8 to 10 weeks of age; treat for 3 weeks.	Do.

Dated: June 24, 1964.

MALCOLM R. STEPHENS,
Assistant Commissioner for Regulations.

[F.R. Doc. 64-6564; Filed, June 30, 1964; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 15333]

AEROLINEAS EL SALVADOR, S.A. FOREIGN PERMIT RENEWAL

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled matter is assigned to be held on July 14, 1964, at 10:00 a.m., e.d.s.t., in Room 701, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Associate Chief Examiner Thomas L. Wrenn.

Dated at Washington, D.C., June 26, 1964.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 64-6569; Filed, June 30, 1964; 8:50 a.m.]

[Dockets 15153, 15154; Order No. E-20996]

EASTERN AIR LINES, INC.

Order Granting Temporary Suspension and Statement of Tentative Findings and Conclusions and Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 26th day of June 1964.

Application of Eastern Air Lines, Inc. for amendment of its certificate of public convenience and necessity for Route 5, so as to delete Danville, Virginia; Docket 15153. Application of Eastern Air Lines, Inc. for an order authorizing suspension of service at Danville, Virginia on Route 5; Docket 15154.

On April 3, 1964, Eastern Air Lines, Inc. (Eastern) filed an application (Docket 15154) pursuant to Part 205 of the Board's Economic Regulations, requesting authority to suspend service temporarily at Danville, Virginia (Danville), pending final decision on its concurrently filed application (Docket 15153) for deletion of Danville from its certificate for Route 5.

Eastern in support of its application, states inter alia, that the volume and character of Danville's air traffic and its fundamental needs are not compatible with Eastern's jet-age trunkline service; that the Danville traffic served by Eastern is essentially short-haul and of low density; that its originations at Danville have declined from an average of 16.0 per day in 1959 to an average of 3.8 per day in 1963; that its Danville operations have been unprofitable and it estimates that suspension of its service at Danville would result in an annual savings of $275,958;[1] that there would be no appreciable inconvenience to the public; that Piedmont Aviation, Inc. (Piedmont) provides Danville with five daily frequencies; that while Eastern has originated only 24.5 percent of Danville's 1963 air passengers, Piedmont has carried over 75 percent; that Piedmont provides air service between Danville and its major destinations and connecting points; that Piedmont's typical Danville operation is conducted with 24.7 empty seats and Piedmont can accommodate Eastern's traffic on its existing flights; that suspension of Eastern will strengthen Piedmont and reduce its subsidy requirements since Piedmont would immediately fall heir to some 427,389 annual revenue passenger miles (accounting for $33,591 in revenue to Eastern) between Danville and the Charlotte and Washington gateways; and that Eastern's service is of little value to the community and should be terminated as soon as possible.

On May 5, 1964 the City of Danville filed a telegraphic answer stating that it will not oppose suspension of Eastern's service at Danville and that the City agrees with Eastern that Piedmont is better able to provide the service the Danville area needs.

Appendix A[2] shows that during the year ended September 30, 1963, 70.7 per cent of Danville's traffic moved in two markets, 52.4 per cent between Danville and Washington and 18.3 per cent between Danville and Atlanta. Further, Piedmont carried 86.4 per cent of the Washington traffic and 89.9 per cent of the Atlanta traffic.[3]

Piedmont currently serves Danville on 5 flights (Appendix B[2]) all of which serve Washington (3 southbound and 2 northbound);[4] and three of these flights (2 southbound and 1 northbound) also serve Atlanta.

Appendix C[2] shows that Piedmont can provide single-carrier service for 76.6 per cent of the on-line O&D traffic carried by Eastern during 1963, and only 594 passengers, or an average of 1.6 per

[1] While we make no precise determination at this time as to Eastern's cost savings, the carrier's cost figures appear to be reasonable.

[2] Filed as part of the original document.

[3] By the terms of its certificates Eastern is prohibited from providing effective competitive service between Danville and Atlanta.

[4] Piedmont is authorized to provide nonstop service in the Washington-Danville market.

day, would be required to use two-carrier connecting service. Further, Piedmont has averaged load factors of less than 45 per cent on all Danville segments during the calendar year 1963.[5] Thus, over half of Piedmont's seats are unused and the carrier would have no difficulty in accommodating the 7 passengers per day which Eastern generated during 1963 (Appendix C) on its existing flights.

Upon consideration of the foregoing matters and the present and potential air service needs of the Danville area, we tentatively find and conclude that Danville's traffic does not justify continuance of Eastern's service; that elimination of Eastern's service at this point will result in little, if any, hardship or inconvenience to the traveling public in that Piedmont is presently authorized to serve Danville and it appears that Piedmont in view of its load factors at Danville would have no difficulty accommodating the bulk of Eastern's traffic; that elimination of Eastern's competitive services at Danville will permit that carrier to effect substantial economies and concurrently strengthen Piedmont; and that the public convenience and necessity require the elimination of Danville from Eastern's Route 5. Based upon the same considerations, and in view of the lack of opposition thereto, we find it in the public interest to grant Eastern's request for temporary suspension at Danville.

Accordingly, it is ordered, That,

1. Eastern be and it hereby is authorized to temporarily suspend service at Danville, Virginia, effective as of the date of issuance of this order, until 90 days after final decision on its application in Docket 15153;

2. All interested persons be and they hereby are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending the certificate of public convenience and necessity of Eastern for Route 5 so as to delete therefrom the intermediate point of Danville, Virginia;

3. Any interested persons having objection to the issuance of an order making final the proposed findings, conclusions, and the certificate amendment set forth herein shall, within 20 days from the service date, file with the Board, and serve upon all persons hereafter made parties to this proceeding, a statement of objections;[6]

4. If proper objections are filed within the 20-day period specified above, this proceeding shall be set for hearing, and the hearing shall be limited, to the extent practicable and consistent with the public interest, to consideration of issues raised by the objections filed;

5. If no objections are filed within the 20-day period specified above, further procedural steps shall be deemed waived and the matter submitted to the Board for final decision;

6. Copies of this order shall be served upon Eastern Air Lines, Inc., Piedmont Aviation, Inc., the City of Danville, Virginia, all of whom are hereby made parties to the proceeding herein; and

7. This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 64-6570; Filed, June 30, 1964; 8:50 a.m.]

[5] According to Piedmont's Form T-5 filed with the Board.

[6] The Board will not separately entertain petitions for reconsideration of this order. All requests for relief from, or modification of, this order shall be submitted with such objections as may be made to the issuance of an order making final the proposed findings, conclusions and the certificate amendment set forth herein.

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 15520, FCC 64-572]

CONANT BROADCASTING CO., INC. (WHIL)

Order Designating Application for Hearing on Stated Issues

In re application of Conant Broadcasting Company, Inc. (WHIL), Medford, Massachusetts, Has: 1430 kc, 5 kw, Day, Class III-A Medford, Massachusetts, Req.: 1430 kc, 5 kw, DA-N, U Day: Medford-Everett, Mass. Night: Everett, Mass.; Docket No. 15520, File No. BP-15030; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 24th day of June, 1964;

The Commission having under consideration the above-captioned and described application;

It appearing, that except as indicated by the issues specified below, the applicant is legally, technically, financially and otherwise qualified to construct and operate Station WHIL as proposed, but that Section 73.30 of the Commission's Rules does not contemplate identification of a standard broadcast station with two or more communities during a portion of its broadcast day and with a single community during the remainder of its broadcast day; and

It further appearing, that, due to nighttime interference received, the proposed operation will be limited to the 42.9 mv/m contour with the result that 685,786 persons residing between the normally protected nighttime contour (2.5 mv/m) and the interference-free contour will not be served by the proposed nighttime operation; that the area affected by interference would be 92.5 percent of the area within the normally protected nighttime contour and the population affected would represent an eighty-percent loss; that the proposed nighttime operation would provide the first local service to Everett, but that since it is not the intent of § 73.30 of the rules to permit the type of "split" identification proposed by WHIL, the proposal does not meet one of the exceptions stated in § 73.28(d)(3) of the rules and, therefore, an appropriate issue will be specified to be resolved in the hearing ordered below; and

It further appearing, that the applicant has not established, pursuant to the requirements of § 73.30(b) of the Commission's rules, that identification with a single community would place an unreasonable burden on the applicant; and

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the application would serve the public interest, convenience and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to Section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WHIL and the availability of other primary service to such areas and populations.

2. To determine whether circumstances exist which would warrant a waiver of § 73.30(a) of the Commission rules.

3. To determine whether interference received would affect more than ten percent of the population within the normally protected nighttime service area of the WHIL proposal, in contravention of § 73.28(d)(3) of the Commission's rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

4. To determine whether the proposal is consistent with the requirements of § 73.30(b) of the Commission's rules to warrant an authorization for dual city operation.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience and necessity.

It is further ordered, That, to avail itself of the opportunity to be heard, the applicant, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicant shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: June 26, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 64-6572; Filed, June 30, 1964; 8:50 a.m.]

[1] Commissioners Henry, Chairman; and Hyde absent.

EMERGENCY BROADCAST SYSTEM PLAN

Changes in Presidential Message Origination Points

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 24th day of June 1964.

The Commission having under consideration a recommendation from the National Industry Advisory Committee (NIAC) dated April 28, 1964, that Annex XIII of the Emergency Broadcast System Plan setting forth the Presidential Message Origination Points be amended, and

It appearing, that experience gained from closed circuit tests of these technical arrangements routinely conducted on the first Monday of each month indicated the necessity for certain improvements to overcome certain operational difficulties encountered; and

It further appearing, that there is a need to establish immediately the recommended amended Presidential Message Origination Points and related operational procedures to improve the nationwide broadcast capability for the President or other Federal officials to communicate with the general public immediately upon the issuance of the Emergency Action Notification to all broadcast stations, and

It further appearing, in view of the need for immediate adoption of the Annex XIII of the Emergency Broadcast System Plan for the purposes of national defense that notice and public procedure would be contrary to the public interest; and, therefore, section 4 of the Administrative Act is inapplicable; and

It is ordered, Effective June 26, 1964, that Annex XIII of the Emergency Broadcast System Plan setting forth revised Presidential Message Origination Points and related operational procedures is amended as set forth below.

Released: June 25, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

ANNEX NO. XIII

PRESIDENTIAL MESSAGE ORIGINATION POINTS

NIAC Orders 1 Through 63

NIAC Order #1 consists of a program feed from the White House Communications Agency (WHCA*) to the White House WHCA Master Control, thence to Radio Station WTOP, thence to the network control points in Washington, D.C., (ABC, CBS, MBS, NBC) and thence to the four nationwide commercial radio networks. This Order authorizes the AT&T to interconnect the facilities of the Intermountain (IMN) and Yankee (YNI) radio networks.** NIAC Order #1 will be in effect when the Emergency Action Notification has been issued in accordance with approved procedures and in accordance with Section 73.921 of the FCC rules and normal network facilities and network control centers remain intact. (See drawing for NIAC Order #1[1]). Authentication procedures A3 or A4 shall be utilized.

NIAC Order #2 takes effect when normal network origination facilities in Washington, D.C., are disrupted due to enemy action. This Order authorizes the AT&T to use the facilities of the four nationwide commercial radio networks, namely, ABC, CBS, MBS and NBC, and Intermountain (IMN) and Yankee (YNI) radio networks and augmented by the audio networks associated with the video networks of ABC, CBS and NBC, to make one composite network.** The network entry point for this Order shall be a selected AT&T Toll Test Center. Several technical methods of delivery to the selected Toll Test Center have been implemented in cooperation with the NIAC. (See drawing for NIAC Order #2[1]). Authentication procedures A3 or A4 shall be utilized.

NIAC Order #3 Through #63. This series of Orders covers a Presidential message from a point designated by WHCA and connected to the AT&T Toll Test Center at points shown in the individual NIAC Orders.

A. *Any of these individual orders shall be made ready when the following conditions have been fulfilled:*

1. WHCA has provided broadcast and authentication circuits from the Presidential message point to the designated AT&T Toll Test Center.
2. The Radio Network Control Points in Washington have been advised NIAC Order #---- is being made ready.
3. The Telephone Company at the designated Toll Test Center has made available facilities to connect the circuit of (1) into the major radio networks and the audio networks associated with the video networks of ABC, CBS, and NBC, as provided in FCC rules 73.971.

B. *An order in this series shall become activated when the following conditions have been effected:*

1. An Emergency Action Notification has been issued.
2. WHCA at the origination point puts the order into effect using the proper authentication to the AT&T Toll Test Center designated in the individual order. Authentication procedures A3 or A4 shall be utilized. If the pickup point and the entry point designated by the NIAC Order are not the same, the Telephone Company will provide a circuit from the local Telephone Company office to the designated entry points. For example, for a pickup point in Scranton, Pennsylvania the NIAC Order would be designated "NIAC Order 47-Scranton".
3. The radio networks are advised by WHCA via established authentication procedures (A3 or A4) set forth in NIAC Orders 1 and 2.

C. *Any of these orders shall be deactivated when a subsequent NIAC Order is placed in effect.*

D. *The NIAC Orders referred to in A, B, C above are as follows:* (See attached)

NIAC Order No.; State Defense Network (FM) Station; AT&T Toll Test Location

1. Washington, D.C. (WTOP, WRC, WMAL, MBS Studios).
2. WRFL (FM), Harrisburg, Pa.; WXRA (FM), Harrisburg, Pa.; WTTR-FM, Harrisburg, Pa.; WFMD-FM, Harrisburg, Pa.; WCUM-FM, Harrisburg, Pa.; WJEJ-FM, Harrisburg, Pa.; WHYL-FM, Harrisburg, Pa.
3. *WAPI-FM, Birmingham, Ala.
4. *KFMM-FM, Tucson, Ariz.
5. *KARK-FM, Little Rock, Ark.
6. *KBIQ-FM, Los Angeles, Calif.
7. *KFRC-FM, San Francisco, Calif.
8. *KOA-FM, Denver, Colo.
9. *WTIC-FM, Hartford, Conn.
10. *WGBS-FM, Miami, Fla.
11. *WJAX-FM, Jacksonville, Fla.
12. *WSB-FM, Atlanta, Ga.
13. *KGTV-TV, Pocatello, Idaho.
14. *WDHF-FM, Chicago, Ill.
15. WTTV-FM, Indianapolis, Ind.
16. *WOC-FM, Davenport, Iowa.
17. *WHO-FM, Des Moines, Iowa.
18. *KFH-FM, Wichita, Kans.
19. *WKLO-FM, Louisville, Ky.
20. *WDSU-FM, New Orleans, La.
21. *KWKH-FM, Shreveport, La.
22. WLOB-FM, Portland, Maine.
23. *WBZ-FM, Boston, Mass.
24. *WKMI-FM, Kalamazoo, Mich.
25. *WXYZ-FM, Detroit, Mich.
26. *WLOL-FM, Minneapolis, Minn.
27. *KUMD-FM, Duluth, Minn.
28. *WJDX-FM, Jackson, Miss.
29. *KSTL-FM, St. Louis, Mo.
30. *KCMO-FM, Kansas City, Mo.
31. *KOOK-TV, Billings, Mont.
32. *KFAB-FM, Omaha, Nebr.
33. *KTOO-FM, Las Vegas, Nev.
34. *KNEV-FM, Reno, Nev.
35. *WKBR-FM, Manchester, N.H.
36. *WPRB-FM, Princeton, N.J.
37. *KHFM-FM, Albuquerque, N. Mex.
38. *WNBC-FM, New York, N.Y.
39. *WROW-FM, Albany, N.Y.
40. *WBEN-FM, Buffalo, N.Y.
41. WSOC-FM, Charlotte, N.C.
42. *WDAY-TV, Fargo, N. Dak.
43. WERE-FM, Cleveland, Ohio.
44. WRFD-FM, Columbus, Ohio.
45. *KYFM-FM, Oklahoma City, Okla.
46. KOIN-FM, Portland, Oreg.
47. *WFIL-FM, Philadelphia, Pa.
48. *KDKA-FM, Pittsburgh, Pa.
49. *WPRO-FM, Providence, R.I.
50. *WNOK-FM, Columbia, S.C.
51. *KELO-TV, Sioux Falls, S. Dak.
52. *WMC-FM, Memphis, Tenn.
53. *WSIX-FM, Nashville, Tenn.
54. *WRR-FM, Dallas, Tex.
55. *KTSM-FM, El Paso, Tex.
56. *KSL-FM, Salt Lake City, Utah.
57. *WJOY-FM, Burlington, Vt.
58. *WWOD-FM, Lynchburg, Va.
59. *KZAM-FM, Seattle, Wash.
60. *KZUN-FM, Spokane, Wash.
61. *WKAZ-FM, Charleston, W. Va.
62. *WISN-FM, Milwaukee, Wis.
63. *KVWO-FM, Cheyenne, Wyo.

*For planning purposes only—Additions or deletions may be made to fit operational requirements as they arise.

[F.R. Doc. 64-6571; Filed, June 30, 1964; 8:51 a.m.]

[1] Commissioners Henry, Chairman, Hyde and Loevenger absent.

*WHCA provides all communication facilities for the President.

[1] Drawings filed as part of original document.

**Closed circuit test broadcasts of these technical distribution channels are conducted on the 1st Monday of each month. Due to varying program scheduling of the commercial networks involved, the AT&T is not authorized to make one composite network of these facilities for these tests. The AT&T is authorized to interconnect the facilities of the Intermountain (IMN) and Yankee (YNI) radio networks for the duration of these closed circuit tests, then remove such interconnections.

FEDERAL MARITIME COMMISSION

SOUTH CHICAGO DOCK LEASING CO. AND TRANSOCEANIC TERMINAL CORP.

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the

Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, Louisiana, and San Francisco, California. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by Pope Ballard & Loos, 888 Seventeenth Street NW., Washington, D.C., 20006.

Agreement No. T–182, between the South Chicago Dock Leasing Company (Chicago), and Transoceanic Terminal Corporation (Corporation), provides for a 10 year lease of certain terminal property at Chicago to be operated by Corporation as a public marine terminal including the non-exclusive use of certain ore bridges and open storage areas. Corporation agrees to handle certain raw materials, upon Chicago's request, at out-of-pocket costs plus a reasonable overhead which will be decided by the parties. As compensation for the lease corporation will pay a fixed amount as specified within the agreement.

By order of the Federal Maritime Commission.

Dated June 26, 1964.

THOMAS LISI,
Secretary.

[F.R. Doc. 64–6548; Filed, June 30, 1964; 8:47 a.m.]

AMERICAN DOCK CO., INC., AND UNIVERSAL TERMINAL AND STEVEDORING CORP.

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, Louisiana, and San Francisco, California. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by Universal Terminal and Stevedoring Corporation by Herman Goldman, Attorney & Counselor at Law, Equitable Building, 120 Broadway, New York 5, New York.

Agreement No. T–1048, between the American Dock Company, Inc. (American Dock), and Universal Terminal and Stevedoring Corporation (Universal), provides for a three year lease of certain piers at Staten Island, New York, to be used by Universal in connection with its steamship, stevedoring and shipping business. American Dock retains the right to berth lighters and barges and to park vehicles at the leased piers. The agreement further provides that Universal promote American Dock's warehousing business (1) by using its best efforts in connection with its operation of the leased piers to obtain storage business on behalf of American Dock, (2) by giving American Dock first choice in storing cargo under Universal's control, giving American Dock a reasonable time to arrange for storage and (3) by not interfering with American Dock's storage business in permitting cargo to remain on piers for a period longer than customary at the Port. Also Universal agrees to give American Dock the first chance to furnish additional berthing area, if Universal should require the same. As compensation for the lease Universal agrees to pay a fixed amount as specified within the agreement.

By order of the Federal Maritime Commission.

Dated: June 26, 1964.

THOMAS LISI,
Secretary.

[F.R. Doc. 64–6549; Filed, June 30, 1964; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G–13095 etc.]

LEO CLYMORE ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

JUNE 23, 1964.

Leo Clymore, Operator, (successor to Garland Clymore, Deceased) and other applicants listed herein, Docket Nos. G–13095, et al.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 20, 1964.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or notice to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
G-13095 E 6-8-64	Leo Clymore, Operator (successor to Garland Clymore, deceased).	Trunkline Gas Co., East Colettoville Field, Victoria County, Tex.	9.0	14.65
CI61-691 D 6-17-64	Sinclair Oil & Gas Co. (Operator), et al.	Michigan Wisconsin Pipe Line Co., Barnes Unit, Dewey County, Okla.	Uneconomical	
CI61-691 D 6-17-64	do	Michigan Wisconsin Pipe Line Co., A. L. Spangler Unit, Dewey County, Okla.	Uneconomical	

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.

See footnotes at end of table.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
CI63-223, E 6-10-64	Frank H. Walsh (successor to N. R. Dispenza, et al.).	Kansas-Nebraska Natural Gas Co., Inc., Warrior Field, Logan County, Colo.	10.0	16.4
CI63-603, C 6-11-64	Sinclair Oil & Gas Co	Lone Star Gas Co., East Doyle Field, Stephens County, Okla.	15.0	14.65
CI64-1212 [1], A 4-15-64	Benson-Montin-Greer Drilling Corp. (successor to The British-American Oil Producing Co.) (partial succession).	El Paso Natural Gas Co., Gallegos Gallup Sand Unit, San Juan County, N. Mex.	13.0	15.025
CI64-1475, A 6-10-64	Dillon & Bruns	The Algas Co., Rowe Field, Jim Wells County, Tex.	10.0	14.65
CI64-1476, A 6-11-64	Tidewater Oil Co	El Paso Natural Gas Co., San Juan Basin-Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI64-1477, A 6-11-64	Gulf Oil Corp	Southern Union Gathering Co., Basin-Dakota Field, San Juan County, N. Mex.	13.0536	15.025
CI64-1478, A 6-11-64	Irene Wrightsman Cernadas Trust.	Natural Gas Pipeline Co. of America, Willamar Field, Willacy County, Tex.	16.0	14.65
CI64-1479, A 6-12-64	Gulf Oil Corp	Lone Star Gathering Co., Karen Beauchamp Field, Goliad County, Tex.	14.0	14.65
CI64-1480, A 6-11-64	do	Phillips Petroleum Co., Fuhrman-Mascho Field, Andrews County, Tex.	9.0	14.65
CI64-1481, A 6-12-64	Sinclair Oil & Gas Co	Cities Service Gas Co., Groendyke Area, Barber County, Kans.	14.0	14.65
CI64-1482, A 6-12-64	George A. Carlson, et al	Panhandle Eastern Pipe Line Co., acreage in Stafford County, Kans.	15.0	14.65
CI64-1483, A 6-12-64	Shell Oil Co. (partial succession).	El Paso Natural Gas Co., Block 1, South Andrews Field, Andrews County, Tex.	[2] 13.5	14.65
CI64-1484, A 6-12-64	John W. Stone	Cabot Corp., Geary District, Roane County, W. Va.	15.0	15.325
CI64-1485 [3], A 6-5-64	Blair Johnson	Cumberland and Allegheny Gas Co., acreage in Lewis County, W. Va.	20.0	15.325
CI64-1486, A 6-16-64	Austral Oil Co. Inc	El Paso Natural Gas Co., Huerfanito Unit Field, San Juan County, N. Mex.	13.0	15.025
CI64-1487, A 6-1-64	Pan American Petroleum Corp. (partial succession).	Arkansas Louisiana Gas Co., North Cooper, Star, and Lacey areas, Kingfisher and Blaine Counties, Okla.	16.8	14.65
CI64-1489, A 6-15-64	Franks Petroleum, Operator	Arkansas Louisiana Gas Co., Sugar Creek Field, Claiborne Parish, La.	13.961	15.025
CI64-1490, A 6-15-64	Sunset International Petroleum Corp.	El Paso Natural Gas Co., Block 9 Field, Andrews County, Tex.	13.682	14.65
CI64-1491, A 6-15-64	H. C. Glass	The Shamrock Oil and Gas Corp., acreage in Hutchinson County, Tex.	5.5	14.65
CI64-1492, A 6-15-64	Columbian Fuel Corp	United Fuel Gas Co., acreage in Raleigh County, W. Va.	25.0	15.325
CI64-1493, A 6-15-64	do	United Fuel Gas Co., acreage in Jackson County, W. Va.	25.0	15.325
CI64-1494, A 6-15-64	Union Oil Co. of California	Arkansas Louisiana Gas Co., Southwest Lacy Field, Kingfisher County, Okla.	16.8	14.65
CI64-1495, A 6-15-64	Sohio Petroleum Co	Northern Natural Gas Co., Drinkard Field, Lea County, N. Mex.	12.0212	15.025
CI64-1496, A 6-16-64	William N. Price and L. E. Geoffroy.	Kansas-Nebraska Natural Gas Co., Inc., acreage in Beaver County, Okla.	15.0	14.65
CI64-1497, A 6-17-64	Union Drilling, Inc	Cumberland and Allegheny Gas Co., Warren District, Upshur County, W. Va.	25.0	15.325
CI64-1498, A 6-17-64	California Oil Co., Western Division.	Kansas-Nebraska Natural Gas Co., Inc., Lost Cabin and Waltman Fields, Fremont and Natrona Counties, Wyo.	15.0	14.65
CI64-1499, B 6-10-64	Graham-Michaelis Drilling Co.	Northern Natural Gas Co., McKinney Gas Field, Meade County, Kans.	(4)	

[1] Application previously noticed on April 21, 1964 in Docket Nos. G-3894, et al. at a rate of 12.0 cents/Mcf.
[2] Rate in effect subject to refund in Docket No. G-20525.
[3] Application erroneously noticed June 16, 1964 as a petition to amend certificate in Docket No. G-7079.
[4] Declined in pressure.

[F.R. Doc. 64-6452; Filed, June 30, 1964; 8:45 a.m.]

[Docket No. CP64-231]

KASKASKIA GAS CO.

Notice of Application

JUNE 24, 1964.

Take notice that on April 9, 1964, supplemented on May 26, 1964, Kaskaskia Gas Company (Applicant), P.O. Box 372, Salem, Illinois, filed in Docket No. CP64-231 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Trunkline Gas Company (Trunkline) to establish physical connection of its transmission facilities with the proposed facilities of and to sell natural gas to Applicant for resale and distribution in the community of Xenia, Illinois, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate 4.2 miles of 2-inch lateral transmission line extending from a point of connection with Trunkline's facilities in Clay County, Illinois, to the city gate of Xenia. Applicant will also construct and operate distribution facilities to provide the proposed natural gas service to Xenia. The estimated cost of Applicant's proposed facilities is $106,000.

The application shows the estimated third-year peak day and annual natural gas requirements for Xenia to be 295 Mcf and 26,300 Mcf, respectively.

On May 15, 1964, Trunkline filed an answer to the subject application stating that it has no objection to providing natural gas service to Applicant.

Protests, petitions to intervene or requests for hearing in this proceeding may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 16, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-6531; Filed, June 30, 1964; 8:46 a.m.]

[Project No. 2467]

PACIFIC GAS AND ELECTRIC CO.

Notice of Application for License (Major) and Surrender of License (Minor)

JUNE 24, 1964.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Pacific Gas and Electric Company (Correspondence to: J. S. Moulton, Vice President and Executive Engineer, Pacific Gas and Electric Company, 245 Market Street, San Francisco, California, 94106) for major license for constructed Project No. 2467, known as the Merced Falls Project, now being operated by Applicant under a minor-part license as Project No. 1335, located on the Merced River in Merced and Mariposa Counties, California. Upon acceptance of a major license for this project, the Applicant proposes to surrender the minor-part license now held for this same project.

The existing Merced Falls Project consists of: (1) A concrete gravity dam 575 feet long and 34 feet high, containing three radical gates 20 feet long and 13½ feet high and flashboard spillway 10 feet wide and two feet high; earth levee 1,000 feet long with crest width of eight feet; (2) A reservoir with capacity of about 900 acre-feet; (3) Fish ladder; (4) Intergral intake powerhouse containing one 4,200 hp turbine connected to a 4,000 kva outdoor type generator; and (5) Concrete switchboard building.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, 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 August 7, 1964. The application is on file with the Commission for public inspections.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-6532; Filed, June 30, 1964; 8:46 a.m.]

[Docket No. CP64-114]

TRUNKLINE GAS CO.

Notice of Application To Amend

JUNE 24, 1964.

Take notice that on May 25, 1964, Trunkline Gas Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed an application to amend the Commission's order issued March 20, 1964, in Docket No. CP64-114 by authorizing an increase in the contract demands of eight existing customers in the aggregate amount of 5,810 Mcf, all as more fully set forth in the application to amend on file with the Commission and open to public inspection.

The order of March 20, 1964, authorized Applicant to construct and operate facilities to increase its system design capacity and to sell and deliver additional contract demands totaling 50,961 Mcf to 4 existing customers.

Applicant states that eight other existing customers[1] have now requested increased contract demands in order to meet their natural gas requirements commencing with the 1964-65 heating season. Applicant states that no additional facilities will be required to provide the herein proposed increase since the order of March 20, 1964, gave Applicant 9,039 Mcf per day of unallocated capacity.

Protests, petitions to intervene or requests for hearing in this proceeding may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 15, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-6533; Filed, June 30, 1964; 8:46 a.m.]

[Docket No. CP63-305]

UNITED FUEL GAS CO.

Notice of Application

JUNE 25, 1964.

Take notice that on May 13, 1963, United Fuel Gas Company (Applicant), 1700 MacCorkle Avenue, S. E., Charleston 25, West Virginia, filed in Docket No. CP63-305 an application and first and second supplements thereto on August 19 and October 24, 1963, respectively, and a first amendment on February 27, 1964, pursuant to sections 7(b) and 7(c) of the Natural Gas Act, for permission and approval to abandon certain natural gas compressor and transmission pipeline facilities and requesting the issuance of a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas transmission and measuring facilities and the interstate wholesale sale and delivery of natural gas to an existing intrastate wholesale customer, all as more fully set forth in the application, supplements and amendment, on file with the Commission and open to public inspection.

The application states that by reason of the completion of Applicant's high pressure transmission system between Ceredo and Cobb compressor stations and subsequent revisions in its local production operations, two segments of its medium pressure transmission pipeline system will no longer be required in its utility operations. Applicant, therefore, proposes to abandon approximately 11.6 miles of 14-inch and 16-inch transmission pipeline extending in an easterly direction from the Town of Hurricane, Putnam County, West Virginia, to the Kanawha River and approximately 24.4 miles of 14-inch transmission pipeline between Applicant's Lanham compressor station, Kanawha County, West Virginia, and its Lewis compressor station, Roane County, West Virginia.

Further, Applicant proposes to abandon its Lake compressor station, consisting of one 880 horsepower compressor unit located in Putnam County, West Virginia, and, by the construction and operation of approximately 2.1 miles of 8-inch transmission pipeline, provide high pressure pipeline gas for injection into its Storage Pool X-4 rather than utilize Lake compressor station during the latter part of the storage injection cycle.

Applicant states that by the construction of its proposed 2.1 miles of 8-inch high pressure pipeline, approximately 2.6 miles of an adjacent 8-inch pipeline which has been scheduled for replacement because of condition can be transferred to Distribution Plant and operated at lower pressures and 1.2 miles of such adjacent pipeline can be physically abandoned.

Applicant further proposes to construct and operate a measuring and regulating station as a substitute point of delivery to Union Oil and Gas, Inc. (an existing intrastate wholesale customer) and to continue the wholesale sale and delivery of gas pursuant to its currently effective FPC Gas Tariff; previous service having been provided from its medium pressure transmission system proposed to be abandoned.

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and 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 may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 22, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-6534; Filed, June 30, 1964; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

SAN FRANCISCO REGIONAL OFFICE ET AL.

Notice of Creation of Branch Office

Pursuant to section 4(a) of the Small Business Act, as amended, the San Francisco Regional Office is hereby designated and shall perform the functions of a branch office. The San Francisco and Honolulu Branch Offices are transferred to the jurisdiction of the Los Angeles Regional Office. The Los Angeles Region Number is hereby changed from Region Number XIV to Region Number XII.

Effective date: July 1, 1964.

EUGENE P. FOLEY,
Administrator.

[F.R. Doc. 64-6518; Filed, June 30, 1964; 8:45 a.m.]

[License No. 01-0029]

SMALL BUSINESS INVESTMENT COMPANIES; HANCOCK CAPITAL CORP.

Notice of Order To Show Cause

I. Pursuant to section 309(c) of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.) (hereinafter called the Act) and § 109.4 of the regulations promulgated thereunder, the Licensee is hereby ordered to show cause, if any it has, why an order suspending its license, or a cease and desist order, and any further appropriate order should not be issued.

II. The Licensee was duly licensed as a small business investment company under the Small Business Investment Act of 1958, as amended, on August 25, 1961, and said License is still in full force and effect. On August 29, 1961, the Small Business Administration issued its commitment to purchase a subordinated debenture issued by the Licensee in the amount of $150,000. The purchase was completed and the full amount of $150,000 was disbursed to the Licensee on September 21, 1961.

III. 1. On September 28, 1961, the Licensee made loans in the amount of $60,000, each to:

The Regency Arms, Inc.
Chiswick Arms, Inc.
Village on the Hill, Inc.
Park Terrace, Inc.
Imperial House, Inc.

(which are hereinafter referred to, collectively, as the "borrower corpora-

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[1] Somerville, Tennessee; Bardwell, Kentucky; Fairfield, Illinois; Flora, Illinois; Louisville, Illinois; Citizens Gas Company, Arcola, Illinois; Illinois Power Company, Ogden, Illinois, and Northern Indiana Public Service Company.

tions"). Each such loan bore interest at the rate of 7 percent per annum on the unpaid balance and provided for monthly amortization of the unpaid balance between the 13th and the 60th month with the unpaid balance being due and payable at the end of 60 months after the making of the loan.

2. At the time the aforementioned loans were made the stockholders of each of the borrower corporations were identical; the projects undertaken by the borrower corporations were all conceived, directed and constructed by the same architect and builder; and the funds advanced by the Licensee were utilized as if for a joint venture of the borrower corporations, all of which was known to the Licensee.

3. The borrower corporations are deemed to be a single enterprise within the meaning of section 306 of the Act and the aggregate loan of $300,000 constitutes a wilful violation of section 306 of the Act and § 107.708 of the regulations.

4. As a result of the inability of the borrower corporations to meet their obligations as they became due, and, in accordance with the terms of the loan agreements, the Licensee assumed control and management of the borrower corporations. Various other creditors have instituted suit against some or all of the borrower corporations in the courts of the Commonwealth of Massachusetts. The inability of the borrower corporations to meet their obligations as they became due and the institution of legal action by creditors of the said corporations may result in a loss to the Licensee and an impairment of its capital to the detriment of its creditors, including the Small Business Administration.

IV. On January 8, 1963, the Licensee made a loan to Wendell Realty Corporation in the amount of $10,000 for a period of five years, bearing interest at 12 percent per annum on the unpaid balance. At the time of the loan, Phillip Lemelman was an officer of both the Licensee and Wendell Realty Corporation. Such loan constitutes a wilful violation of § 107.716 of the regulations.

V. As of June 30, 1963, the date of the last examination of Licensee's books and records by the Administration, Licensee was not maintaining its books of accounts in accordance with the System of Account Classification prescribed by the Administration and as set forth in Part III of the regulations. The failure to maintain such books and records in accordance with the requirements of such regulations constitutes a wilful violation of § 107.802(a) of the regulations.

Accordingly, the Licensee is required to show cause, if any it has, why there should not be issued an order suspending the license, or an order to cease and desist, and such further order as the Administration deems necessary to ensure compliance with the Act and the regulations. A hearing for this purpose will be held at the Small Business Administration, 811 Vermont Avenue NW., Washington, D.C. 20416, at 9:00 a.m. on July 8, 1964.

Dated: June 24, 1964.

EUGENE P. FOLEY,
Administrator.

[F.R. Doc. 64-6519; Filed, June 30, 1964; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 26, 1964.

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. 39102: *Grain and grain products from and to points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 505), for interested rail carriers. Rates on grain and grain products and related articles, in carloads, from specified points in Texas, to specified points in Texas.

Grounds for relief: Carrier competition.

Tariff: Supplement 184 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C. 899.

FSA No. 39103: *Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 93), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia.

Grounds for relief: Motortruck competition.

Tariff: Supplement 21 to Southern Motor Carriers Rate Conference, agent, tariff MF-I.C.C. 1252.

By the Commisison.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-6552; Filed, June 30, 1964; 8:48 a.m.]

[Notice 311]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 26, 1964.

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 1936 (Deviation No. 2), B & P MOTOR EXPRESS, INC., 51st Street and A.V.R.R., Pittsburgh 1, Pa., filed June 14, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from junction Ohio Highway 7 and Interstate Highway 80S at or near North Lima, Ohio, over Interstate Highway 80S, also known as the Ohio Turnpike, to the Ohio-Pennsylvania State Line, thence over the Pennsylvania Turnpike to Philadelphia, Pa., 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 junction Ohio Highway 7 and Interstate Highway 80S, over Ohio Highway 7 to junction Ohio Highway 14, thence over Ohio Highway 14 to the Ohio-Pennsylvania State Line, thence over Pennsylvania Highway 51 to Pittsburgh, and return over the same route.

No. MC 15511 (Deviation No. 1), CARSTENSEN FREIGHT LINES, INC., P.O. Box 878, Clinton, Iowa, 52733, filed June 12, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: from Davenport, Iowa, over city streets to junction Interstate Highway 280, thence over Interstate Highway 280 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 55, thence over Interstate Highway 55 to junction U.S. Highway 66, and thence over U.S. Highway 66 to Chicago, Ill., 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 Chicago over U.S. 66 to junction alternate U.S. Highway 66, thence over alternate U.S. Highway 66 to Joliet, Ill., thence over U.S. Highway 6 to Davenport, Iowa, thence return over U.S. Highway 6 to junction Illinois Highway 84 (formerly Illinois Highway 80), thence over Illinois Highway 84 to junction U.S. Highway 30, thence over U.S. Highway 30 to Clinton Toll Bridge and across Mississippi River to Clinton, Iowa, and return over the same route.

No. MC 15511 (Deviation No. 2), CARSTENSEN FREIGHT LINES, INC., P.O. Box 878, Clinton, Iowa, 52733, filed June 15, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: from Chicago, Ill., over Congress Expressway, also known as the East West Toll Road to junction U.S. Highway 30, approximately six miles west of Aurora, Ill., 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 Chicago over U.S. Highway 34 to junction Illinois Highway 65, thence over Illinois Highway 65 to Aurora, Ill., and thence over U.S. Highway 30 to Clinton, Iowa, and return over the same route.

No. MC 43925 (Deviation No. 1), BRANDT, INCORPORATED, Pender, Nebr., filed June 17, 1964. Carrier's attorney: Donald E. Lawrence, P.O. Box 2028, Lincoln, Nebr. 68501. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: between Sioux City, Iowa, and Omaha, Nebr., over completed portions of Interstate Highways 29 and 80, traversing connecting highways between the completed portions of said Interstate Highways, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: from Sioux City over U.S. Highway 77 to Dakota City, Nebr., thence over Nebraska Highway 35 to Emerson, Nebr., thence over Nebraska Highway 9 to Pender, Nebr. and from Omaha over Nebraska Highway 130 to Waterloo, Nebr., thence over U.S. Highway 275 to West Point, Nebr., and thence over Nebraska Highway 9 to Pender, and return over the same routes.

No. MC 66562 (Deviation No. 15), RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d St., New York 17, N.Y., filed June 17, 1964. Carrier's attorney: Erwin H. Baumer, (same address as applicant). Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, moving in express service, over a deviation route as follows: From junction U.S. Highway 29 and Interstate Highway 85 (two miles south of Lanett, Ala.), over Interstate Highway 85 to Montgomery, Ala., 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 pertinent service routes as follows: From Atlanta, Ga., over U.S. Highway 29 to Tuskegee, Ala., thence over U.S. Highway 80 to Montgomery; from Atlanta over U.S. Highway 80 to Montgomery; from Atlanta over U.S. Highway 29 to junction Alabama Highway 14, thence over Alabama Highway 14 to junction U.S. Highway 231, and thence over U.S. Highway 231 to Montgomery; from Atlanta over U.S. Highway 29 to junction Alabama Highway 14, thence over Alabama Highway 14 to Notasulga, Ala., thence over Alabama Highway 81 to Tuskegee, and thence over U.S. Highway 80 to Montgomery, and return over the same routes.

No. MC 69116 (Deviation No. 25), SPECTOR FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill., 60606, filed June 19, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Somerset, Pa. (Interchange 10 of the Pennsylvania Turnpike) over Pennsylvania Highway 31 to junction U.S. Highway 30, thence over U.S. Highways 30 and 220 to Bedford, Pa. (Interchange 11 of the Pennsylvania Turnpike), 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 Somerset, Pa. (Interchange 10 of the Pennsylvania Turnpike) over the Pennsylvania Turnpike to Bedford, Pa. (Interchange 11 of the Pennsylvania Turnpike), and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 178), GREYHOUND LINES, INC., 1740 Main Street, Kansas City, Mo., 64108, filed June 11, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From Beaumont, Tex., over Interstate Highway 10 to junction Texas Highway 73, 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 Houston, Tex., over Texas Highway 73 to Port Arthur, Tex.; and from Winnie, Tex., over Texas Highway 124 via Hamshire, Fannett, and Cheek, Tex., to Beaumont, and return over the same routes.

No. MC 1515 (Deviation No. 179), GREYHOUND LINES, INC., 1740 Main Street, Kansas City, Mo., 64108, filed June 11, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From junction U.S. Highway 85 and Interstate Highway 25, over Interstate Highway 25 to junction U.S. Highway 85, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and their baggage over a pertinent service route as follows: From Denver, Colo., thence over U.S. Highway 87 to junction U.S. Highway 85, thence over U.S. Highway 85 to junction unnumbered highway near Castle Rock, Colo., thence over unnumbered highway via Castle Rock to junction U.S. Highway 85, thence over U.S. Highway 85 to junction unnumbered highway near French, N. Mex., and return over the same route.

No. MC 107586 (Deviation No. 5), CONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas, Tex., filed June 15, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From Bennett Corner, Colo., over New Interstate Highway 70, to junction U.S. Highway 36, at or near Byers, Colo., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and their baggage over a pertinent service route as follows: From Denver, Colo., thence over U.S. Highway 287 via Amarillo and Wichita Falls, Tex., to Fort Worth, Tex., and return over the same route.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary*.

[F.R. Doc. 64-6553; Filed, June 30, 1964; 8:48 a.m.]

[Notice 653]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 26, 1964.

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 hearing and pre-hearing conferences will be called at 9:30 a.m., United States standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING AND PRE-HEARING CONFERENCES

No. MC 125939 (REPUBLICATION), filed January 17, 1964, published FEDERAL REGISTER issue of February 6, 1964, and republished, this issue. Applicant: HAULERS, INC., P. O. Box 24, Station B, Fort Smith, Ark. Applicant's attorney: Thomas Harper, Kelley Bldg., P.O. Box 297, Fort Smith, Ark. By application filed January 17, 1964, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of sand, gravel, crushed sandstone, crushed limestone, coated aggregates, and dry batch concrete, between points in Arkansas on and west of U.S. Highway 71, including Fort Smith, Ark., and the commercial zone thereof, on the one hand, and, on the other, points in Oklahoma on and west of U.S. Highway 77. By letter received April 20, 1964, applicant brings to the attention of the Commission a typographical error appearing in its application was filed and published, and seeks to correct this error by substituting "on and east of U.S. Highway 77" in lieu of "on and west of U.S. Highway 77" where the latter phrase appears in the application. The application is unopposed and has been assigned for handling under the no-oral hearing procedure. The evidence was submitted in verified statements of fact and the proceeding was referred to Joint Board No. 217 for a report and recommended order. The Report and Order, served May 6, 1964, which became effective June 5, 1964, finds that the present and future public convenience and necessity require operation by applicant as a common carrier by motor vehicle, in interstate or foreign commerce, over irregular routes of *sand, gravel, crushed sandstone, crushed limestone, coated aggregates* and *dry bath concrete*, between points in Arkansas on and west of U.S. Highway 71, including Fort Smith, Ark., and points in the commercial zone thereof, on the one hand, and, on the other, points in Oklahoma on and east of U.S. Highway 77. The joint board further finds that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; and that an appropriate certificate should be issued after the lapse of 30 days from the republication in the FEDERAL REGISTER of a corrected statement of the authority applied for, provided that no petitions for reopening and further proceedings are received during that period.

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 64600 (Sub-No. 26), filed June 10, 1964. Applicant: WILSON TRUCKING CORPORATION, Broad Street (Box 340), Waynesboro, Va. Applicant's attorney: Francis W. McInerny, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between Richmond, Va., and Staunton, Va., over U.S. Highway 250, serving all intermediate points; (2) between Charlottesville, Va., and Culpeper, Va., from Charlottesville over Virginia Highway 20 to Orange, Va., thence over U.S. Highway 15 to Culpeper, Va., and returning over U.S. Highway 29 between Culpeper, Va., and Charlottesville, Va., serving all intermediate points; (3) between Fredericksburg, Va., and Harrisonburg, Va., via Culpeper, Va., serving all intermediate points; (4) between Richmond, Va., and Charlottesville, Va., over U.S. Highway 250, serving all intermediate points; (5) between Zion Cross Roads, Va., and Orange, Va., over U.S. Highway 15, serving all intermediate points; (6) between Richmond, Va., and Norfolk, Va., from Richmond over U.S. Highway 1 to junction Virginia Highway 10, thence over Virginia Highway 10 to junction U.S. Highway 58, thence over U.S. Highway 58 to Norfolk, and return over the same route, serving all intermediate points; (7) between Richmond, Va., and Norfolk, Va., from Richmond over U.S. Highway 1 to junction U.S. Highway 460, thence over U.S. Highway 460 to junction U.S. Highway 58, thence over U.S. Highway 58 to Norfolk, and return over the same route, serving all intermediate points, except no service shall be rendered between Richmond, Va., and Petersburg, Va., or intermediate points between said termini; (8) between Richmond, Va., and Charlottesville, Va., from Richmond over Virginia Highway 6 through Fork Union, Va., to junction Virginia Highway 20 at or near Scottsville, Va., thence over Virginia Highway 20 to Charlottesville, and return over the same route, serving all intermediate points; (9) between Lynchburg, Va., and Richmond, Va., via Dillwyn, Va., serving all intermediate points, except no service shall be rendered between Appomattox, Va., and Lynchburg, Va., or intermediate points, and between Lynchburg, Va., and Appomattox, Va., or intermediate points; no freight shall be taken on at Richmond for delivery in Lynchburg and no freight shall be taken on at Lynchburg for delivery in Richmond, Va.; (10) between Dixie, Va., and Palmyra, Va., over U.S. Highway 15, serving all intermediate points; (11) between Fork Union, Va., and Scottsville, Va., over Virginia Highway 6, serving all intermediate points; (12) between Richmond, Va., and the Ford Motor Company Plant on Lewis Road, over U.S. Highway 60 and Lewis Road.

NOTE: Service under this certificate to be in conjunction with and supplemental to service now being rendered by the applicant, but restricted to the transportation of property originating at the Ford Motor Company Plant, destined for points on or beyond the certificated routes of the applicant, or originating on or beyond the certificated routes of the applicant, destined for the Ford Motor Company Plant; no service shall be rendered to or from intermediate points, and there shall be no interchange of traffic at or within fifteen (15) miles or Richmond, Va.

(13) between Roanoke, Va., and Staunton, Va., from Roanoke over U.S. Highway 11 to Greenville, Va., thence over U.S. Highway 340 to Waynesboro, Va., thence over U.S. Highway 250 to Staunton, and return over the same route, serving all intermediate points, except no freight shall be accepted at Roanoke, Va., or any point between Roanoke, Va., and Lexington, Va., for transportation to Lexington, Va., or any point between Roanoke, Va. and Lexington, Va., and vice-versa; (14) between Winchester, Va., and Staunton, Va., over U.S. Highway 11, serving all intermediate points; (15) between Shenandoah, Va., and Luray, Va., over U.S. Highway 340, serving all intermediate points; (16) between Luray, Va., and Strasburg, Va., via Front Royal, Va. and Riverton, Va., serving all intermediate points; (17) between Harrisonburg, Va., and junction U.S. Highways 11 and 340 at a point approximately one (1) mile north of Greenville, Va., over U.S. Highway 11, serving all intermediate points; (18) between Harrisonburg, Va., and Waynesboro, Va., via Montevideo, Va., and Grottoes, Va., serving all intermediate points; between Waynesboro, Va., and Shenandoah, Va., over U.S. Highway 340, serving all intermediate points; between Shenandoah, Va. and Harrisonburg, Va., over U.S. Highway 33, serving all intermediate points; between Grottoes, Va., and Weyers Cave, Va., over unnumbered highway, serving all intermediate points; (19) between Richmond, Va., and Elkton, Va., from Richmond over U.S. Highway 250 to junction U.S. Highway 15, thence over U.S. Highway 15 to junction U.S. Highway 33, thence over U.S. Highway 33 to Elkton, and return over the same route, serving all intermediate points; (20) between Orange, Va., and Virginia-District of Columbia State line, from Orange over U.S. Highway 15 to junction U.S. Highway 29, thence over U.S. Highway 29 to junction U.S. Highway 211, thence over U.S. Highways 29 and 211 to the Virginia-District of Columbia State line, and return over the same route, serving all intermediate points; (21a) between Luray, Va., and the Virginia-District of Columbia State line, via Sperryville, Washington, Amissville, Waterloo, Warrenton, New Buckland, Greenwich, Manassas, Centreville, Fairfax, Annandale, and Alexandria, Va., serving all intermediate points; (21b) between Fairfax, Va., and Winchester, Va., via Pendar, Chantilly, Pleasant Valley, Arcola, Lenah, Aldie, Middleburg, Atoka, Upperville, Paris, Millwood, and Boyce, Va., serving all intermediate points; (22) between Paris, Va., and Warrenton, Va., from Paris over Virginia Highway 17 through Delaplane, Va. and Marshall, Va., to junction Virginia Highway 55, at or near The Plains, Va., thence over Virginia Highway 55 through Bethal Academy, Va., to junction U.S. Highway 15, thence over U.S. Highway 15 to Warrenton, and return over the same route serving all intermediate points; (23) between Manassas, Va., and the Virginia-District of Columbia State line, via Centreville and Fairfax Court House, Va., serving all intermediate points; (24) between Manassas, Va., and junction Virginia Highway 28 and U.S. Highways 15 and 29, from Manassas over Virginia Highway 28 through Nokesville and Catlett, Va., to junction U.S. Highways 15 and 29, and return over the same route, serving all intermediate points;

(25) between Charlottesville, Va., and Roanoke, Va., from Charlottesville over U.S. Highway 29 to junction U.S. Highway 460, thence over U.S. Highway 460 to Roanoke, and return over the same route, serving all intermediate points, except no freight shall be accepted at Lynchburg, Va., or any point between Lynchburg, Va., and Roanoke, Va., for transportation to Roanoke, Va., or any point between Lynchburg, Va., and Roanoke, Va., and vice-versa; (26) between U.S. Highway 11 and A.S.R. Products Corporation, over Virginia Highway 612, serving all intermediate points; (27) between Lynchburg, Va. and Waynesboro, Va., and between Waynesboro, Va., and Staunton, Va., via Fishersville, Va., serving all intermediate points; (28) between Elkton, Va., and Bridgewater, Va., via Harrisonburg, Va., and Dayton, Va., serving all intermediate points; (29) between Harrisonburg, Va., and Timberville, Va., via Linville, Va., and Mayville, Va., returning via Broadway, Va., and Edom, Va., serving all intermediate points; (30) between Mt. Meridian, Va., and Staunton, Va., from Mt. Meridian over Virginia Highway 608 to junction Virginia Highway 786, thence over Virginia Highway 786 to junction Virginia Highway 254, thence over Virginia Highway 254 to Staunton, and return over the same route, serving all intermediate points; (31) between Richmond, Va., and Staunton, Va., over U.S. Highway 250, serving all intermediate points; (32) between Afton, Va. and Shady Lane, Va., at or near junction of Virginia Highway 151 and U.S. Highway 29, over Virginia Highway 151, serving all intermediate

points; (33) between Mount Sidney, Va., and junction Virginia Highway 256 and U.S. Highway 11, from Mount Sidney over Virginia Highway 750 to Weyers Cave, Va., thence westwardly over Virginia Highway 256 to junction U.S. Highway 11, and return over the same route, serving all intermediate points; (34) between Luray, Va., and Timberville, Va., from Luray over U.S. Highway 211 to New Market, Va., thence over Virginia Highways 728 and 617 to Timberville, and return over the same route, serving all intermediate points; (35) between Broadway, Va., and junction Virginia Highway 259 and U.S. Highway 11, over Virginia Highway 259, serving all intermediate points; (36) between Winchester, Va., and Front Royal, Va., over U.S. Highway 340, serving all intermediate points; (37) between Warrenton, Va. and Culpeper, Va., via Remington, Va., and Brandy, Va., serving all intermediate points; (38) between Standardsville, Va., and Orange, Va., from Standardsville over Virginia Highway 230 to junction U.S. Highway 15, thence over U.S. Highway 15 to Orange, and return over the same route, serving all intermediate points; (39) between junction U.S. Highways 29 and 211 and Virginia Highway 55 and junction Virginia Highway 55 and U.S. Highway 340 at Front Royal, Va., over Virginia Highway 55, and return over the same route, serving all intermediate points; (40) between Norfolk, Va., and the Virginia-North Carolina State line, from Norfolk over U.S. Highway 460 to Water Works, thence over Virginia Highway 165 to Princess Anne Court House, Va., thence over Virginia Highway 629 to Nimmo's Corner, Va., thence over Virginia Highway 615 to Virginia-North Carolina State line; also from Princess Anne Court House over Virginia Highways 165 and 604 to Fentress, thence over Virginia Highway 166 through Butts, to Kempsville, thence over Virginia Highway 165 to Water Works, thence over U.S. Highway 460 to Norfolk, and return over the same routes, serving all intermediate points; (41) between Norfolk and Virginia Beach, from Norfolk over U.S. Highway 60 and Ocean Shore Drive (Virginia Highway 500) through Cape Henry, Ocean Park, Chesapeake Beach, and thence to Ocean View, and Norfolk; also over U.S. Highway 58, serving all intermediate points; (42) between junction U.S. Highway 58 and Virginia Highway 164 (near London Bridge) and Virginia Beach, over Virginia Highway 164, serving all intermediate points; (43) between junction Virginia Highway 164 and Princess Anne County Highway 637 and Camp Pendleton, over Princess Anne County Highway 637, serving all intermediate points;

(44) between junction U.S. Highway 58 and Princess Anne County Highway 615 (Oceana, Va.) and junction Princess Anne County Highways 615 and 629 (Nemmo Church), over Princess Anne County Highway 615, serving all intermediate points and off-route points of Dam Neck and United States Naval Auxiliary Air Field near Oceana, Va.; (45) between junction Virginia Highway 170 and U.S. Highway 13 and junction U.S. Highways 13 and 60 (Little Creek), over U.S. Highway 13, serving all intermediate points; (46) between junction U.S. Highways 13 and 13Y (Diamond Springs) and junction U.S. Highways 13Y and 60 (Chesapeake Beach Junction), over U.S. Highway 13Y, serving all intermediate points and off-route point of Chesapeake Beach, Va.; (47) between junction U.S. Highways 13 and 13Y (Lansdale) and Norfolk, Corporate Limits, over Virginia Highway 165, serving all intermediate points; (48) between Norfolk, Va., and Virginia-North Carolina State line, over Virginia Highway 170, serving all intermediate points and off-route points of Butts, Fentress, and St. Brides; (49) between junction Virginia Highways 350 and 644 and Virginia-District of Columbia State line, over Virginia Highway 350, serving all intermediate points and off-route point of General Service Administration Warehouse at Franconia, Va.; (50) between junction Virginia Highways 10 and 827 and Bermuda Hundred, Va., over Virginia Highway 827, serving all intermediate points; (51) between Richmond, Va., and Norfolk, Va., over U.S. Highway 60, also from junction U.S. Highway 60 and Virginia Highway 168Y near Toano, Va., over Virginia Highways 168Y and 168 and U.S. Highway 60 to Norfolk, and return over the same routes, except no freight is to be picked-up or delivered at any intermediate point between Richmond, Va., and Norfolk, Va., on any of said highways; (52) between junction U.S. Highway 60 and Lewis Road and site of General Motors Corporation Plant and Warehouse on Lewis Road, over Lewis Road (Henrico County, Va.), except no freight is to be picked-up or delivered at any intermediate point between Richmond, Va., and Norfolk, Va., on any of said highways; (53) over the Richmond-Petersburg Turnpike, between the interchanges with U.S. Highways 301 and 1 north of Richmond, Va., including all interchanges in Richmond, Va., and Petersburg, Va.; except no service shall be rendered between Richmond, Va. and Petersburg, Va., or between intermediate points between the route 10 interchange and Petersburg, Va., and vice-versa; (54) between the junction U.S. Highway 29 and Virginia Highway 636 and Father Judd's Mission Seminary, Va., from junction U.S. Highway 29 and Virginia Highway 636 over Virginia Highway 636 to junction Virginia Highway 656, thence over Virginia Highway 656 to junction Virginia Highway 655, thence over Virginia Highway 655 to Father Judd's Mission Seminary, and return over the same route, serving all intermediate points; (55) between junction U.S. Highway 11 and Virginia Highway 260 at New Market, Va., and Timberville, Va., over Virginia Highway 260, serving all intermediate points; (56) between Roanoke, Va., and junction Virginia Highway 115 and U.S. Highways 11 and 220, over Virginia Highway 115; between Roanoke, Va. and junction Virginia Highways 118 and 117, over Virginia Highway 118; between junction Virginia Highway 117 and U.S. Highways 11 and 220 and junction Virginia Highway 117 and U.S. Highway 460, over Virginia Highway 117, serving all intermediate points, except no freight originating at Roanoke, Va., or any intermediate point along said routes shall be delivered at Roanoke, Va., at Lexington, Va., or at any points between Roanoke, Va. and Lexington, Va.; (57) between Shadwell, Va., and Gordonsville, Va., from Shadwell over Virginia Highway 22 to junction Virginia Highway 231, thence over Virginia Highway 231 to Shadwell, and return over the same route; except no freight shall be picked up or delivered at any point on Virginia Highway 22 between Shadwell, Va. and Cismont, Va.

(58) between Lovingston, Va., and Amherst, Va., over U.S. Highway 29; (59) between Charlottesville, Va., and Gordonsville, Va., from Charlottesville over U.S. Highway 29 to Culpeper, Va., thence over U.S. Highway 15 through Orange Va., to Gordonsville, Va., and return over the same route; (60) between Orange, Va., and Charlottesville, Va., from Orange over Virginia Highway 20 to junction U.S. Highway 250, thence over U.S. Highway 250 to Charlottesville, and return over the same route; (61) between junction U.S. Highways 460 and 17 and the Virginia-North Carolina State line, over U.S. Highway 17; (62) between Waynesboro, Va., and junction Virginia Highway 254 and Virginia Secondary Highway 608, over Virginia Highway 254; (63) between junction Virginia Secondary Highway 608 and U.S. Highway 250 and the junction Virginia Secondary Highway 608 and Virginia Highway 254, over Virginia Secondary Highway 608; (64) between junction Virginia Secondary Highways 644 and 617 and junction Virginia Secondary Highway 617 and Virginia Highway 236, over Virginia Secondary Highways 790 and 617; (65) between Alexandria, Va., and junction Virginia Secondary Highways 644 and 643, over Virginia Secondary Highways 967 and 644; (66) between junction Virginia Highway 244 and Virginia Secondary Highway 620 and junction Virginia Secondary Highways 652 and 620, over Virginia Secondary Highway 620; (67) between junction Virginia Highway 236 and Virginia Secondary Highway 712 and Alexandria, Va., over Virginia Secondary Highways 712 and 716; (68) between junction Virginia Highway 236 and Virginia Secondary Highway 649 and Falls Church, Va., over Virginia Secondary Highway 649; (69) between Alexandria, Va., and junction Virginia Highways 120 and 123, over Virginia Highway 120; (70) between Arlington Virginia National Cemetery and junction Virginia Secondary Highway 693 and Virginia Highway 123, over Virginia Highway 237 and Virginia Secondary Highway 693; (71) between junction U.S. Highway 50 and Virginia Secondary Highway 649 and junction U.S. Highways 50 and 29 and 211, over U.S. Highway 50; (72) between Arlington Virginia National Cemetery and Arlington-Fairfax County line, over Wilson Boulevard (unnumbered highway); (73) between junction U.S. Highway 1 and Virginia Highway 244 and Arlington-Fairfax County line, over Virginia Highway 244; (74) between junc-

tion Virginia Highways 236 and 123 and junction Virginia Highway 123 and Virginia Secondary Highway 611, over Virginia Highway 123; (75) between junction Virginia Secondary Highways 644 and 643 and junction Virginia Secondary Highway 643 and Virginia Highway 123, over Virginia Highway 643; (76) between junction Virginia Secondary Highways 620 and 645 and junction Virginia Secondary Highway 645 and Virginia Highway 123, over Virginia Secondary Highway 645; (77) between junction Virginia Highway 123 and Virginia Secondary Highway 636 and junction Virginia Secondary Highways 636 and 638, over Virginia Secondary Highway 636; (78) between junction Virginia Secondary Highways 638 and 636 and junction Virginia Secondary Highways 638 and 620, over Virginia Secondary Highway 638; (79) between junction U.S. Highway 29 and Virginia Highway 130 and a point on Virginia Highway 130, two (2) miles from said junction, over Virginia Highway 130; (80) between junction U.S. Highway 58 and Virginia Highway 165 and junction U.S. Highway 58 and Virginia Secondary Highway 632, over U.S. Highway 58; (81) between junction U.S. Highway 60 and Virginia Secondary Highway 615 and junction Virginia Secondary Highway 615 and U.S. Highway 58, over Virginia Secondary Highway 615; (82) between junction Virginia Secondary Highways 615 and 632 and junction Virginia Secondary Highways 632 and 615, over Virginia Secondary Highway 632; (83) between junction U.S. Highway 13 and Virginia Secondary Highway 603 and junction Virginia Secondary Highways 622 and 615, over Virginia Secondary Highways 603 and 622; (84) between junction Virginia Secondary Highways 603 and 622 and junction Virginia Secondary Highways 621 and 615, over Virginia Secondary Highways 622 and 621; (85) between junction Virginia Highway 165 and Virginia Secondary Highway 726 and junction Virginia Secondary Highways 726 and 615, over Virginia Secondary Highway 726; (86) between junction Virginia Secondary Highways 726 and 608 and Virginia-North Carolina State line, over Virginia Secondary Highway 608;

(87) between junction Virginia Secondary Highways 726 and 607 and junction Virginia Secondary Highway 607 and Virginia Highway 170, over Virginia Secondary Highway 607; (88) between junction Virginia Highway 170 and Virginia Secondary Highway 604 and junction Virginia Secondary Highways 604 and 603, over Virginia Secondary Highway 604; (89) between junction U.S. Highway 58 and Virginia Secondary Highway 627 and junction Virginia Secondary Highways 627 and 615, over Virginia Secondary Highway 627; (90) between junction U.S. Highway 17 and Virginia Secondary Highway 625 and junction Virginia Secondary Highway 625 and Virginia Highway 170, over Virginia Secondary Highway 625; (91) between junction Virginia Highway 170 and Virginia Highway 166 and junction Virginia Highway 166 and U.S. Highway 17, over Virginia Highway 166; (92) between junction Virginia Highway 165 and Virginia Secondary Highway 652 and junction Virginia Highway 166 and U.S. Highway 60, over Virginia Secondary Highway 652 and Virginia Highway 166; (93) between Richmond, Va., and junction Virginia Secondary Highways 683 and 678, over Virginia Secondary Highway 683; (94) between junction Virginia Secondary Highways 686 and 678 and Richmond, Va., over Virginia Secondary Highway 678 and Virginia Highway 147;

NOTE: Applicant states it proposes to serve all intermediate points on above described routes (57) through (94) except where otherwise noted;

(95) between junction Virginia Secondary Highway 613 and U.S. Highway 1 and the James River, over Virginia Highway 613; (96) between junction Virginia Secondary Highway 656 and U.S. Highway 1 and the James River, over Virginia Highway 656; (97) between junction Virginia Secondary Highway 608 and U.S. Highway 1 and junction Virginia Secondary Highways 608 and 614, over Virginia Secondary Highway 608; (98) between junction Virginia Secondary Highways 613 and 614 and junction Virginia Secondary Highways 608 and 614, over Virginia Secondary Highway 614; (99) between junction Virginia Secondary Highways 656 and 1619 and end of Virginia Highway 1619, over Virginia Secondary Highway 1619; (100) between Hopewell, Va., and the Federal Reformatory Camp section only of Fort Lee, Va., over Virginia Secondary Highway 645; (101) between Hopewell, Va., and a point 100 feet from the entrance of Fort Lee, Va., over Virginia Highway 36; (102) between junction Virginia Highways 154 and 106 and Prince George, Va., over Virginia Highway 106; (103) between junction Virginia Secondary Highway 616 and U.S. Highway 1 and the James River, over Virginia Secondary Highways 616 and 615;

NOTE: Applicant states it proposes to serve all intermediate points on above described routes (95) through (103);

(104) between Front Royal, Va., and Massie's Corner, Va., over U.S. Highway 522; (105) between Palmyra, Va., and Zion Cross Roads, Va., over U.S. Highway 15; (106) between junction U.S. Highway 29 and Virginia Highway 6 and Scottsville, Va., over Virginia Highway 6, serving Schuyler, Va., as an off-route point; (107) between junction U.S. Highways 15 and 29 and junction U.S. Highways 15 and 50, over U.S. Highway 16; (108) between junction Virginia Highways 15 and 50, over U.S. Highway 15; Virginia Highway 20; (109) between Charlottesville, Va., and Waynesboro, Va., over U.S. Highway 250, serving Crozet, Va., and Greenwood, Va., as off-route points; (110) between Opal, Va., and Fredericksburg, Va., over Virginia Highway 17; (111) between Harrisonburg, Va., and Hinton, Va., over U.S. Highway 33; (112) between junction Virginia Secondary Highway 620 and U.S. Highway 33 and junction Virginia Secondary Highway 925 and U.S. Highway 33, over Virginia Secondary Highways 620 and 925, serving Keezletown, Va., as an off-route point; (113) between junction Virginia Secondary Highway 712 and U.S. Highway 29 and North Garden, Va., over Virginia Secondary Highway 712, serving North Garden, Va., as an off-route point; (114) between junction Virginia Secondary Highway 615 and Virginia Highway 20 near Orange, Va., and junction Virginia Secondary Highway 615 and Virginia Highway 3 near Culpeper, Va., over Virginia Secondary Highway 615; (115) between Culpeper, Va., and junction Virginia Highway 229 and U.S. Highway 211, over Virginia Highway 229; (116) between junction Virginia Highway 295 and U.S. Highway 211 and junction Virginia Highways 295 and 28, over Virginia Highway 295;

(117) between junction Virginia Highways 234 and 28 and Independent Hill, Va., over Virginia Highway 234; (118) between junction Virginia Secondary Highway 657 and U.S. Highway 29 and Herndon, Va., over Virginia Secondary Highway 657; (119) between junction unnumbered highway and Virginia Highway 17 and junction of Virginia Highways 55 and 17 near Delaplane, Va., over unnumbered highway, serving Rectortown as an off-route point; (120) between Millwood, Va. and Winchester, Va., over U.S. Highway 50; (121) between Winchester, Va., and the Virginia-West Virginia State line, over U.S. Highway 11; (122) between Stephens City, Va., and Boyce, Va., from Stephens City over Virginia Highway 277 to junction U.S. Highway 340, thence over U.S. Highway 340 to Boyce, and return over the same route; (123) between Hopewell, Va., and junction Virginia Highway 154 and U.S. Highway 460, over Virginia Highway 154; (124) between junction Virginia Highway 31 and U.S. Highway 460 near Wakefield, Va., and junction Virginia Highways 31 and 10 near Surry, Va., over Virginia Highway 31; (125) between Surry, Va., and Scotland, Va., over Virginia Highway 31, serving Scotland, Va., as an off-route point; (126) between junction unnumbered highway and Virginia Highway 236 and Burke, Va., serving Burke, Va., as an off-route point; (127) between junction Virginia Highway 309 and U.S. Highway 29 near Arlington, Va., and McLean, Va., over Virginia Highway 309; (128) between junction Virginia Secondary Highway 694 and Virginia Highway 123 and junction Virginia Secondary Highway 694 and U.S. Highway 29 at Falls Church, Va., over Virginia Secondary Highway 694; (129) between junction Virginia Secondary Highway 616 and Virginia Highway 28 near Calverton, Va., and Warrenton, Va., over Virginia Secondary Highways 616 and 643; (130) between junction U.S. Highway 11 and Virginia Secondary Highway 606 and Raphine, Va., over Virginia Highway 606, serving Raphine, Va., as an off-route point; (131) between junction U.S. Highway 250 and Virginia Secondary Highway 692 and junction Virginia Secondary Highway 635 and U.S. Highway 250, from junction U.S. Highway 250 and Virginia Secondary Highway 692, over Virginia Secondary Highway 692 to Batesville, Va., thence over Virginia Secondary Highway 635 to junction U.S. Highway 250, and return over the same route, serving

Batesville, Va., and Miller School, Va., as off-route points;

NOTE: Applicant states it proposes to serve all intermediate points on above described routes (104) through (131);

(132) between Norfolk, Va., and Virginia-Maryland State line, via Norfolk Yards of Pennsylvania Railroad at Little Creek Terminals, Virginia Ferry Corporation, Kiptopeke and Cape Charles, Va., Chincoteague, Va., and Virginia-Maryland State line; and the following off-route points; (133) Assawoman, Atlantic, Bayford, Bloxom, Bridgetown, Capeville, Cheapside, Chesapeake, Clam, Cobbs, Craddockville, Dougherty, Franktown, Greenbush, Grotons, Hacksneck, Hallwood, Harborton, Hopeton, Hopkins, Horntown, Horsey, Jamesville, Justisville, Kendall Grove, Le Mont, Locustville, Machipongo, Magotha, Makemie, Mappsburg, Marionville, Mears, Modest Town, Nandua, Onancock, Oyster, Parksley, Pastoria, Poulson, Pungoteague, Quinby, Rue, Sanford, Savageville, Saxis, Seaview, Shadyside, Shields, Silva, Sinnickson, Townsend, Wachapreague, Wardtown, and Willis Wharf; (134) between Richmond, Va., and Virginia-District of Columbia State line, over U.S. Highway 1, serving Quantico, Va., and Mount Vernon, Va., as off-route points; except no local service shall be rendered between Richmond, Va., and Ashland, Va., and vice versa, or any point between Richmond, Va., and Ashland, Va.; (135) between junction U.S. Highway 1 and Virginia Highway 350 (Shirley Highway) and Virginia-District of Columbia State line, over Virginia Highway 350, serving General Service Administration Warehouse at Franconia, Va., as an off-route point; (136) between junction U.S. Highway 1 and Virginia Highway 641 and junction Virginia Highways 641 and 667, over Virginia Highway 641; (137) between Gum Tree, Va., and the junction Virginia Highways 688 and 690, over Virginia Highway 690; (138) between junction U.S. Highway 1 and Virginia Highway 689 and Taylorsville, Va., over Virginia Highway 689; (139) between Doswell, Va., and Verdon, Va., over Virginia Highway 684; (140) between Doswell, Va., and Hart Corner, Va., over Virginia Highways 688 and 602; (141) between Carmel Church, Va. and Cedar Fork, Va., over Virginia Highway 601; (142) between junction U.S. Highway 1 and Virginia Highway 657 and junction U.S. Highway 1 and Virginia Highway 657, over Virginia Highway 657; (143) between junction U.S. Highway 1 and Virginia Highway 652 and Moncure Corner, Va., over Virginia Highway 652; (144) between Golansville, Va. and Cedar Folk, Va., over Virginia Highway 601; (145) between junction U.S. Highway 1 and Virginia Highway 683 and junction Virginia Highways 658 and 683, over Virginia Highway 683; (146) between Ladysmith, Va., and Chilesburg, Va., over Virginia Highway 639; (147) between Ryland Corner, Va. and Davis Corner, Va., over Virginia Highway 604; (148) between Cedon, Va., and Blantons, Va., over Virginia Highways 661 and 603; (149) between Cedon, Va., and Welchs, Va., over Virginia Highway 632; (150) between Cedon, Va., and Wallers Corner, Va., over Virginia Highway 632; (151) between junction U.S. Highway 1 and Virginia Highway 605; and Welchs, Va., over Virginia Highway 605; (152) between junction U.S. Highway and Virginia Highway 605 and junction Virginia Highways 605 and 617, over Virginia Highway 605; (153) between junction U.S. Highway 1 and Virginia Highway 603 and junction Virginia Highways 603 and 605, over Virginia Highway 603, (154) between Thornburg, Va., and Snell, Va., over Virginia Highway 606; (155) between Thornburg, Va., and Guinea, Va., over Virginia Highway 606; (156) between junction U.S. Highway 1 and Virginia Highway 607 and junction Virginia Highways 607 and 633, over Virginia Highway 607; (157) between Massaponax, Va. and junction Virginia Highways 608 and 628, over Virginia Highway 608; (158) between Massaponax, Va., and junction Virginia Highways 608 and 634, over Virginia Highway 608; (159) between junction U.S. Highway 1 and Virginia Highway 635 and junction Virginia Highways 635 and 608, over Virginia Highway 635; (160) between junction U.S. Highway 1 and Virginia Highway 636 and Fredericksburg, Va., over Virginia Highways 636 and 638; (161) between Four Mile Fork, and Leavelles, Va., over Virginia Highway 208; (162) between junction U.S. Highway 1 and Virginia Highway 620 and junction Virginia Highways 639 and 620, over Virginia Highway 620; (163) between junction U.S. Highway 1 and Virginia Highway 652 and Truslows Store, Va., over Virginia Highway 652; (164) between Cranes Corner, Va. and Truslows Store, Va., over Virginia Highways 627 and 654; (165) between Cranes Corner, Va., and Falmouth, Va., over Virginia Highway 627; (166) between Pine Grove Camp, Va., and Ramoth, Va., over Virginia Highway 628;

(167) between Pine Grove Camp, Va., and Moncure Memorial Church, Va., over Virginia Highway 628; (168) between Stafford, Va., and Mussellmans Store, Va., over Virginia Highway 630; (169) between Stafford, Va., and Falmouth, Va., over Virginia Highways 687, 608, 607 and 644; (170) between junction U.S. Highway 1 and Virginia Highway 630 and junction Virginia Highways 630 and 667, over Virginia Highway 630; (171) between Acquia Tavern, Va., and Garrisonville, Va., over Virginia Highway 610; (172) between junction U.S. Highway 1 and Virginia Highway 637 and junction Virginia Highways 637 and 611, over Virginia Highway 637; (173) between Boswells Store, Va., and Wide Water, Va., over Virginia Highway 611; (174) between Triangle, Va., and junction Virginia Highways 619 and 627, over Virginia Highway 619; (175) between junction U.S. Highway 1 and Virginia Highway 633 and Possum Point, Va., over Virginia Highway 633; (176) between Dumfries, Va., and Independent Hill, Va., over Virginia Highway 234; (177) between junction U.S. Highway 1 and Virginia Highway 610 and Minneville, Va., over Virginia Highway 610; (178) between junction U.S. Highway 1 and Virginia Highway 638 and Bethel, Va., over Virginia Highways 638 and 642; (179) between junction U.S. Highway 1 and Virginia Highway 636 and Featherstone, Va., over Virginia Highway 636; (180) between Woodbridge, Va., and Davis Store, Va., over Virginia Highway 123; (181) between junction U.S. Highway 1 and Virginia Highway 242 and Gunston Hall, Va., over Virginia Highway 242; (182) between junction U.S. Highway 1 and Virginia Highway 600 and junction Virginia Highways 600 and 636, over Virginia Highway 600; (183) between Lorton, Va., and junction Virginia Highways 642 and 123, over Virginia Highway 642; (184) between Pohick, Va., and Barkers Cross Roads, Va., over Virginia Highway 638; (185) between junction U.S. Highway 1 and Virginia Highway 611 and Alexandria, Va., from junction U.S. Highway 1 and Virginia Highway 611 over Virginia Highway 611 to junction Virginia Highway 241, thence over Virginia Highway 241 to Alexandria, and return over the same route; (186) between junction U.S. Highway 1 and Virginia Highway 235 and junction U.S. Highway 1 and Virginia Highway 235, over Virginia Highway 235; (187) between junction U.S. Highway 1 and Virginia Highway 633 and junction Virginia Highways 633 and 611, over Virginia Highway 633; (188) between Alexandria, Va., and Springfield, Va. (Garfield), over Virginia Highways 967 and 644; (189) between Alexandria, Va., and Springfield, Va. (Garfield), from Alexandria over Virginia Highway 236 to junction Virginia Highway 620, thence over Virginia Highway 620 to junction Virginia Highway 617, thence over Virginia Highway 617 to Springfield, and return over the same route;

NOTE: Applicant states it proposes to serve all intermediate points on above described routes, (136) through (189).

(190) between junction U.S. Highway 29 and Virginia Secondary Highway 649 north of Charlottesville, Va., and Earlysville, Va., over Virginia Secondary Highways 649, 606, and 743, in Albemarle County, Va., serving all intermediate points; (191) between Waynesboro, Va., and Sherando Lake (George Washington National Forest), over Virginia Secondary Highways 624 and 664; also over Virginia Secondary Highway 664; also over Virginia Highway 340 and Virginia Secondary Highways 635, 639, 634, and 610; and also over unnumbered highway in Augusta County, Va., serving all intermediate points; (192) between junction U.S. Highway 11 and Interstate Highway 81 southwest of Natural Bridge and junction U.S. Highway 11 and Interstate Highway 81 southwest of Buchanan (near junction of U.S. Highway 11 and Virginia Secondary Highway 639) over Interstate Highway 81, in Rockbridge and Botetourt Counties, Va., serving all intermediate points; (193) between junction U.S. Highway 11 and Interstate Highway 81 north of Harrisonburg and junction U.S. Highway 11 and Interstate Highway 81 south of Harrisonburg, over Interstate Highway 81 in Rockingham County, Va., serving all intermediate points; (194) between Norfolk, Va., and junction Virginia Highway 168 and Interstate Highway 64 over Interstate Highway 64, restricted to no freight picked up at Norfolk for delivery at said junction or at any point between

Norfolk and said junction; no freight to be picked up at said junction for delivery at Norfolk or at any point between said junction and Norfolk and no freight to be picked up at any intermediate point for delivery at any other intermediate point or at Norfolk or at said junction; (195) between Richmond, Va., and Ashland, Va., from Richmond over Interstate Highway 95 to junction Virginia Highway 54, thence over Virginia Highway 54 to Ashland (Henrico and Hanover Counties), and return over the same route limited to no local service rendered between Richmond and Ashland, Va., and vice versa, or any point between Richmond and Ashland; (196) between Centreville, Va., and Gainesville, Va., over Interstate Highway 66, serving all access and interchange routes between the route applied for and applicant's presently-authorized regular route operations; (197) between a point approximately one and one-half miles west of Marshall and a point approximately two miles east of Markham over Interstate Highway 66, serving all access and interchange routes between the route applied for and applicant's presently-authorized regular route operations.

NOTE: Applicant states it proposes to serve all intermediate points on all the above described routes, except where otherwise specified. This is a matter directly related to MC-F 8777, published in FEDERAL REGISTER issue June 17, 1964.

No. MC 111625 (Sub-No. 12), filed June 23, 1964. Applicant: BERMAN'S MOTOR EXPRESS, INC., P.O. Box 781, Binghamton, N.Y. Applicant's attorney: Francis E. Barrett, Jr., 182 Forbes Building, Forbes Rd., Braintree 84, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in Massachusetts.

NOTE: This is a matter directly related to MC-F 8792.

No. MC 78632 (Sub-No. 121), filed June 9, 1964. Applicant: HOOVER MOTOR EXPRESS COMPANY, INC., Polk Avenue (P.O. Box 450), Nashville, Tenn. Applicant's attorney: David G. Macdonald, 100 Sixteenth St. NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices in Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk and those requiring special equipment), between the junction of Alabama Highway 5, and U.S. Highway 78 located at or near Jasper, Ala., and Birmingham, Ala., from junction Alabama Highway 5 and U.S. Highway 78, thence over U.S. Highway 78 to Birmingham, and return over the same route, serving all intermediate points.

NOTE: Common control may be involved. This is a matter directly related to MC-F 8751, published FEDERAL REGISTER issue May 20, 1964.

No. MC 83539 (Sub-No. 117), filed June 19, 1964. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, P.O. Box 5976, Dallas, Tex., 75222. 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: *Water cooling towers*, from Glasgow, Mo., to points in the United States (except those in Hawaii, Alaska, and Missouri). Note: This application is directly related to the joint application of C & H Transportation Co., Inc. and Monnig Transport, Inc., in which authority, under section 5, is sought for purchase by C & H of the contract carrier authority of Monnig, presently issued in Permit No. MC 125190. That transaction is subject to conversion of contract carrier rights to common carrier authority. This application is filed as a vehicle to accomplish that purpose. Applicant presently holds no authority which could be tacked with the proposed authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo. This matter is directly related to MC-F-8789, 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 sections 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-8787. Authority sought for purchase by W. L. MEAD, INC., P.O. Box 31, Norwalk, Ohio, of a portion of the operating rights of BURNSIDE MOTOR FREIGHT LINES, INC., 1121 North Main Street, Urbana, Ohio, and for acquisition by W. L. MEAD, also of Norwalk, Ohio, of control of such rights through the purchase. Applicants' attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods, but not excepting commodities in bulk, as a *common carrier*, over regular routes, between Jacksontown, Ohio, and Columbus, Ohio, between junction U.S. Highway 40 and Ohio Highway 29 and Fort Wayne, Ind., serving all intermediate and certain off-route points, with service at Sidney, Ohio, for joinder purposes only, between Springfield, Ohio, and Urbana, Ohio, with service at the termini point of Urbana for joinder purposes only, between Urbana, Ohio, and Piqua, Ohio, serving certain intermediate points and the off-route point of Conover, Ohio, and the termini point of Piqua, with service at Urbana, for joinder purposes only, between Columbus, Ohio, and Lima, Ohio, serving no intermediate points, between Dayton, Ohio, and junction Ohio 69 and 29 at Caryville, Ohio, serving no intermediate points, between Marysville, Ohio, and Kenton, Ohio, serving no intermediate points, with service at the termini for joinder purposes only, between Columbus, Ohio, and Lima, Ohio, serving no intermediate points, between Urbana, Ohio, and Delaware, Ohio, serving no intermediate points, with service at the termini for joinder purposes only, between Sidney, Ohio, and Bellefontaine, Ohio, serving no intermediate points, with service at Bellefontaine for joinder purposes only, between junction U.S. Highway 25 and Ohio Highway 71, just west of Tipp City, Ohio, and Springfield, Ohio, serving certain intermediate points on Highway 71, between Urbana, Ohio, and Bellefontaine, Ohio, serving no intermediate points, and with service at the termini for joinder purposes only, between Willshire, Ohio, and Dayton, Ohio, serving no intermediate points, with service at Willshire, Ohio, for joinder purposes only, and between Greenville, Ohio, and Piqua, Ohio, serving the intermediate point of Covington, Ohio, with service at Greenville, Ohio, for joinder purposes only. Vendee is authorized to operate as a *common carrier* in Massachusetts, Ohio, New York, Connecticut, and Rhode Island. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8788. Authority sought for control by CLARENCE P. KILLIAN, doing business as CLARENCE P. KILLIAN TRUCKING, 2965 Genesee Street, Buffalo 25, N.Y., of ROBERT BLACK & SONS, INC., 2965 Genesee Street, Buffalo 25, N.Y. Applicants' attorney: William J. Hirsch, 43 Niagra Street, Buffalo 2, N.Y. Operating rights sought to be controlled: Under a certificate of registration in No. MC-99019 Sub-1, covering the transportation of general commodities, as a common carrier, in intrastate commerce ,within the State of New York. CLARENCE P. KILLIAN, doing business as CLARENCE P. KILLIAN TRUCKING, holds no authority from this Commission. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8789. Authority sought for purchase by C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex., of the operating rights of MONNIG TRANSPORT, INC., Glasgow, Mo., and for acquisition by W. O. HARRINGTON, Coppell, Tex., of control of such rights through the purchase. Applicants' attorneys: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City 2, Okla., and Tom B. Kretsinger, 510 Professional Building, Kansas City 6, Mo. Operating rights sought to be transferred: *Water cooling towers*, as a *contract carrier*, over irregular routes, from Glasgow, Mo., to points in the United States, except those in Hawaii, Alaska and Missouri. RESTRICTION: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with Havens Structural Steel Company, of Kansas City, Mo. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Hawaii). Application has not been filed for temporary authority under section 210a(b).

NOTE: No. MC-83539 Sub-117 is a matter directly related.

No. MC-F-8790. Authority sought for (1) purchase by IND-O TRANSPORT, INC., 4219 South Memorial Drive, Tulsa, Okla., (A) of a portion of the operating rights of NIMAN TRANSFER & STORAGE COMPANY, INC., 1750 Villa Avenue, Indianapolis, Ind., and (B) of all the operating rights of HEAVY MACHINERY MOVERS, INC., 1750 Villa Avenue, Indianapolis, Ind., and for acquisition by JOE T. BRISCOE and KENNETH A. OWEN, JR. (KENNETH A. OWEN, SR., TRUSTEE), all of Tulsa, Okla., of control of such rights through the purchase, and (2) of the common control of PARKHILL TRUCK COMPANY, 4219 South Memorial Drive, Tulsa, Okla. TRAP BRISCOE and KENNETH A. OWEN, SR., both of Tulsa, Okla., are parties applicant in respect of such common control through their control of PARKHILL TRUCK COMPANY. Applicants' attorneys: Tom B. Kretsinger, 510 Professional Building, Kansas City 6, Mo., and Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis 4, Ind. Operating rights sought to be (1) transferred, and (2) controlled: (A) *Machinery, electrical equipment, contractors' equipment and supplies, structural iron or steel, tanks, boilers and parts, smoke stacks, safes or vaults,* or *any equipment or commodity* requiring special equipment, between points in Indiana, on the one hand, and, on the other, points in Ohio and Kentucky, and those in that part of Illinois on and south of U.S. Highway 24; (B) *heavy machinery,* as a *common carrier,* over irregular routes, between Louisville, Ky., St. Louis, Mo., and points in Illinois, on the one hand, and, on the other, points in Indiana. IND-O TRANSPORT, INC., holds no authority from this Commission. However, upon becoming an interstate carrier, it would be under common control with PARKHILL TRUCK COMPANY, which is authorized to operate as a *common carrier* in all States in the United States (except California and Hawaii), and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8791. Authority sought for (1) control by MERCHANTS TRANSFER & STORAGE CO. (A DELAWARE CORP.), 1616 First Street SW., Washington, D.C., of (A) MERCHANTS STORAGE CO., OF VIRGINIA, 520 South Van Dorn Street, Alexandria, Va., and (B) MERCHANTS TRANSFER CO., INC., OF VIRGINIA, 520 South Van Dorn Street, Alexandria, Va., and for acquisition by JOHN L. NEWBOLD, also of 1616 First Street SW., Washington, D.C., and KATHERINE W. NEWBOLD, 2416 Tracy Place NW., Washington, D.C., of control of MERCHANTS STORAGE CO., OF VIRGINIA, and MERCHANTS TRANSFER CO., INC., OF VIRGINIA, through the acquisition by MERCHANTS TRANSFER & STORAGE CO. (A DELAWARE CORP.); (2) purchase by MERCHANTS STORAGE CO., OF VIRGINIA, of a portion of the operating rights of MERCHANTS TRANSFER & STORAGE CO. (A DELAWARE CORP.), and for acquisition by MERCHANTS TRANSFER & STORAGE CO. (A DELAWARE CORP.), of control of such rights through the purchase; and (3) purchase by MERCHANTS TRANSFER CO., INC., OF VIRGINIA, of a portion of the operating rights of MERCHANTS TRANSFER & STORAGE CO. (A DELAWARE CORP.), and for acquisition by MERCHANTS TRANSFER & STORAGE CO. (A DELAWARE CORP.), of control of such rights through the purchase. Applicants' attorney: S. Harrison Kahn, 733 Investment Building, Washington 5, D.C. Operating rights sought to be controlled and transferred: (1) MERCHANTS STORAGE CO., OF VIRGINIA, and MERCHANTS TRANSFER CO., INC., OF VIRGINIA, are both seeking to purchase certain portions of the operating rights, which together, constitute the entire operating rights, of MERCHANTS TRANSFER & STORAGE CO. (A DELAWARE CORP.), and will, in turn, be controlled by MERCHANTS TRANSFER & STORAGE CO. (A DELAWARE CORP.); (2) MERCHANTS STORAGE CO., OF VIRGINIA, seeks to purchase that portion of the operating rights in Certificate No. MC-84751, covering the transportation of *used automobiles,* in driveaway service, as a *common carrier,* over irregular routes, from Washington, D.C., to New York, N.Y., and points in New York and New Jersey within ten miles of New York, N.Y., Baltimore, Md., Portsmouth, Newport News, and Norfolk, Va., and Philadelphia, Pa. RESTRICTION: The authority granted immediately above is limited to the transportation of shipments having an immediately subsequent movement in foreign commerce, and restricted to used automobiles, the transportation of which is incidental to or in connection with the prior or subsequent storage, packing, crating, or shipments of household goods or personal effects; *household goods,* as defined by the Commission, between points in the District of Columbia, on the one hand, and on the other, points within 100 miles of the District of Columbia, between Takoma Park, Md., Alexandria, Va., points in Arlington County, Va., and points in Maryland within ten miles of Takoma Park, Md., on the one hand, and, on the other, points in Pennsylvania, Delaware, Georgia, South Carolina, North Carolina, Virginia, Maryland, and Florida; *household goods* as defined by the Commission, and *soda fountain equipment,* between Washington, D.C., on the one hand, and, on the other, points in Pennsylvania, Delaware, New Jersey, New York, Rhode Island, Tennessee, Georgia, South Carolina, North Carolina, Virginia, Maryland, and Florida; and (3) MERCHANTS TRANSFER CO., INC., OF VIRGINIA, seeks to purchase that portion of the operating rights in Certificate No. MC-84751, covering the transportation of *commodities, requiring special equipment,* as a *common carrier,* over irregular routes, between points in the District of Columbia, on the one hand, and, on the other, points within 25 miles of the District of Columbia; *contractors' equipment,* and *heavy machinery,* excepting, commodities which do not require the use of special equipment, between Washington, D.C., and points within ten miles thereof, on the one hand, and, on the other, points in Maryland, and Virginia within 100 miles of Washington, D.C.; and the entire operating rights in Permit No. MC-35039, covering the transportation of *general commodities,* excepting, among others, household goods and commodities in bulk, as a *contract carrier,* over irregular routes, between points within 25 miles of Washington, D.C., including Washington, D.C. MERCHANTS STORAGE CO., OF VIRGINIA and MERCHANTS TRANSFER CO., INC., OF VIRGINIA, hold no authority from this Commission. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8792. Authority sought for purchase by BERMAN'S MOTOR EXPRESS, INC., P.O. Box 781, Binghamton, N.Y., of the operating rights of SPRUCE TRANS. CO., INC., 255 Spruce Street, Chelsea, Mass., and for acquisition by JACOB BERMAN, IDA BERMAN, both of Binghamton, N.Y., BENJAMIN BERMAN, and SAMUEL BERMAN, both of 337 Mystic Avenue, Medford, Mass., of control of such rights through the purchase. Applicants' attorney: Francis E. Barrett, Jr., 182 Forbes Building, Forbes Road, Braintree, Mass. Operating rights sought to be transferred: Under the certificate of registration in No. MC-96911 Sub-1, covering the transportation of general commodities, as a common carrier, in intrastate commerce, within the State of Massachusetts. Vendee is authorized to operate as a *common carrier* in New York, Massachusetts, Pennsylvania, and Rhode Island. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-111625 Sub-12, is a matter directly related.

No. MC-F-8793. Authority sought for control by KENAN TRANSPORT COMPANY, INCORPORATED, P.O. Box 2933, West Durham Station, Durham, N.C., of A. F. COMER TRANSPORT SERVICE, INC. (PLANTERS NATIONAL BANK & TRUST CO., ADMINISTRATOR), P.O. Box 711, Rocky Mount, N.C., and for acquisition by FRANK H. KENAN, Hillsboro Road, Durham, N.C., and Henry Emerson, 3811 Sumerset Drive, Durham, N.C., of control of A. F. COMER TRANSPORT SERVICE, INC. (PLANTERS NATIONAL BANK & TRUST CO., ADMINISTRATOR), through the acquisition by KENAN TRANSPORT COMPANY, INCORPORATED. Applicants' attorney: Louis Reznek, 5009 Keokuk Street, Washington, D.C., 20016. Operating rights sought to be controlled: *Petroleum and petroleum products,* in bulk, in tank vehicles, as a *common carrier,* over irregular routes, from Norfolk, Va., to points in North Carolina; and *liquid fertilizer, fertilizer materials,* and *anhydrous ammonia,* in bulk, in tank vehicles, from points in North Carolina, to points in Virginia. KENAN TRANSPORT COMPANY, INCORPORATED, is authorized to operate as a *common carrier* in North Carolina, Virginia, and South Carolina. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 64-6554; Filed, June 30, 1964; 8:48 a.m.]

[Notice No. 654]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JUNE 26, 1964.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

No. MC 1124 (Sub-No. 195), filed June 10, 1964. Applicant: HERRIN TRANSPORTATION COMPANY, a Corporation, 2301 McKinney Avenue, Houston, Tex. Applicant's attorney: Leroy Hallman, 1st National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those injurious or contaminating to other lading), serving the plant site of the U.S. Rubber Co. at or near Geismar, La., as an off-route point in connection with applicant's authorized regular route operations between Baton Rouge and New Orleans, La.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 4405 (Sub-No. 421), filed June 12, 1964. Applicant: DEALERS TRANSIT, INC., 13101 South Torrence Ave., Chicago 33, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New trucks, new truck-tractors and chassis*, in initial movements, in driveaway service, from Kansas City, Mo. (except from the plant of the Ford Motor Company at or near Claycomo, Mo.), to points in Oklahoma and Texas.

NOTE: Applicant states it does not propose to tack the above authority sought with any existing authority in order to perform a through service. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 13179 (Sub-No. 3), filed June 11, 1964. Applicant: R. C. WILLIAMS, INC., Russell, Kans. Applicant's attorney: Benton Coopwood, 904 Lavaca Street, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Earth drilling machinery and equipment; machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance and dismantling of drilling machinery and equipment, or (b) digging of slush pits and clearing, preparing, constructing or maintaining drilling sites; *machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with (a) the completion of holes or wells drilled, (b) the production, storage, transmission and distribution of commodities resulting from drilling operations, or (c) injection or removal of commodities into or from holes or wells, (1) between points in Colorado, Kansas, Nebraska, and Oklahoma, and (2) between points in Texas on and north of U.S. Highway 66, on the one hand, and, on the other, points in Stevens, Haskell, Grant, Seward, Morton, Stanton, Finney, Kearny, Hamilton, and Meade Counties, Kans., and Cimarron, Texas and Beaver Counties, Okla.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 19227 (Sub-No. 86), filed June 15, 1964. Applicant: LEONARD BROS. TRANSFER, INC., 2595 NW. 20th Street, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood* and *forest products* from points in California to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 21170 (Sub-No. 53), filed June 15, 1964. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Applicant's attorney: Jack H. Blanshan, 402 West Main Street, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy cream and milk solids, desert materials, beverage preparations, confectioneries, flour and pancake mixes, dry, dietary products, liquid, milk, and cream substitutes, and cream and milk, in hermetically sealed containers*, from Menomonie, Vesper, Astico, and Oconomowac, Wis., to points in Minnesota, and Colorado.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 22195 (Sub-No. 100) (AMENDMENT), filed June 11, 1964, published in FEDERAL REGISTER issue of June 24, 1964, and republished as amended this issue. Applicant: DAN DUGAN TRANSPORT COMPANY, a Corporation, 41st and Grange Avenue, Sioux Falls, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in packages and in bulk, from points in South Dakota to points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota and *empty containers or other such incidental facilities* used in transporting the above commodities on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak. The purpose of this republication is to broaden the origin points.

No. MC 2567 (Sub-No. 6), filed June 17, 1964. Applicant: BELBEY TRANSFER COMPANY, a Corporation, 305 Bergen Street, Harrison, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* the transportation of which because of size or weight requires the use of special equipment, and *related machinery parts and related contractors' materials and supplies*, between points in New Jersey.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 30837 (Sub-No. 301), filed June 15, 1964. Applicant: KENOSHA AUTO TRANSPORT CORPORATION 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, 612 Barr Building, 910 17th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New trucks, new truck-tractors*, and *new chassis*, in initial movements, in driveaway service, from Kansas City, Mo. (except from the plant of Ford Motor Company at or near Clycomo, Mo.), to points in Oklahoma and Texas.

NOTE: Applicant states it presently operates in the transportation of motor vehicles throughout the United States, and the authority sought here does not in any way duplicate any of applicant's present operating rights or any sought in any other pending applications. Applicant in its Docket MC 30837 and subsequent extension Sub 295, is now authorized to transport trucks in driveaway movements from Kansas City, Mo.,

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[1] Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

to all points not covered in this application. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31600 (Sub-No. 568), filed June 16, 1964. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. Applicant's attorney: H. C. Ames, Jr., Transportation Building, Washington, D.C. Authority sought to operate as *a common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic resins*, in bulk, from Leominster, Mass., to Winchester, Va.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31600 (Sub-No. 569), filed June 15, 1964. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. 02154. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from Sayreville, N.J., to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Michigan, Minnesota, Missouri, New Hampshire, Massachusetts, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52458 (Sub-No. 190) (CLARIFICATION), filed May 13, 1964, published FEDERAL REGISTER issue June 3, 1964, republished as clarified, this issue. Applicant: T. I. McCORMACK TRUCKING CO., INC., U.S. Route 9, Woodbridge, N.J. Applicant's attorney: Chester A. Zyblut, 1000 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal, vegetable, fish and sea animal oil*, and *blends thereof*, and *liquid animal feed supplements*, in bulk, in tank vehicles, from Boonton, N.J., to points in Virginia.

NOTE: Applicant states that the proposed service will be restricted against tacking with any authority now held by applicant for the purpose of handling traffic originating at Newark and Elizabeth, N.J., for movement to points in Virginia. The purpose of this republication is to further clarify the commodities proposed to be transported. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 52580 (Sub-No. 3), filed June 5, 1964. Applicant: COLUMBIAN STORAGE & TRANSFER CO., 134 Weston SW., Grand Rapids, Mich. Applicant's attorney: J. M. Neath, Jr., Michigan Trust Building, Grand Rapids 2, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities such as are dealt in by wholesale grocers, alcohol, soap and soap products, new furniture, farm machinery, cleaning compounds, paper, and starch*, from Grand Rapids, Mich., to points in the Lower Peninsula of Michigan, on and west of U.S. Highway 23 and that portion of the Upper Peninsula, on and east of Michigan Highway 77.

NOTE: Applicant has also filed a petition in MC 61952 seeking reopening and re-enactment of the permit previously issued in that proceeding which was dismissed at applicant's request in 1957. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 55236 (Sub-No. 90), filed June 12, 1964. Applicant: OLSON TRANSPORTATION COMPANY, a Corporation, 1970 South Broadway, P.O. Box 1187, Green Bay, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphoric and phosphatic fertilizer solution*, in bulk, in tank vehicles, from Milwaukee, Wis., to points in Illinois, Indiana, Iowa, and Minnesota.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59150 (Sub-No. 16), filed June 12, 1964. Applicant: PLOOF TRANSFER COMPANY, INC., 1900 Hill Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors*, regardless of how they are equipped, (except tractors used in pulling commercial highway trailers, and except those which because of size or weight require the use of special equipment), and (2) *parts, implements, attachments, accessories, and supplies*, for the commodities specified in (1) above, between points in Virginia, North Carolina, South Carolina, Florida, Georgia, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, and Kentucky (except Louisville, Ky.).

NOTE: Applicant states "all duplicating authority to be eliminated." If a hearing is deemed necessary applicant requests it be held at Atlanta, Ga.

No. MC 59194 (Sub-No. 7), filed June 15, 1964. Applicant: EASTERN FREIGHT WAYS, INC., Eastern and Moonachie Ave., Carlstadt, N.J. Applicant's attorney: Maxwell A. Howell, 1120 Investment Building, 1511 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum and aluminum products*, from Massena, N.Y., and points within five (5) miles thereof, to points in Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, New Jersey, Delaware, Maryland, and Pennsylvania and (2) *commodities used in the manufacture, packing, and shipping of aluminum and aluminum products*, from points in Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, New Jersey, Delaware, Maryland, New York, and Pennsylvania to Massena, N.Y., and points within five (5) miles thereof.

NOTE: Applicant states no duplicating authority is sought. Applicant does not specify place in case hearing is deemed necessary.

No. MC 60012 (Sub-No. 62) filed June 12, 1964. Applicant: RIO GRANDE MOTOR WAY, INC., 775 Wazee Street, Denver, Colo. Applicant's attorney: Ernest Porter, 1531 Stout Street, P.O. Box 5482, Denver 17, Colo. 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 commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Pagosa Springs, Colo., and Blanco, N. Mex., from Pagosa Springs, over U.S. Highway 84 to its junction with New Mexico Highway 17, thence over New Mexico Highway 17, to Blanco, serving all intermediate points and serving the off-route points located south of U.S. Highway 160 in Archuleta County, Colo., and points in Rio Arriba County, N. Mex., located north of a line drawn east and west, ten (10) miles south of New Mexico Highway 17.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 61592 (Sub-No. 23), filed June 11, 1964. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's attorney: Val M. Higgins, 100 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and agricultural implements, and parts thereof* from West Bend, Wis., to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, points in Illinois on and north of U.S. Highway 40, and St. Louis, Mo., and *empty containers or other such incidental facilities* used in transporting the above commodities on return.

NOTE: Applicant states it presently holds authority to perform, and is performing, the service herein requested but must tack certain presently held authority to do so, but certain gateways must be observed in tacking said authorities. The purpose of this application is to eliminate: (1) the gateways at Moline, Ill., and Ida Grove, Iowa, on service to the states of Minnesota, South Dakota, and Nebraska; (2) the gateways at Moline and Kewanee, Ill., on service to North Dakota, and (3) the gateway at Moline, Ill., on service to points in Iowa, points in Illinois on and north of U.S. Highway 40 and St. Louis, Mo. Also involved is a clarification of authority, as the commodity description in the authorities being tacked are not identical. Applicant agrees that any rights granted herein shall not be construed as conferring more than a single operating right, and shall not be construed as conferring more than a single operating right, and shall not be severable from the underlying authority from which it is granted, by sale or otherwise. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 67450 (Sub-No. 7), filed June 17, 1964. Applicant: PETERLIN CARTAGE CO., a Corporation, 9651 South Ewing Avenue, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fluorspar*, in bulk, in dump or hopper type vehicles, from Chicago, Ill., to points in Illinois, Indiana, Iowa, Michigan, and Wisconsin.

NOTE: If a hearing is deemed necessary applicant requests it be held at Chicago, Ill.

No. MC 68539 (Sub-No. 8), filed June 15, 1964. Applicant: ROMANS MOTOR FREIGHT, INC., Ord, Nebr. Applicant's attorney: J. Max Harding, P. O. Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients* (except liquids in bulk in tank vehicles) between points in Nebraska, on the one hand, and, on the other points in Iowa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 73165 (Sub-No. 186), filed June 15, 1964. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. Applicant's attorney: Donald L. Morris, 937 Bank for Savings Building, Birmingham 3, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from points in Boyd County, Ky., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, and Tennessee, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC–82944 (Sub-No. 9), filed June 15, 1964. Applicant: FREDERIC A. BETHKE, doing business as, BETHKE TRUCK LINES, Gilcrest, Colo. Applicant's attorney: Marion F. Jones, Suite 526 Denham Building, Denver Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except milk, cream and dairy products), between points in a ten (10) mile radius of Platteville, Colo., on the one hand, and, on the other, points in Colorado west of the Continental Divide and those east of the Continental Divide south of the segments of U.S. Highway 6 extending from the Continental Divide to Denver, Colo., and U.S. Highway 36 extending from Denver to the Colorado-Kansas state line.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 92983 (Sub-No. 438), filed June 11, 1964. Applicant: ELDON MILLER, INC., P.O. Drawer 617, Kansas City, Mo. 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from Fort Madison, Iowa, and points within 35 miles thereof, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, Ohio, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 439), filed June 11, 1964. Applicant: ELDON MILLER, INC., P.O. Drawer 617, Kansas City, Mo. 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from points in Arizona, Massachusetts, Nebraska, and South Carolina, to Kansas City, Kans.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 94265 (Sub-No. 134), filed June 16, 1964. Applicant: BONNEY MOTOR EXPRESS, INC., P. O. Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, dairy products*, and *articles distributed by meat packinghouses* as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Richmond and Smithfield, Va., to points in Illinois, Indiana, Michigan, and Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at either Richmond, Va., or Washington, D.C.

No. MC 94350 (Sub-No. 33), filed June 11, 1964. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Box 1628, Greenville, S.C. Applicant's attorney: Henry P. Willimon, Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Nash, Edgecombe, and Montgomery Counties, N.C., to points in the United States, including Alaska but excluding Hawaii, and *damaged or rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 95540 (Sub-No. 588), filed June 17, 1964. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Darr, Nebr., to points in Oregon and Washington and points in California on and north of U.S. Highway 466.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 98752 (Sub-No. 2), filed June 8, 1964. Applicant: ZEPHYR LINE, INC., 70 Martone Place, Springfield, Mass. Applicant's attorney: Patrick A. Doyle, 31 Elm Street, Springfield 3, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* between points in Massachusetts.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 98796 (Sub-No. 1), filed June 12, 1964. Applicant: ALBERT S. HARMON AND NORMA HARMON, doing business as HARMON TRUCKING COMPANY, a Partnership, 167 North State Street, Caro, Mich. Applicant's attorney: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, in bulk, in tank vehicles, from points in Bay, Huron, Saginaw, Sanilac, and Tuscola Counties, Mich., to points in Ohio, and *refused, rejected, or damaged shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Lansing, Mich.

No. MC 99213 (Sub-No. 6), filed June 16, 1964. Applicant: VIRGINIA FREIGHT LINES, Kilmarnock, Va. Applicant's attorney: Jno. C. Goddin, 10 South 10th Street, Richmond 19, Va. 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, and those requiring special equipment) between Office Hall, Va., and Port Royal Cross Roads, Va., as an alternate route for operating convenience only over U.S. Highway 301.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 105045 (Sub-No. 10), filed June 8, 1964. Applicant: R. L. JEFFRIES TRUCKING CO., INC., 1020 Pennsylvania Street, Evansville, Ind. Applicant's attorney: Ernest A. Brooks II, 1311–12 Ambassador Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, and fittings* (except the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products, and by-products), from Evansville, Ind., to points in Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Mississippi, Michigan, Indiana, Kentucky, Tennessee, Alabama, Ohio, Georgia, Florida, New York, Pennsylvania, Virginia, West Virginia, Maryland, North Carolina, South Carolina, New Jersey, Delaware, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine.

NOTE: If a hearing is deemed necessary applicant requests it be held at Louisville, Ky.

No. MC 106069 (Sub-No. 9) (AMENDMENT), filed May 8, 1964, published in FEDERAL REGISTER, issue May 27, 1964, and republished as amended this issue. Applicant: D. E. McALISTER GRAHAM, doing business as McALISTER TRUCKING CO., a Partnership, P.O. Box 839, Abilene, Tex. Applicant's attorney: Ewell H. Muse, Jr., Perry Brooks Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Earth drilling machinery and equipment; machinery, equipment, materials, supplies,* and *pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, or (b) digging of slush pits and clearing, preparing, constructing, or maintaining drilling sites; *machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with (a) the completion of holes or wells drilled, (b) the production, storage, transmission, and distribution of commodities resulting from drilling operations, or (c) injection or removal of commodities into or from holes or wells, (1) between points in Texas, Oklahoma, Louisiana, and New Mexico, and (2) between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana.

NOTE: The purpose of this amendment is to broaden the territorial scope by adding paragraph (2) as specified above. Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 106398 (Sub-No. 235), filed June 8, 1964. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Pennsylvania (except Camp Hill, Chambersburg, Clarion, Clearfield, Irwin, Mansfield, Meadville, Montoursville, State College, West Pittston, Avis, West Hazleton, Selinsgrove, Shamokin, Carbondale, and Schuylkill Haven) to points in the United States, including Alaska but excluding Hawaii.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. Common control may be involved.

No. MC 107496 (Sub-No. 316), filed June 12, 1964. Applicant: RUAN TRANSPORT CORPORATION, 303 Keosauqua Way, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz, Post Office Box 855, Des Moines 4, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, portland and masonry, in bulk and in packages, from Memphis, Tenn., to points in Alabama.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 107496 (Sub-No. 314), filed June 12, 1964. Applicant: RUAN TRANSPORT CORPORATION, 303 Keosauqua Way, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz, Post Office Box 855, Des Moines 4, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk and in bags, from points in Burnsville Township (Dakota County), and Minneapolis and St. Paul, Minn., to points in Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Des Moines, Iowa.

No. MC 108185 (Sub-No. 28), filed June 11, 1964. Applicant: DIXIE HIGHWAY EXPRESS, INC., 1600 B Street, Meridian, Miss. 39302. Applicant's attorney: R. J. Reynolds, Jr., 403–11 Healey Building, Atlanta, Ga. 30303. 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, livestock, coal, oil, sand, gravel, household goods as defined by the Commission, commodities in bulk, commodities requiring the use of special equipment, and those injurious or contaminating to other lading), between Meridian, Miss. and Oxford, Ala.; from Meridian over U. S. Highway 80 to Uniontown, Ala., thence over Alabama Highway 183 to junction Alabama Highway 5 near Marion, Ala., thence over Alabama Highway 5 to junction U.S. Highway 82, approximately one mile north of Brent, Ala., thence over U.S. Highway 82 to Centreville, Ala., thence from Centreville, Ala., over Alabama Highway 25 to junction Alabama Highway 76 approximately four miles south of Harpersville, Ala., thence over Alabama Highway 76 to junction U.S. Highway 280, approximately two miles north of Childersburg, Ala., thence from Childersburg, Ala., over Alabama Highway 76 to junction Alternate U.S. Highway 231, thence over Alternate U.S. Highway 231 to Talladega, Ala., and thence from Talladega, Ala., over Alabama Highway 21 to Oxford, and return over the same route, serving no intermediate points, to be used as an alternate route for operating convenience only, in connection with applicant's authorized regular-route operations between Meridian, Miss., and Oxford, Ala.

NOTE: If a hearing is deemed necessary applicant requests that it be held at Atlanta, Ga.

No. MC 108223 (Sub-No. 13), filed June 11, 1964. Applicant: CENTURY MOTOR FREIGHT, INC., 3245 Fourth Street, SE., Minneapolis, Minn. Applicant's attorney: James F. Greenstein, Twin City Federal Building, 112 East Sixth Street, St. Paul 1, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Eveleth, Minn., and points within a 10 mile radius of Eveleth.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 109595 (Sub-No. 6), filed June 17, 1964. Applicant: REX TRANSPORTATION CO., a Corporation, 24158 Ecorse Road, Taylor, Mich. Applicant's attorney: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities*, in bulk, in tank vehicles from Indianapolis, Ind., and points within 15 miles thereof to points in Indiana, restricted to traffic having a prior movement by rail and *rejected shipments* on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 110563 (Sub-No. 21), filed May 20, 1964. Applicant: COLDWAY FOOD EXPRESS, INC., West North Street (P. O. Box 259), Sidney, Ohio. Applicant's attorney: Joseph Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Wilmington, Del., points in Pennsylvania on and east of U.S. Highway 15, and points in New Jersey on and south of New Jersey Highway 33, to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, and Wisconsin, and *damaged and rejected shipments*, and *empty used pallets and containers*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 110698 (Sub-No. 283), filed June 17, 1964. Applicant: RYDER TANK LINE, INC., P.O. Box 8418, Greensboro, N.C. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Jet fuel anti-icing additives*, in bulk, in stainless steel tank vehicles, from Port Neches, Tex., to Grand Forks, N. Dak.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Houston, Tex.

No. MC 111545 (Sub-No. 64) (AMENDMENT), filed June 8, 1964, published in FEDERAL REGISTER issue June 24, 1964, and republished as amended this issue. Applicant: HOME TRANSPORTATION COMPANY, INC., 334 South Four Lane Highway, Marietta, Ga. Applicant's attorney: Paul M. Daniell, 214 Standard Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors*, regardless of how they are equipped, except tractors used in pulling commercial highway trailers, and those which because of size or weight require the use of special equipment, and (2) *parts, implements, attachments, accessories* and *supplies*, for commodities described above in (1), between points in Virginia, North Carolina, South Carolina, Florida, Georgia, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, and Kentucky (except Louisville, Ky.).

NOTE: The purpose of this republication is to show clarification of commodity description in (2) above. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 111687 (Sub-No. 21), filed June 15, 1964. Applicant: BENJAMIN H. RUEGSEGGER, Route 1, Kawkawlin, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt* *beverages*, from Milwaukee, Wis., to points in Saginaw County, Mich., *and empty used malt beverage containers*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 111812 (Sub-No. 252), filed June 15, 1964. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, P.O. Box 747, Sioux Falls, S. Dak. 57101. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products, and commodities used by packinghouses*, as described in Sections A, B, and C of Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Omaha, Nebr., to Yellowstone National Park, Wyoming, and points in Utah.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 111812 (Sub-No. 253), filed June 22, 1964. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building (P.O. Box 747), Sioux Falls, S. Dak., 57101. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and 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 (except commodities in bulk, in tank vehicles and except hides), (1) from Austin and Albert Lea, Minn., Sioux Falls, S. Dak., St. Joseph and Kansas City, Mo., Kansas City, Kans., Omaha, Nebr., points in Saunders County, Nebr., and points in Iowa, to Louisville, Ky., and points in Indiana, Ohio, and the lower peninsula of Michigan, (2) from Spencer, Iowa, to Kankakee, Ill., and (3) from Storm Lake, Iowa, to Bushnell, Ill.

NOTE: Applicant states that no duplicating authority is sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 112098 (Sub-No. 9), filed June 8, 1964. Applicant: JACK FARNELL, doing business as LOS ANGELES TURF EXPRESS, 1611 Easterly Terrace, Los Angeles, Calif. Applicant's attorney: R. Y. Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Horses*, (other than ordinary), and, in connection therewith, *personal effects of attendants, equipment, supplies, and mascots*, used in the care and exhibition of such animals, (1) between points in Nevada, and (2) between points in Nevada, on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Nebraska, Louisiana, New Mexico, Oklahoma, Texas, and Utah.

NOTE: Applicant states "no duplication of operating authority is intended to the extent that the authority sought duplicates present authority." If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 113255 (Sub-No. 42), filed June 15, 1964. Applicant: MILK TRANSPORT, INC., P.O. Box 398, New Brighton, Minn. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery supplies* from St. Louis, Mo., to points in Colorado, Iowa, Kansas, Minnesota, Nebraska, North Dakota, and South Dakota and *empty containers or other such incidental facilities* used in transporting the above commodities on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 113276 (Sub-No. 5), filed June 12, 1964. Applicant: ROMANO BROS. TRUCKING, INC., 11 Meadow Street, Rutland, Vt. Applicant's attorney: Andrea J. Barbeau, 705 Elm Street, Manchester, N.H. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground limestone*, dry, in bulk, in tank or hopper type tank trailers, with pneumatic self-unloading systems, from Florence, Vt., to Cumberland Mills, Libson, Sanford, and Winthrop, Maine, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: If a hearing is deemed necessary applicant requests it be held at Montpelier, Vt.

No. MC 113362 (Sub-No. 43), filed June 17, 1964. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's attorney: Marshall D. Becker, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Webster City, Fort Dodge, and Des Moines, Iowa, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, and the District of Columbia.

NOTE: Applicant does not specify place in case hearing is deemed necessary.

No. MC 113410 (Sub-No. 48), filed June 15, 1964. Applicant: DAHLEN TRANSPORT, INC., 875 North Prior Avenue, St. Paul, Minn. Applicant's attorney: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and nitrogen fertilizer solutions*, in bulk, in tank vehicles from Minneapolis-St. Paul and 10 miles thereof to points in Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn. Common control may be involved.

No. MC 113624 (Sub-No. 18), filed June 18, 1964. Applicant: WARD TRANSPORT, INC., P.O. Box 133, Pueblo, Colo. Applicant's attorney: Marion F. Jones, Suite 526 Denham Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid fertilizer solutions*, in bulk, in tank vehicle, from Fremont, Nebr., and points within 10 miles thereof, to points in South Dakota, Minnesota, Iowa, Missouri, and Kansas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 113678 (Sub-No. 75), filed June 11, 1964. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* in containers, and *carbon, gum and sludge removing compounds* in containers, from Saint Marys, W. Va., Bradford, Karns City, Petrolia, Warren, North Warren, Freedom, Oil City, Reno, Franklin, Farmers Valley, Emlenton, Pa., and Buffalo, N.Y., to points in Texas, Oklahoma, and Colorado.

NOTE: If a hearing is deemed necessary applicant requests that it be held at Pittsburgh, Pa.

No. MC 113981 (Sub-No. 5), filed June 10, 1964. Applicant: V. J. HUNT, doing business as VEGAS TRUCKING & MOVING CO., 2851 Cedar Street, Las Vegas, Nev. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, Classes A and B explosives, commodities of unusual value, and petroleum products in bulk), (1) between Shoshone, and Oakland, Calif., from Shoshone, over California Highway 127, to Baker, Calif., thence over U.S. Highway 91 (Interstate Highway 15), to Barstown, Calif., thence over U.S. Highway 466, to Bakersfield, Calif., thence north over U.S. Highway 99, to Sacramento, Calif., thence over U.S. Highway 40 (Interstate Highway 80), to Oakland, thence over U.S. Highway 50, to Stockton, Calif., and return over the same route, serving all intermediate points, and the off-route points of Hanford, and Kerville, Calif., and Mercury, Nev., (2) between Inyokern and Beechers Corner, Calif., over U.S. Highway 395, serving all intermediate points, and (3) between Freeman, and Mojave, Calif., over U.S. Highway 6, serving all intermediate points.

NOTE: Applicant states it also applies for the removal of interline restrictions, on MC 113981, Subs-2 and 4, thereunder. If a hearing is deemed necessary, applicant requests it be held at Las Vegas, Nev.

No. MC 114045 (Sub-No. 149), filed June 9, 1964. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, and *food products in mixed shipments with commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with food products, fresh and frozen, from the plant site of Ralston Purina Co., located at or near California, Mo., to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Maryland, Delaware, District of Columbia, Kentucky, Ohio, Indiana, Michigan, Wisconsin, Illinois, Iowa, Nebraska, Kansas, Oklahoma, Texas, and Arkansas, and *refused and rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 114091 (Sub-No. 63), filed June 12, 1964. Applicant: FLEET TRANSPORT CO., OF KY., INC., Fern Valley Road, P.O. Box 13116, Louisville, Ky., 40213. Applicant's attorney: Rudy Yessin, Sixth Floor McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and fertilizer solution*, in bulk, in tank vehicles, from Wilder, Ky., to points in Indiana, Michigan, Ohio, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 114457 (Sub-No. 17), filed June 10, 1964. Applicant: DART TRANSIT COMPANY, a Corporation, 780 North Prior Avenue, St. Paul, Minn. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Suite 3600, Chicago 2, Ill. 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* (except commodies in bulk, in tank vehicles) as described in Sections A, B and C, Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Swift & Co., located at or near Grand Island, Nebr., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114647 (Sub-No. 15), filed June 8, 1964. Applicant: ROBERT E. FLETCHER, doing business as FLETCHER TRANSFER & STORAGE, 117 North Fourth Street, Forest City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urethane foam*, in sheets (in various sizes and thicknesses), from Chicago, Ill., and Sheboygan, Wis., to Forest City, Iowa, and *damaged, rejected and returned shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Forest City, Iowa.

No. MC 115162 (Sub-No. 90), filed June 11, 1964. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, P.O. Box 346, Evergreen, Ala. Applicant's representative: Robert E. Tate, 2031 Ninth Avenue South, Birmingham 5, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Michigan, to points in Alabama, Mississippi, Louisiana, and points in Texas on and east of U.S. Highway 281.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Grand Rapids, Lansing, or Detroit, Mich.

No. MC 11614 (Sub-No. 14), filed June 10, 1964. Applicant: RALPH OLIVER AND MRS. SCOTT OLIVER, a Partnership, doing business as, OLIVER TRUCKING CO., Bloomfield Road, P.O. Box 53, Winchester, Ky. Applicant's attorney: Robert M. Pearce, 221 St. Clair, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, from Indianapolis, Ind., to points in Kentucky, and *rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116014 (Sub-No. 15), filed June 18, 1964. Applicant: RALPH OLIVER AND MRS. SCOTT OLIVER, A Partnership, doing business as, OLIVER TRUCKING COMPANY, Bloomfield Road, Winchester, Ky. Applicant's attorney: Robert M. Pearce, 221 St. Clair, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and *iron and steel*, between points in Boyd County, Ky., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Illinois, Indiana, Ohio, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116645 (Sub-No. 3), filed June 10, 1964. Applicant: E. BONABEL DAVIS, doing business as DAVIS TRANSPORT, P.O. Box 56, Gilcrest, Colo. Applicant's attorney: Alvin J. Meiklejohn, Jr., Suite 526 Denham Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrup*, in bulk, in tank vehicles, from Denver, Colo., to points in New Mexico.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 117344 (Sub-No. 126), filed June 18, 1964. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati 15, Ohio. Applicant's attorneys: James R. Stiverson and Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphoric acid and fertilizer solutions*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117344 (Sub-No. 127), filed June 18, 1964. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati 15, Ohio. Applicant's attorneys: James R. Stiverson and Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphoric acid*, in bulk, in tank vehicles, from Cincinnati, Ohio, to Louisville, Ky.

NOTE: If a hearing is deemed necessary applicant requests it be held at Columbus, Ohio.

No. MC 117344 (Sub-No. 128), filed June 18, 1964. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati 15, Ohio. Applicant's attorneys: James R. Stiverson and Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphoric acid and fertilizer solutions*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Michigan.

NOTE: If a hearing is deemed necessary applicant requests it be held at Columbus, Ohio.

No. MC 117574 (Sub-No. 99), filed June 16, 1964. Applicant: DAILY EXPRESS, INC., P.O. Box 39, M.R. #3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, equipment and machinery used in the manufacturing and shipping and installation of concrete and concrete manufactured products*, from points in Iowa and Missouri, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, District of Columbia, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, and West Virginia.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117765 (Sub-No. 16), filed June 16, 1964. Applicant: HAHN TRUCK LINE, INC., 19 Kansas Avenue, South Hutchinson, Kans. Applicant's attorney: Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23d Street, Oklahoma City 7, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in cans, drums, packages, and containers, (1) from Enid, Okla., and points within five miles thereof, to points in Minnesota, North Dakota, and South Dakota, (2) from Ponca City, Okla., and points within five miles thereof, to points in Minnesota, North Dakota, and Wisconsin, and (3) from Wichita, Kans., and points within five miles thereof, to points in Minnesota, North Dakota, and South Dakota, and *empty containers*, in (1), (2), and (3) above, on return.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Ponca City, Okla., Kansas City, Mo., or Wichita, Kans.

No. MC 117999 (Sub-No. 1), filed June 15, 1964. Applicant: TOM GALLO, 306 Lake George Avenue, Ticonderoga, N.Y. Applicant's attorney: John J. Brady, Jr., 75 State Street, Albany 7, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in the New York, N.Y., commercial zone to points in the Albany, N.Y., commercial zone, and *refused and rejected shipments*, on return.

NOTE: Applicant states he is not seeking any duplicating authority. He already has authority to transport bananas from New York, to Schenectady, N.Y., the last mentioned point being in the Albany, N.Y., Commercial Zone. If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 118159 (Sub-No. 15), filed June 16, 1964. Applicant: EVERETT LOWRANCE, P.O. Box 10216, New Orleans, La. Applicant's attorney: Albert A. Andrin, 105 West Adams Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in Appendix I in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from the plant site of the Agar Packing Company, located at or near Monmouth, Ill., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 118222 (Sub-No. 4), filed June 17, 1964. Applicant: SOUTHERN SHIPPERS, INC., Highway 11 North, Box 1542, Hattiesburg, Miss. Applicant's attorney: Albert A. Andrin, 105 West Adams 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 packinghouses*, as described in Appendix I to *Descriptions in Motor carrier Certificates* 61 M.C.C. 209 and 766, (except commodities in bulk in tank vehicles) from the plant site of the Agar Packing Company located at or near Monmouth, Ill., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119655 (Sub-No. 5), filed June 10, 1964. Applicant: MORRIS H. APPLEBAUM, 1235 West 21st Street, Chicago, Ill. Applicant's attorney: Joseph M. Scanlon, 111 West Washington Street., Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cabinets for televisions, radios, talking machines, tape recorders, and combinations thereof*, from Evansville, Rushville, Tell City, Borden, Jasper, and Charlestown, Ind., to Benton Harbor, Mich.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 120877 (Sub-No. 1), filed June 11, 1964. Applicant: ARTHUR A. TIMM, doing business as TIMM'S MOVING AND STORAGE, Highway 52 Bypass, Minot, N. Dak. Applicant's attorney: Harris P. Kenner, P.O. Box 36, Minot, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, between points in Ward County, N. Dak.

NOTE: If a hearing is deemed necessary applicant requests it be held at Minot, N. Dak.

No. MC 123294 (Sub-No. 9), filed June 15, 1964. Applicant: WARSAW TRUCKING CO., INC., R.R. No. 5, Warsaw, Ind. Applicant's attorney: Robert A. Sullivan, 1800 Buhl Buidling, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper*, from Kansas City, Kans., Kansas City, St. Joseph, and St. Louis, Mo., Milwaukee and Racine, Wis., Bettendorf, Iowa, Evansville, Terre Haute, and Indianapolis, Ind., Louisville, Ky., and Memphis, Tenn., to Quincy, Ill.

NOTE: Applicant has a pending contract application MC 109947 Sub 30, therefore dual operations may be involved. If a hearing is deemed necessary applicant requests that it be held at Chicago, Ill.

No. MC 124078 (Sub-No. 119), filed June 17, 1964. Applicant: SCHWERMAN TRUCKING CO., a Corporation, 611 South 28th Street, Milwaukee, Wis. 53246. 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: *Phosphoric acid and phosphatic fertilizer solutions*, in bulk, in tank vehicles, from Milwaukee, Wis., to points in Illinois, Indiana, Iowa, and Minnesota.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Milwaukee, Wis., or Chicago, Ill.

No. MC 124123 (Sub-No. 19), filed June 15, 1964. Applicant: SCHWERMAN TRUCKING CO. OF ILL., INC., 611 South 28th Street, Milwaukee, Wis. 53246. 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: *Chemicals*, dry, in bulk, from La Salle, Ill., to points in the United States (except Alaska and Hawaii).

NOTE: Applicant states that no duplicating authority is sought. Common control may be involved. If a hearing is deemed necessary applicant requests that it be held at Chicago, Ill.

No. MC- 124212 (Sub-No. 26), filed June 16, 1964. Applicant: MITCHELL TRANSPORT, INC., 21111 Chagrin Boulevard, Cleveland 22, Ohio. Applicant's attorney: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, and in bags, from the plant site of Lehigh Portland Cement Company located at Buffalo, N.Y., to points in Erie, Warren, McKean, Potter, Cameron, Elk, Forest, Venango, and Crawford Counties, Pa., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, on return.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125254 (Sub-No. 3) (CORRECTION), filed May 25, 1964, published FEDERAL REGISTER issue June 17, 1964, corrected and republished this issue. Applicant: DONALD L. MORGAN, doing business as MORGAN TRUCKING CO., Box 174, Muscatine, Iowa. Applicant's attorney: Stephen Robinson, 412 Equitable Building, Des Moines, Iowa.

NOTE: The purpose of this republication is to correctly show that portion of the destination territory to read "and on and south of U.S. Highway 151, to the Iowa-Wisconsin State line," in lieu of that as previously published. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 125718 (Sub-No. 2), filed June 12, 1964. Applicant: G & T AIR EXPEDITING SERVICE, INC., 1251 College Avenue, Elmira, N.Y. Applicant's attorney: Louis J. Mustico, 312 Lake Street, Elmira, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, without exceptions, having a prior or subsequent movement by air, between points in Schuyler, Steuben, and Chemung Counties, N.Y., and the village of Waverly (Tioga County), N.Y., on the one hand, and, on the other, Greater Buffalo Airport, La Guardia Airport, New York International Airport, N.Y., known now as John F. Kennedy International Airport, N.Y., and Newark Airport, Newark, N.J.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Binghamton, N.Y.

No. MC 125847 (Sub-No. 2), filed June 8, 1964. Applicant: FLOYD A. DEZOTELL, doing business as FLOYD A. DEZOTELL TRUCKING COMPANY, Box 340, Mankato, Minn. Applicant's representative: Donald B. Taylor, 4261 Minnehaha Avenue, Minneapolis, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybean meal*, from Mankato, Minn., to points in Iowa, Montana, North Dakota, South Dakota, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Mankato, Minn.

No. MC 125950 (Sub-No. 3), filed June 12, 1964. Applicant: C. B. S. TRANSPORTATION, INC., P.O. Box 1139, Wilmington, N.C. Applicant's attorney: Francis J. Ortman, National Press Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit and vegetable* *containers,* (1) from Savannah, Ga., to points in Florida, South Carolina, North Carolina, Virginia, Maryland, Delaware, Pennsylvania, New Jersey, and New York, and (2) from Wilmington, N.C., to points in Delaware, Maryland, Pennsylvania, New Jersey, and New York.

NOTE: If a hearing is deemed necessary applicant requests it be held at Washington, D.C.

No. MC 125979 (Sub-No. 1), filed June 17, 1964. Applicant: OMAR STOLTZFUS, Route 2, Snow Hill, Md. 21863. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Fertilizer,* from Wilmington, Del., to points in Wicomico, Worcester, and Somerset Counties, Md.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Salisbury, Md.

No. MC 126268, filed June 15, 1964. Applicant: F. A. VOLLSTEDT AND HELEN M. VOLLSTEDT, doing business as VOLLSTEDT-KERR TRUCKING COMPANY, White Sulphur Springs, Mont. Applicant's attorney: John M. Hickson, Failing Building, Portland, Oreg. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Lumber, timbers, poles, posts and piling plywood* and *hardboard* from points in Montana to points in Idaho, Wyoming, Utah, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Wisconsin, Illinois, and Indiana and *rejected shipments* on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 126334, filed June 12, 1964. Applicant: MEAT TRANSPORT, INC., 313 North Carpenter Street, Chicago, Ill. Applicant's attorney: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Meats, meat products, and packinghouse products,* (1) from New York, N.Y. and Philadelphia, Pa., to Cleveland, Akron, Lakemore, Canton, and Toledo, Ohio, Detroit, Mich., South Bend, Ind., and Chicago, Ill., and (2) from Chicago, Ill., South Holland and Lansing, Mich., and Milwaukee, Wis., to points in the New York, N.Y., commercial zone and Elmsford Huntington, Hempstead, North Hempstead, Farmingdale, Westbury, Mt. Kisco, and Garden City, N.Y., Trenton, Linden, South Kearny, Paterson, Elizabeth, Waverly, and Newark, N.J., Philadelphia and Yeadon, Pa., Baltimore, Md., Washington, D.C., and East Hartford, Conn., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, and *refused and rejected shipments thereof,* on return.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill. and New York, N.Y.

No. MC 126338, filed June 16, 1964. Applicant: FERNANDO SERRANO, 222 North Carondole Street, Los Angeles 26, Calif. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Scrap metal and scrap rubber,* between points in California, on the one hand, and, on the other, points in California, Nevada, and Arizona.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 126340 filed June 17, 1964. Applicant: MISSION VAN & STORAGE COMPANY, INC., 4550 Mission Gorge Place, San Diego 20, 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: *Household goods* as defined by the Commission, between points in San Diego County, Calif.

NOTE: If a hearing is deemed necessary, applicant requests it be held at San Diego or Los Angeles, Calif.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub-No. 359), filed June 8, 1964. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling (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* and *newspapers,* in the same vehicle with passengers, between Hackensack, N.J., and Fort Lee, N.J.; from the junction of Essex Street and Polifly Road, Hackensack, N.J., over Polifly Road to junction Interstate Highway 80, Hackensack, N.J., thence over Interstate Highway 80 to junction Interstate Highway 95, Teaneck, N.J., thence over Interstate Highway 95 to George Washington Bridge, Fort Lee, and return over the same route, serving all intermediate points and the right to join at junction points but restricted to service operating via the George Washington Bridge.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 3647 (Sub-No. 360), filed June 22, 1964. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a Corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling (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 and newspapers* in the same vehicle with passengers, (1) between Philadelphia, Pa., and Williamstown, Monroe Township, N.J.: from the boundary line at Market Street, City of Philadelphia and West of Chester Pike, Upper Darby Township, Pa., over West Chester Pike to State Road, thence over State Road to U.S. Highway 13 Bypass (Lansdowne Avenue), thence over U.S. Highway 13 Bypass (Lansdowne Avenue) to the Borough of Darby, Pa., thence through the Borough of Darby and over U.S. Highway 13 Bypass (MacDade Boulevard) to the City of Chester, Pa., thence through the City of Chester and across the Delaware River to U.S. Highway 322, Bridgeport, Logan Township, N.J., thence over U.S. Highway 322 to junction New Jersey Highway 42, Williamstown, Monroe Township, N.J., and return over the same route, serving all intermediate points, (2) within Upper Darby Township, Pa.: from junction West Chester Pike and Garrett Road over West Chester Pike to Terminal Square, thence over Terminal Square to Fairfield Avenue, thence over Fairfield Avenue to Garrett Road, thence over Garrett Road to junction U.S. Highway 13 Bypass (Lansdowne Avenue) and return from the junction U.S. Highway 13 Bypass (Lansdowne Avenue) over Garrett Road to junction West Chester Pike, serving all intermediate points, and (3) between Borough of Darby and City of Chester, Pa., over U.S. Highway 13 (Chester Pike), serving all intermediate points.

NOTE: Applicant states that the above routes will be tacked to existing routes. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 94742 (Sub-No. 24), filed June 15, 1964. Applicant: MICHAUD BUS LINES, INC., 250 Jefferson Avenue, Salem, Mass. Applicant's attorney: Frank Daniels, 11 Beacon Street, Boston, Mass. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Passengers and their baggage,* in special operations, in round-trip sightseeing and pleasure tours and in all-expense round-trip sightseeing and pleasure tours, beginning and ending at points in Essex County, Mass., and extending to the site of the New York World's Fair, located at Flushing, N.Y.

NOTE: Applicant states it proposes to conduct the above described operations for the duration of the New York World's Fair, 1964-1965. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 107583 (Sub-No. 25), filed June 8, 1964. Applicant: SALEM TRANSPORTATION CO., INC., doing business as ATLANTIC CITY TRIPS, 113 West 42d Street, Suite 1004, New York, N.Y. 10036. Applicant's attorney: George H. Rosen, 291 Broadway, New York 7, N.Y. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *Passengers and their baggage and effects* (1) between McGuire Air Force Base, N.J., and Philadelphia International Airport, Philadelphia, Pa.: (a) from McGuire Air Force Base over Cookstown-Wrightstown Road to junction Railroad Avenue, thence over Railroad Avenue to Fort Dix Road, thence over Fort Dix Road to Wrightstown Circle to Pemberton-Wrightstown Road (also from McGuire Air Force Base over Perimeter Road to junction Connecticut Avenue, thence over Connecticut Avenue to Air Field Road to Fort Dix, thence over Fort Dix reservation roads to Pemberton-Wrightstown Road) thence over Pemberton-Wrightstown Road to New Jersey Highway 530, thence over New Jersey Highway 530 to junction New Jersey Highway 38, thence over New Jersey Highway 38 to junction Goodfellow Road, thence over Goodfellow Road to junction New Jersey Highway 70, thence over New Jersey Highway 70 to junction

Interstate Highway 295, thence over Interstate Highway 295 to access roads to Walt Whitman Bridge, thence over Walt Whitman Bridge to Philadelphia, thence over city streets to Philadelphia International Airport, and return over the same route serving the intermediate points of Camden and Cherry Hill, N.J., and (b) from McGuire Air Force Base over Cookstown-Wrightstown Road to Railroad Avenue, thence over Railroad Avenue to Fort Dix Road, thence over Fort Dix Road to Wrightstown Circle to Pemberton-Wrightstown Road (also from McGuire Air Force Base over Perimeter Road to junction Connecticut Avenue, thence over Connecticut Avenue to Air Field Road to Fort Dix, thence over Fort Dix reservation roads to Pemberton-Wrightstown Road), thence over Pemberton-Wrightstown Road to New Jersey Highway 530, thence over New Jersey Highway 530 to junction New Jersey Highway 38, thence over New Jersey Highway 38 to junction U.S. Highway 130, thence over U.S. Highway 130 to access roads to the Walt Whitman Bridge, thence over Walt Whitman Bridge to Philadelphia, thence over city streets to Philadelphia International Airport, and return over the same route, serving the intermediate point of Camden, N.J.

NOTE: The proposed service will be restricted to the transportation of not more than eleven passengers in any one vehicle, not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 107583 (Sub-No. 26), filed June 17, 1964. Applicant: SALEM TRANSPORTATION CO., INC., doing business as, ATLANTIC CITY TRIPS, 113 West 42d Street, Suite 1004, New York, N.Y., 10036. Applicant's attorney: George H. Rosen, 291 Broadway, New York 7, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage and effects* in special operations in door-to-door service limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof and not including children under 10 years of age who do not occupy a seat or seats, between Ventnor and Margate, N.J., on the one hand, and, on the other, Atlantic City, N.J.

NOTE: Applicant states it intends to segment the proposed service to its existing authority. All passengers to be transported to and from Ventnor and Margate, N.J., will be transported in interstate commerce only. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 124412 (Sub-No. 3), filed June 9, 1964. Applicant: REV. ARTHUR E. OUDEMOOL, doing business as MEXICO WEST CARAVAN, 109 Pearl Street, Kingston, N.Y. Applicant's attorney: John J. Brady, Jr., 75 State Street, Albany 7, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* (composed of persons under 21 years of age, and accompanying chaperons) *and their baggage*, beginning and ending at Kingston, N.Y., and extending to points in Pennsylvania, West Virginia, Ohio, Indiana, Illinois, Missouri, Oklahoma, Kansas, Colorado, Wyoming, South Dakota, Idaho, Utah, Nevada, California, Arizona, Texas, and New Mexico, including ports of entry on the United States-Mexico boundary line in Texas and Arizona.

NOTE: The above proposed operation will be conducted on a seasonal basis between June 15 and September 1, inclusive, of each year. If a hearing is deemed necessary, applicant requests that it be held at Albany, N.Y.

No. MC 125222 (Sub-No. 4), filed June 2, 1964. Applicant: RED ARROW LINES, INC., 19 West Fifth Street, Chester, Pa. Applicant's attorney: Edward F. Cantlin, 19 West Fifth Street, Chester, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, and their baggage* in the same vehicle with passengers, between Darby and Chester, Pa., and Atlantic City, N.J.: from the Red Arrow Lines, Inc., Terminal, located on Main Street between Ninth and Tenth Streets, in the Borough of Darby, over Main Street, Ninth Street, Chester Pike, Morton Avenue, Seventh Street, and Flower Street to the Chester-Bridgeport Ferry (also from Red Arrow Lines, Inc., Terminal, located on Main Street between Ninth and Tenth Streets in the Borough of Darby, over Main Street, Ninth Street, Chester Pike, MacDade Boulevard, Melrose Avenue, Morton Avenue, Seventh Street, and Flower Street to the Chester-Bridgeport Ferry), thence via the ferry to U.S. Highway 322 in New Jersey, thence over U.S. Highway 322 to Williamstown, N.J., thence continuing over U.S. Highway 322 to Artic Avenue in Atalntic City, thence over Artic Avenue and Arkansas Avenue to the private property of the Lincoln Bus Depot, and return over the same route, serving all intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 125222 (Sub-No. 5), filed June 11, 1964. Applicant: RED ARROW LINES, INC., 19 West Fifth Street, Chester, Pa. Applicant's attorney: Edward F. Cantlin, 19 West Fifth Street, Chester, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, and their baggage* in the same vehicle with passengers, between Darby and Chester, Pa., and Wildwood, N.J.: from the Red Arrow Lines, Inc., Terminal, located on Main Street between Ninth and Tenth Streets in the Borough of Darby, over Main Street, Ninth Street, Chester Pike, Morton Avenue, Seventh Street, and Flower Street, to the Chester-Bridgeport Ferry (also from the Red Arrow Lines, Inc., Terminal, located on Main Street between Ninth and Tenth Streets in the Borough of Darby, over Main Street, Ninth Street, Chester Pike, MacDade Boulevard, Melrose Avenue, Morton Avenue, Seventh Street, and Flower Street to the Chester-Bridgeport Ferry), thence via the ferry to U.S. Highway 322 in New Jersey, thence over U.S. Highway 322 to Glassboro, N.J., thence over New Jersey Highway 47 to junction New Jersey Highway 49 in Millville, N.J., thence over New Jersey Highway 49 to junction New Jersey Highway 50 in Tuckahoe, N.J., thence over New Jersey Highway 50 to the Garden State Parkway (Interchange 20), thence over the Garden State Parkway to Interchange 6 to North Wildwood Boulevard, thence over North Wildwood Boulevard, Spruce Avenue, New Jersey Avenue, First Avenue, Atlantic Avenue, Rio Grande Avenue, New Jersey Avenue, Spicer Avenue, and Hudson Avenue, to the public parking lot, the southern terminus, and return over the same route, serving all intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

APPLICATION FOR BROKERAGE LICENSES

No. MC 12916 filed June 15, 1964. Applicant: CHARLES V. LIPPINCOTT, doing business as ORANGE COUNTY EDUCATIONAL TOURS-TRAVEL TEENS, 1666 Pampus Lane, Anaheim, Calif. Applicant's attorney: Arthur W. Gray, Jr., Center Law Building, 914 West Lincoln Avenue, Anaheim, Calif. 92805. For a license (BMC 5) to engage in operations as a *broker* at Anaheim, Calif., in arranging for transportation, by motor vehicle, in interstate or foreign commerce of *passengers and their baggage*, between points in the United States.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 2153 (Sub-No. 36), (CLARIFICATION), filed June 1, 1964, published FEDERAL REGISTER issue June 10, 1964, clarified June 22, 1964, and republished as clarified this issue. Applicant: MID-WEST MOTOR EXPRESS, INC., 12th Street and Front Avenue, Bismarck, N. Dak. Applicant's attorney: F. J. Smith, Suite 200, Professional Building, Bismarck, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Bismarck, N. Dak., and Minot, N. Dak., over U.S. Highway 83, serving the intermediate points of Wilton, Washburn, Underwood, Coleharbor, Max, and Minot Radar Base, and the off-route points of Riverdale, Big Bend, Garrison, Turtle Lake, and Mercer, N. Dak.

NOTE: Applicant states it holds "irregular authority to points and places within 100 miles of Bismarck, N. Dak. This application requests conversion to regular-route authority only as to points within the area where traffic has evolved into a regular-route operation and applicant expresses willingness to surrender its irregular authority to the points involved upon the granting of this application". The purpose of this republication is to clarify that portion of applicant's irregular-route authority to be canceled, in the event this application is granted. This application is filed pursuant to MC-C 4366, effective May 1, 1964, which provides the special rules for conversion of irregular-route to regular-route motor carrier operations.

SPECIAL NOTE: Protests to this application may be filed within 45 days instead of 30 days.

No. MC 64932 (Sub-No. 344), filed June 17, 1964. Applicant: ROGERS CARTAGE CO., A Corporation, 1439 West 103d, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent sulphuric acid*, in bulk, in tank vehicles, from Butler, Wis., to Hammond, Ind.

No. MC 107496 (Sub-No. 315), filed June 12, 1964. Applicant: RUAN TRANSPORT CORPORATION, 303 Keosauqua Way, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz, P.O. Box 855, Des Moines 4, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions*, in bulk, in tank vehicles, from Clarion, Iowa, to points in Minnesota.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Des Moines, Iowa.

No. MC 111231 (Sub-No. 56), filed June 10, 1964. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Applicant's attorney: James B. Blair, 100 Holcomb Street, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives and livestock), between Kansas City, Mo., and Joplin, Mo.; from Kansas City over U.S. Highway 69 to junction Kansas Highway 57, thence over Kansas Highway 57 to the Kansas-Missouri state line, thence over Missouri Highway 171 to junction Missouri Highway 43, thence over Missouri Highway 43 to Joplin, and return over the same routes, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular-route operations between Kansas City and Joplin.

NOTE: Applicant states that "to the extent that authority sought herein duplicates previously granted authority, it should not be considered a request for more than one operating right."

No. MC 117466 (Sub-No. 7), filed June 18, 1964. Applicant: HENRY L. STODDARD, doing business as HAST DELIVERY SERVICE, 9 Indian Neck Avenue, Branford, Conn. Applicant's attorney: Paul Coyle, 5031 Utah Avenue NW., Washington 15, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Photo-film, photo prints, materials and supplies therefor, photo-film finishers' handling materials, and materials and supplies* used in the packaging and identification of photo-film and photo-prints, under a continuing contract with Eastman Kodak Company, between Amherst, Mass., and Fair Lawn, N.J.

No. MC 119315 (Sub-No. 5), filed June 17, 1964. Applicant: FREIGHTWAY CORPORATION, 131 Matzinger Road, Toledo, Ohio. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass fibres and glass fibre products*, between Defiance and Toledo, Ohio, points in Lucas County, Ohio, and Vienna, W. Va., on the one hand, and, on the other, points in Iowa.

No. MC 124078 (Sub-No. 117), filed June 12, 1964. Applicant: SCHWERMAN TRUCKING CO., a Corporation, 611 South 28 Street, Milwaukee, Wis. Applicant's attorney: James R. Ziperski (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum Dross*, in bulk, from East Chicago, Ind., to Nashville, Tenn.

NOTE: Common control may be involved.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 52), filed June 10, 1964. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Robert J. Bernard (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, newspapers, and mail* in the same vehicle with passengers, between the junction of U.S. Highway 123, and South Carolina Highway 93, and Keowee, S.C., from the junction of U.S. Highway 123, and South Carolina Highway 93, thence over U.S. Highway 123 to Keowee, and return over the same route, serving all intermediate points, (also the following access routes: (1) over U.S. Highway 178 between Liberty, S.C., and the junction of U.S. Highways 178 and 123, (2) over unnumbered Highway and U.S. Highway 123, and (3) over unnumbered Highway between Central, S.C., and the junction of unnumbered Highways and U.S. Highway 123), and return over the same routes, serving all intermediate points.

No. MC 1515 (Sub-No. 53), filed June 9, 1964. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Robert J. Bernard (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, newspapers and mail*, in the same vehicle with passengers, between junction Georgia Highways 87 and 148 north of Macon, Ga., and junction Georgia Highway 18 and U.S. Highway 41 south of Forsyth, Ga.: from junction Georgia Highways 87 and 148 north of Macon over Georgia Highway 148 to junction Interstate Highway 75, thence over Interstate Highway 75 to junction Georgia Highway 18, thence over Georgia Highway 18 to junction U.S. Highway 41 south of Forsyth, and return over the same route serving all intermediate points.

No. MC 59238 (Sub-No. 55), filed June 12, 1964. Applicant: VIRGINIA STAGE LINES, INCORPORATED, 114 Fourth Street, SE., Charlottesville, Va. 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 regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, between Maysville, Ky., and Fort Thomas, Ky.: from Maysville over Kentucky Highway 8 to junction Kentucky Highway 445, thence over Kentucky Highway 445 to Fort Thomas and return over the same route, serving all intermediate points.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.D. Doc. 64-6555; Filed, June 30, 1964; 8:48 a.m.]

[Notice 11]

APPLICATIONS FOR MOTOR CARRIER "GRANDFATHER" CERTIFICATE OF REGISTRATION

JUNE 26, 1964.

The following applications are filed under section 206(a)(7) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.244, of the Commission's rules of practice published in the FEDERAL REGISTER, issue of December 8, 1962, page 12188, which provides, among other things, that protests to the granting of an application may be filed with the Commission within 30 days after the date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. Protests shall set forth specifically the grounds upon which they are made and contain a concise statement of the interest of the protestant in the proceedings. Protests containing general allegations may be rejected. A protest filed under these special rules shall be served upon applicant's representative (or applicant, if no practitioner representing him is named). The original and six copies of the protests shall be filed with the Commission.

The special rules do not provide for publication of the operating authority, but the applications are available at the Commission's office in Washington, D.C., and the field offices.

Applications not included in this publication will be published at a later date.

MONTANA

No. MC 120412 (Sub-No. 1) (REPUBLICATION), filed December 20, 1962, published in FEDERAL REGISTER issue June 12, 1963, and republished this issue. Applicant: CARL E. GWYNN, doing business as HARLOW FREIGHT LINE, 1034 North 22d, Billings, Mont. AND GEORGE A. HORTON, doing business as ASHLAND FREIGHT LINES, 1032 Delphinium Drive, Billings, Mont., Joint Applicants.

NOTE: The purpose of this republication is to show George A. Horton, doing business as Ashland Freight Lines, as joint applicant.

NEW YORK

No. MC 29922 (Sub-No. 2) (REPUBLICATION), filed January 31, 1963, published in FEDERAL REGISTER issue June 12, 1963, and republished this issue. Applicant: LEON G. WARTERS, doing business as LIGHTNING MOTOR FREIGHT SYSTEM, 4 Grand View Park, Canandaigua, N.Y. AND VAN CURLER TRUCKING CORP., 121 La Grange Avenue, Rochester, N.Y., Joint Applicants.

NOTE: The purpose of this republication is to show Van Curler Trucking Corp., as joint applicant.

PENNSYLVANIA

No. MC 120294 (Sub-No. 1) (REPUBLICATION), filed February 11, 1963, published in FEDERAL REGISTER issue June 12, 1963, and republished this issue. Applicant: MARTELLA PACELLI, doing business as SOUTHSIDE TRANSFER, 512 Division Street, Jeannette, Pa. AND JOSEPH J. PACELLI, doing business as SOUTHSIDE TRANSFER, Jeannette, Pa., Joint Applicants. Applicant's attorney: John D. Lyons, Jr., 601-608 First National Bank Building, Greensburg, Pa.

NOTE: The purpose of this republication is to show Joseph J. Pacelli, doing business as Southside Transfer, as joint applicant.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 64-6556; Filed, June 30, 1964; 8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JUNE 26, 1964.

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, that 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. 9279, (AMENDMENT), filed March 26, 1964, published in FEDERAL REGISTER issue April 15, 1964, amended June 17, 1964, and republished as amended this issue. Applicant: SAIA MOTOR FREIGHT LINE, INC., P.O. Box 10157, Station No. 1, Naval Air Station, Houma, La. Applicant's attorney: Joseph L. Waitz, Post Office Box 590, Houma, La. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, (1) between Elton, La., and Jennings, La., over Louisiana Highway 26; (2) between Eunice, La. and Crowley La., over Louisiana Highway 13; (3) between Crowley, La., and Kaplan, La., over Louisiana Highway 13; (4) between Erath, La., and junction Louisiana Highway 89 and U.S. Highway 90 near Broussard, La., over Louisiana Highways 339 and 89; (5) between Gueydan, La., and Lake Charles, La., over Louisiana Highway 14; (6) between Lake Arthur, La., and Jennings, La., over Louisiana Highway 26; (7) between Port Allen, La., and Thibodaux, La., over Louisiana Highway 1; (8) between Alexandria, La., and Opelousas, La., from Alexandria over U.S. Highway 71 to Le Beau, La., thence over Louisiana Highway 10 to junction U.S. Highway 167, thence over U.S. Highway 167 to Opelousas; and (9) between Jennings, La., and Crowley, La., over Interstate Highway 10.

HEARING: Date, time and place assigned for hearing this appilcation, not specified.

Requests for procedural information, including the time for filing protests, concerning his application should be addressed to the Louisiana Public Service Commission, Box 4035, Capitol Station, Baton Rouge, La., and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 64-6557; Filed, June 30, 1964; 8:49 a.m.]

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