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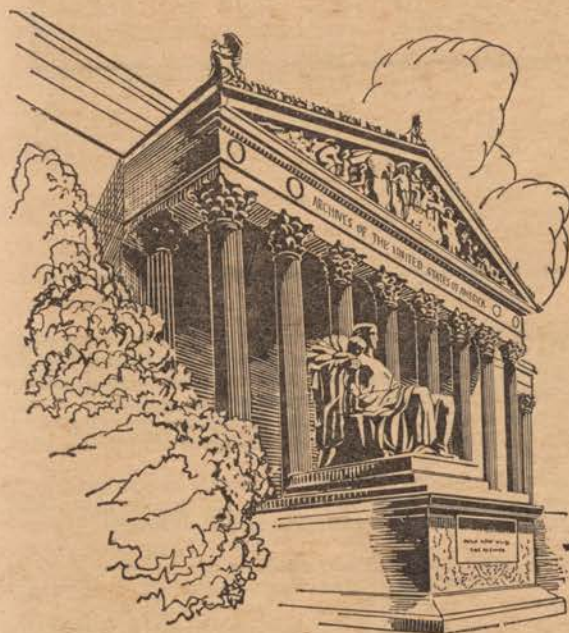
Wednesday, June 26, 1968 • Washington, D.C.

Pages 9325-9379

Agencies in this issue—

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Agricultural Stabilization and
Conservation Service
Civil Aeronautics Board
Commerce Department
Defense Department
Federal Aviation Administration
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Fiscal Service
Food and Drug Administration
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Pension Reports Office
Land Management Bureau
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Treasury Department
Veterans Administration

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Announcing First 10-Year Cumulation

TABLES OF LAWS AFFECTED

in Volumes 70-79 of the

UNITED STATES STATUTES AT LARGE

Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of

public laws enacted during the years 1956-1965. Includes index of popular name acts affected in Volumes 70-79.

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Title 3—THE PRESIDENT

Executive Order 11415

RECONSTITUTING THE NATIONAL ADVISORY COMMITTEE ON THE SELECTION OF PHYSICIANS, DENTISTS, AND ALLIED SPECIALISTS AND THE HEALTH RESOURCES ADVISORY COMMITTEE

WHEREAS the Health Resources Advisory Committee was established on August 5, 1950, at the direction of the President, and has been in operation continuously since that date; and

WHEREAS, in conformity with section 4(j) of the Selective Service Act of 1948, as amended (now the Military Selective Service Act of 1967), the National Advisory Committee on the Selection of Physicians, Dentists, and Allied Specialists was established by Executive Order No. 10166 of October 4, 1950, as amended; and

WHEREAS, in view of the similarity of the health manpower advisory functions of the two committees, the members of the Health Resources Advisory Committee were also designated as members of the National Advisory Committee on the Selection of Physicians, Dentists, and Allied Specialists; and

WHEREAS that common membership was designed to avoid any duplication of functions and to minimize the opportunity for conflicting Federal policies or competing requirements with respect to the use of health manpower; and

WHEREAS that common membership arrangement was discontinued in 1961 and the two committees have had separate memberships since that time; and

WHEREAS, on the basis of experience under both arrangements, it has been determined that the purposes of the two committees can be better accomplished and the public interest would be better served if they share a common membership:

NOW, THEREFORE, by virtue of the authority vested in me by section 303 of the National Security Act of 1947, as amended, and section 4(j) of the Military Selective Service Act of 1967, it is ordered as follows:

SECTION 1. (a) There is hereby established the National Advisory Committee on the Selection of Physicians, Dentists, and Allied Specialists, which shall be composed of such members as may be appointed by the President pursuant to section 3 of this order.

(b) The Committee shall perform the functions prescribed by section 4(j) of the Military Selective Service Act of 1967, as amended.

SEC. 2. (a) There is hereby established the National Health Resources Advisory Committee, which shall be composed of such members as may be appointed by the President pursuant to section 3 of this order.

(b) The Committee shall advise the Director of the Office of Emergency Planning concerning the allocation, utilization, and administration of health resources, including manpower, material, and facilities under various mobilization situations and on problems of the non-governmental health community relating to emergency preparedness. In carrying out these advisory functions, the Committee shall provide advice to the Director concerning, among other things, improved utilization and conservation of health manpower, health manpower data collection and interchange systems, the impact of warlike emergencies on the health industry and health services, the national medical emergency stockpile programs, and the vulnerability of the health industry.

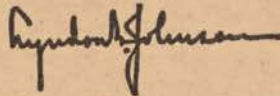
SEC. 3. The Committees established by this order shall have a common membership consisting of twelve members to be appointed by the President from private life. The President shall designate one of those members to serve as chairman of both Committees. Such members shall, in conformity with section 4(j) of the Military Selective Service Act of 1967, as amended, be selected from among individuals who are outstanding in medicine, dentistry, and the sciences allied thereto.

SEC. 4. (a) In carrying out their functions, the Committees shall, as appropriate, consult with the Director of Selective Service and such other officials and agencies as may be appropriate, including the Secretary of Defense and officials of the Departments of the Army, Navy, and Air Force, the Department of Labor, the Department of Health, Education, and Welfare, and the Office of Emergency Planning. The Director of Selective Service and the Director of the Office of Emergency Planning shall designate representatives from the Selective Service System and the Office of Emergency Planning, respectively, who shall attend all meetings of these Committees.

(b) All executive departments and agencies shall cooperate with the Committees established by this order, and furnish them such available information as the Committees may need for the accomplishment of their functions.

SEC. 5. The Selective Service System and the Office of Emergency Planning shall, under such arrangements as may be mutually agreed upon, provide administrative and staff support and defray the necessary expenses of the Committees established by this order, including the compensation of members thereof within the limits of applicable law. The Selective Service System shall, within the limits of applicable law, defray the necessary expenses of those State and local Committees which may, in conformity with section 4(j) of the Military Selective Service Act of 1967, as amended, be designated by the National Advisory Committee on the Selection of Physicians, Dentists, and Allied Specialists.

SEC. 6. In order to permit the establishment of a single membership for the two Committees, the appointment of present members of the two Committees shall expire as of the date of this order. Executive Order No. 10166 and Executive Order No. 10185 are hereby revoked.



THE WHITE HOUSE,
June 24, 1968.

[F.R. Doc. 68-7638; Filed, June 24, 1968; 4:12 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 4]

PART 730—RICE

Subpart—Rice Marketing Quota Regulations for 1967 and Subsequent Crop Years

1968 RATE OF PENALTY

The amendment herein is issued under and in accordance with the provisions of the Agricultural Adjustment Act of 1938, as amended.

The purpose of this amendment is to announce the rate of penalty applicable to excess rice produced in the 1968 crop year.

Under the Act, the penalty rate per pound on the farm marketing excess is equal to 65 per centum of the parity price per pound for rice as of June 15 of the calendar year in which the crop is produced.

Since rice will shortly be harvested in some parts of the rice-producing areas and since the rate of penalty is essential in computing the amount of penalty on any excess rice production, it is important that this amendment be issued and made effective as soon as possible. In addition, calculation of the rate of penalty is a mathematical determination. Accordingly, it is hereby found that compliance with the notice, public procedure, and effective date requirements of 5 U.S.C. 553 is unnecessary and contrary to the public interest, and this amendment shall become effective as provided herein.

Section 730.22 is amended by adding at the end thereof the following sentence: "The rate of penalty applicable to the 1968 crop of rice shall be 4.48 cents per pound. This is 65 per centum of the parity price as of June 15, 1968, which is determined to be 6.90 cents per pound."

(Secs. 356, 375, 52 Stat. 62, as amended, 66, as amended; 7 U.S.C. 1356, 1375)

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 20, 1968.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 68-7555; Filed, June 25, 1968; 8:48 a.m.]

SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 8]

PART 777—PROCESSOR WHEAT MARKETING CERTIFICATE REGULATIONS

Miscellaneous Amendments

On page 8229 of the FEDERAL REGISTER of June 1, 1968, there was published a notice of proposed rule making to change the definition and records requirement of flour second clears. Interested persons were given 15 days in which to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the proposed amendment to § 777.3(u), the Definitions of Flour Second Clears, is hereby adopted without change and is set forth below. An amendment incorporating the proposed change to § 777.18 (c), Recordkeeping Requirements for Processors of Flour Second Clears, will appear in the FEDERAL REGISTER at a later date.

Since these provisions must be acted on immediately, or are needed immediately in the administration of the regulations, it is hereby found and determined that compliance with the 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 553) is impracticable and contrary to the public interest and that this amendment shall be effective on the date provided below.

Effective date. This amendment shall be effective with respect to all flour second clears processed on and after July 1, 1968.

Signed at Washington, D.C., on June 20, 1968.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

Paragraph (u) of § 777.3 is amended to read as follows:

§ 777.3 Definitions.

(u) "Flour second clears", means a coproduct of patent flours (including Durum patent flour) which is produced in a 72 percent extraction rate type of milling operation in the United States from wheat produced in the United States and which meets the requirements of this paragraph. Flour second clears produced from Soft Red Winter wheat or White wheat (except the subclass Hard White wheat) or from a mixture which includes at least 80 percent Soft Red Winter or White wheat (except Hard White wheat) shall have an ash content of 0.75 percent or more. Flour second clears produced from Durum wheat, or from a mixture which includes more

than 20 percent Durum wheat, shall have an ash content of 1.25 percent or more. Flour second clears produced from any other class or other mixtures shall have an ash content of 1 percent or more. The ash content shall be calculated to 14 percent moisture basis. Flour second clears shall be a product of the initial milling process and shall not be a product reconstituted by the mixing or blending of the normal byproducts of 72 percent extraction type flour milling operation such as mill run, bran, shorts, middlings, or red dog. When tested for granulation in the manner described below, not less than 98 percent of the product must pass through a cloth having openings not larger than those of woven wire cloth designated "210 micron (No. 70)" in Table I of "Standard Specification for Sieves," published March 1, 1940, in L.C. 584 of the U.S. Department of Commerce, National Bureau of Standards. Granulation shall be determined as follows: Sift 100 grams of the product for 5 minutes over a sieve which is clothed with 7XX silk bolting cloth and equipped underneath with four Type A Carmichael cloth cleaners. The flour sifter shall have 15 x 15 inch sieves, 2½-inch throw and a speed of 120 r.p.m. The Type A Carmichael cloth cleaners shall have tufts of goat hair that brushes against the bottom of the silk screen. Weigh the product remaining on top of the sieve and subtract the weight from 100 to determine the percentage of granulation.

[F.R. Doc. 68-7561; Filed, June 25, 1968; 8:48 a.m.]

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

SUBCHAPTER K—GENERAL CONDITIONAL PAYMENTS PROVISIONS

PART 891—DOMESTIC BEET SUGAR AREA

Prescribed Forms

Pursuant to the provisions of the Sugar Act of 1948, as amended, § 891.12 is revised to read as follows:

§ 891.12 List of prescribed forms.

Forms prescribed for the conditional payment program in the Domestic Beet Sugar Area.

FORM NUMBER AND TITLE

SU-102—Farming Unit Report.
SU-102-C—Sugar Beet Prevented Acreage Worksheet.
SU-104—Sugar Beet Record.
SU-104-1—Personal Sugar Beet Record.
SU-107—Sugar Beet Marketing Report.
SU-109-A—Combination Worksheet.
SU-110—Application for Payment.
SU-110-A—Abandonment and Deficiency Area Worksheet.

SU-111—Supplement to Application for Payment.
 SU-112—List of Sugar Beet Producers.
 SU-113—Farm Operator Check Sheet.
 SU-114—Summary of Applications for Payment.
 SU-115—Child Labor and Wage Compliance Report.
 SU-191—Claim Against Producer for Unpaid Wages.
 SU-195—Sugar Act Payment Deductions.

Statement of bases and considerations.

This action reflects the changes in the list of forms prescribed for the conditional payment program in the Domestic Beet Sugar Area. Forms which are no longer being used have been removed from the list and the title of Form SU-115 has been changed. Hence, the list of forms represents those that are currently in use.

(Sec. 403, 61 Stat. 932, 7 U.S.C. 1153; secs. 301, 302, 61 Stat. 929, 930 as amended, 7 U.S.C. 1131, 1132)

Effective date: Date of publication.

Signed at Washington, D.C., on June 20, 1968.

H. D. GODFREY,
 Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 68-7556; Filed, June 25, 1968; 8:48 a.m.]

PART 892—MAINLAND CANE SUGAR AREA

Prescribed Forms

Pursuant to the provisions of the Sugar Act of 1948, as amended, § 892.19 is revised to read as follows:

§ 892.19 List of prescribed forms.

Forms prescribed for the conditional payment program in the Mainland Cane Sugar Area.

FORM NUMBER AND TITLE

SU-79—Application to Produce and Market Mainland Sugar under Bond.
 SU-120—Application for Payment.
 SU-120-1—Supplement to Application for Payment.
 SU-120-2—Abandonment and Deficiency Area Worksheet.
 SU-122—Sugarcane Record Card.
 SU-122-A—Sugarcane Record Worksheet.
 SU-125—Notice of Farm Proportionate Share.
 SU-126—Worksheet for Computing Farm Base and Proportionate Share.
 SU-126-A—Worksheet for Dividing Proportionate Share.
 SU-126-B—Worksheet for Consolidating Proportionate Share.
 SU-127—Farm Normal Yield Worksheet.
 SU-128—Prices Paid for Sugarcane with Related Information.
 SU-129—Sugarcane Producer Identification Card.
 SU-130—Report of Performance.
 SU-130-A—Summary of Sugarcane Acreage and Disposition of Acreage in Excess of Proportionate Share.
 SU-132—Report of Sugarcane Deliveries.
 SU-134—Daily Wage Rate Record Sheet.

SU-140—Child Labor and Wage Compliance Report.
 SU-141—Request for New Producer Proportionate Share.
 SU-142—Request for Additional Proportionate Share.
 SU-191—Claim Against Producer for Unpaid Wages.
 SU-195—Sugar Act Payment Deductions.
 ASCS-578—Record of Measurement Service or Report of Acreage.
 ASCS-580—Report of Acreage and Certification of Compliance.

Statement of bases and considerations.

This action reflects the changes in the list of forms prescribed for the conditional payment program in the Mainland Cane Sugar Area. Forms which are no longer being used have been removed from the list, a new Form ASCS-580 has been added and the titles of Forms SU-126-A, SU-126-B, SU-130-A, SU-140, and ASCS-578 have been changed. Hence, the list of forms represents those that are currently in use.

(Sec. 403, 61 Stat. 932, 7 U.S.C. 1153; sec. 301, 61 Stat. 929, as amended, 7 U.S.C. 1131; sec. 304, 61 Stat. 931, 7 U.S.C. 1134; sec. 306, 61 Stat. 932, 7 U.S.C. 1136)

Effective date: Date of publication.

Signed at Washington, D.C., on June 20, 1968.

H. D. GODFREY,
 Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 68-7557; Filed, June 25, 1968; 8:48 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 214—NONIMMIGRANT CLASSES

§ 214.2 [Amended]

The 11th sentence of subparagraph (1) General of paragraph (j) *Exchange aliens* of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended to read as follows: "The accompanying spouse of a participant in a designated exchange program may be granted permission to accept employment in the United States but only if such employment is for the support (including, but not limited to, customary recreational and cultural activities and related travel) of the accompanying nonparticipating spouse and minor children in the United States."

PART 238—CONTRACTS WITH TRANSPORTATION LINES

§ 238.3 [Amended]

The list of transportation lines in paragraph (b) *Signatory lines* of § 238.3 *Aliens in immediate and continuous transit* is amended by adding the following transportation lines in alphabetical sequence: "Air Micronesia, Inc.," "British United Airways Limited," "Continental Air Lines, Inc.," and "Northern Consolidated Airlines, Inc."

PART 252—LANDING OF ALIEN CREWMEN

Paragraph (c) of § 252.1 is amended to read as follows:

§ 252.1 Examination of crewmen.

(c) *Requirements for admission.* Every alien crewman applying for landing privileges in the United States must make his application in person before an immigration officer, present whatever documents are required, be photographed and fingerprinted as the district director may require, and establish to the satisfaction of the immigration officer that he is not subject to exclusion under any provision of the law and is entitled clearly and beyond doubt to landing privileges in the United States.

PART 316a—RESIDENCE, PHYSICAL PRESENCE AND ABSENCE

§ 316a.2 [Amended]

The list of American institutions of research in § 316a.2 *American institutions of research* is amended by adding the following American institution of research in alphabetical sequence: "Institute of International Studies, University of California, Berkeley, California."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 553, of Title 5 of the United States Code (Public Law 89-554, 80 Stat. 383), as to notice of proposed rule making and delayed effective date, is unnecessary in this instance because the amendment to § 214.2(j)(1) confers benefits upon persons affected thereby; the amendment to § 238.3(b) adds transportation lines to the listing; the amendment to § 252.1(c) relates to agency procedure; and the amendment to § 316a.2 adds an American institution of research to the listing.

Dated: June 20, 1968.

RAYMOND F. FARRELL,
 Commissioner of
 Immigration and Naturalization.

[F.R. Doc. 68-7563; Filed, June 25, 1968; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 67-SO-112]

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

Designation of Additional Control Areas and Alteration of Transition Area

On March 7, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 4270) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would designate the Piedmont, Ala., and the Langston, Ala., additional control areas, and alter the Chattanooga, Tenn., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., August 22, 1968, as hereinafter set forth.

1. Section 71.163 (33 F.R. 2051) is amended by adding the following:

PIEDMONT, ALA.

That airspace extending upward from 3,000 feet MSL beginning at latitude 34°36'00" N., longitude 85°21'00" W., thence south to latitude 33°59'00" N., longitude 85°21'00" W., thence east via latitude 33°59'00" N., to the arc of a 50-mile circle centered on the Atlanta, Ga., Airport (latitude 33°38'42" N., longitude 84°25'37" W.), thence counterclockwise along this arc to a line 12 miles north of and parallel to the Atlanta, Ga., Airport Runway 9L ILS localizer west course, thence west along this line to longitude 85°33'00" W., thence south via longitude 85°33'00" W., to the northeast boundary of V-321, thence northwest along the northeast boundary of V-321 to the southeast boundary of V-115E, thence northeast along the southeast boundary of V-115E to the point of beginning.

LANGSTON, ALA.

That airspace extending upward from 3,000 feet MSL bounded on the north by V-54S, on the southeast by V-115, on the southwest by V-321 and on the northwest by the arc of a 31-mile radius circle centered at latitude 34°46'30" N., longitude 86°36'30" W.

2. In § 71.181 (33 F.R. 2137) Chattanooga, Tenn., is amended by deleting all between "thence via latitude 35°08'20" N." and "excluding the portion that coincides with the Rome, Ga., transition area." and substituting "to the arc of a 25-mile radius circle centered at Lovell Field," therefor.

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

Issued in Washington, D.C., on June 18, 1968.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 68-7527; Filed, June 25, 1968; 8:45 a.m.]

[Airspace Docket No. 68-SO-37]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Fort Lauderdale, Fla., control zone.

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

Changes in instrument approach procedures to the Fort Lauderdale-Hollywood International Airport require alterations to the Fort Lauderdale control zone. It will be necessary to realign the east control zone extension from 079° to 084° True. This extension extends over the Atlantic Ocean and the change involves a small amount of controlled airspace. The control zone extension to the northwest will be reduced from 9.5 to 8 miles. Also, replotting of the geographic position of the Fort Lauderdale-Hollywood International Airport requires a change in coordinates from lat. 26°04'25" N., long. 80°09'10" W., to lat. 26°04'15" N., long. 80°09'15" W.

Since this amendment is minor in nature and less restrictive on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 22, 1968, as hereinafter set forth.

In § 71.171 (33 F.R. 2058, 7717) the Fort Lauderdale control zone is amended to read as follows:

FORT LAUDERDALE, FLA.

Within a 5-mile radius of Fort Lauderdale-Hollywood International Airport (lat. 26°04'15" N., long. 80°09'15" W.); within 2 miles each side of the Fort Lauderdale VOR 084° radial, extending from the 5-mile radius zone to 10 miles east of the VOR; within 2 miles each side of the Fort Lauderdale VOR 278° radial, extending from the 5-mile radius zone to 8 miles west of the VOR; within 2 miles each side of the Fort Lauderdale VOR 306° radial, extending from the 5-mile radius zone to 8 miles northwest of the VOR; within 2 miles each side of the 135° bearing from the Fort Lauderdale RBN, extending from the 5-mile radius zone to the RBN.

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510); Executive Order 10854 (24 F.R. 9565))

Issued in Washington, D.C., on June 18, 1968.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 68-7528; Filed, June 25, 1968; 8:45 a.m.]

[Airspace Docket No. 68-CE-17]

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

Alteration, Extension, and Revocation of Federal Airways

On April 6, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 5459) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would realign and revoke segments of VOR Federal airway No. 300; extend VOR Federal airway No. 316 and revoke segments of VOR Federal airway Nos. 462 and 470.

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

In consideration of the foregoing Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., August 22, 1968, as hereinafter set forth.

Section 71.123 (33 F.R. 2009) is amended as follows:

a. In V-300 all between "From Lakehead, Ontario, Canada," and "12 AGL Wiarton, Ontario, Canada," is deleted and "12 AGL Sault Ste. Marie, Mich.," is substituted therefor.

b. In V-316 "From Sault Ste. Marie, Mich.," is deleted and "From Lakehead, Ontario, Canada; 12 AGL Houghton, Mich.; 12 AGL Marquette, Mich.; 15 miles 12 AGL, 100 miles 40 MSL, 12 AGL Sault Ste. Marie, Mich.," is substituted therefor.

c. V-462 is revoked.

d. V-470 is revoked.

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

Issued in Washington, D.C., on June 18, 1968.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 68-7529; Filed, June 25, 1968; 8:45 a.m.]

[Airspace Docket No. 68-CE-23]

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

Alteration of Federal Airway

On April 18, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 5957) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would extend V-218 from Rochester, Minn., to Fairmont, Minn.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations

is amended, effective 0901 G.m.t., August 22, 1968, as hereinafter set forth.

Section 71.123 (33 F.R. 2009) is amended as follows: In V-218, all before "12 AGL Waukon, Iowa," is deleted and "From Fairmont, Minn., 12 AGL Rochester, Minn.," is substituted therefor.

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

Issued in Washington, D.C., on June 18, 1968.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 68-7530; Filed, June 25, 1968;
8:45 a.m.]

[Airspace Docket No. 67-WE-67]

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

Alteration of Federal Airway Segments

On March 21, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 4831) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter segments of VOR Federal airways Nos. 8, 244, and 484.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., August 22, 1968, as hereinafter set forth.

Section 71.123 (33 F.R. 2009) is amended as follows:

a. In V-8 "12 AGL Grand Junction, Colo., including a 12 AGL south alternate" is deleted and "12 AGL Grand Junction, Colo., including a 12 AGL South alternate via INT of Hanksville 087° and Grand Junction 231° radials" is substituted therefor.

b. In V-244 all between "12 AGL Hanksville, Utah;" and "12 AGL Gunnison, Colo.;" is deleted and "63 miles 12 AGL, 13 miles 140 MSL, 36 miles 115 MSL, 12 AGL Montrose, Colo.;" is substituted therefor.

c. In V-484 "including a 12 AGL south alternate via INT Grand Junction 129° and Gunnison 264° radials;" is deleted and "including a 12 AGL South alternate from Grand Junction to Gunnison via Montrose, Colo.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Regulations; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 18, 1968.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 68-7533; Filed, June 25, 1968;
8:46 a.m.]

[Airspace Docket No. 68-SW-2]

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

Alteration of Federal Airway Segment

On March 30, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 5223) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign the segment of VOR Federal airway No. 222 between Industry, Tex., and Lake Charles, La.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective, 0901 G.m.t., August 22, 1968, as hereinafter set forth.

In § 71.123 (33 F.R. 2009) V-222 is amended by deleting all between "12 AGL Industry;" and "12 AGL McComb, Miss.;" and substituting "12 AGL Houston, Tex.; 12 AGL Beaumont, Tex.; 12 AGL Lake Charles, La., including a 12 AGL North alternate from Houston to Lake Charles via Daisetta, Tex.;" therefor.

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

Issued in Washington, D.C., on June 18, 1968.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 68-7534; Filed, June 25, 1968;
8:46 a.m.]

[Airspace Docket No. 68-SO-5]

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

Alteration of Federal Airway and Transition Area

On April 9, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 5545) stating that the Federal Aviation Administration was considering amendments to the Federal Aviation Regulations that would revoke the segment of V-20 north alternate from Mobile, Ala., to Monroeville, Ala., and that would alter the Mobile transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., August 22, 1968, as hereinafter set forth.

Section 71.123 (33 F.R. 2009) is amended as follows: In V-20 "12 AGL north alternate via INT Mobile 033° and

Monroeville 250° radials and also a" is deleted.

Section 71.181 (33 F.R. 2137, 138) is amended as follows: In the 1,200 foot AGL portion of the Mobile transition area "latitude 31°15'00" N., longitude 87°55'00" W.," is deleted and "the intersection of the southeast edge of V-70 and the northwest edge of V-20," is substituted therefor.

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

Issued in Washington, D.C., on June 18, 1968.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 68-7535; Filed, June 25, 1968;
8:46 a.m.]

[Airspace Docket No. 68-WA-11]

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

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Federal Airways, Jet Routes, Designated Reporting Points, and Transition Areas

The purpose of these amendments to Parts 71 and 75 of the Federal Aviation Regulations is to change the name of the Boulder, Nev., VORTAC to Boulder City, Nev., VORTAC wherever it appears in the descriptions of V-21, V-105, V-237, J-9, J-60, J-72, J-76, J-86, J-92, J-100, J-107, J-110, designated high and low altitude reporting points and the Las Vegas, Nev., transition area. This action will correctly identify the VORTAC with the associated city of Boulder City, Nev.

Since this amendment is editorial in nature and will neither assign nor reassign navigable airspace, the Administrator has determined that notice and public procedure thereon is impracticable, and that it may be made effective immediately.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations is amended effective immediately, as hereinafter set forth.

1. Section 71.123 (33 F.R. 2009) is amended as follows:

a. In V-21 "12 AGL Boulder, Nev.;" is deleted and "12 AGL Boulder City, Nev.;" is substituted therefor.

b. In V-105 "12 AGL Boulder, Nev.;" is deleted and "12 AGL Boulder City, Nev.;" is substituted therefor.

c. In V-237 "12 AGL Boulder, Nev.; 12 AGL INT Boulder 347°" is deleted and "12 AGL Boulder City, Nev.; 12 AGL INT Boulder City 347°" is substituted therefor.

2. Section 71.181 (33 F.R. 2137) is amended as follows: In the Las Vegas, Nev., transition area "Boulder" is deleted wherever it appears and "Boulder City" is substituted therefor.

3. Section 71.203 (33 F.R. 2280) is amended as follows: "Boulder, Nev." is

deleted and "Boulder City, Nev." is substituted therefor.

4. Section 71.207 (33 F.R. 2287) is amended as follows: "Boulder, Nev." is deleted and "Boulder City, Nev." is substituted therefor.

5. Section 75.100 (33 F.R. 2349) is amended as follows:

a. In J-9 "Boulder, Nev.," is deleted and "Boulder City, Nev.," is substituted therefor.

b. In J-60 "Boulder, Nev.," is deleted and "Boulder City, Nev.," is substituted therefor.

c. J-72 is amended as follows:
In the caption "Boulder, Nev.," is deleted and "Boulder City, Nev.," is substituted therefor.

In the text "From Boulder, Nev.," is deleted and "From Boulder City, Nev.," is substituted therefor.

d. J-76 is amended as follows:
In the caption "Boulder, Nev.," is deleted and "Boulder City, Nev.," is substituted therefor.

In the text "From Boulder, Nev.," is deleted and "From Boulder City, Nev.," is substituted therefor.

e. J-86 is amended as follows:
In the caption "Boulder, Nev.," is deleted and "Boulder City, Nev.," is substituted therefor.

In the text "From Boulder, Nev.," is deleted and "From Boulder City, Nev.," is substituted therefor.

f. In J-92 "INT Beatty 142° and Boulder, Nev., 272° radials; Boulder," is deleted and "INT Beatty 142° and Boulder City, Nev., 272° radials; Boulder City," is substituted therefor.

g. In J-100 "Boulder, Nev.," is deleted and "Boulder City, Nev.," is substituted therefor.

h. In J-107 "Boulder, Nev.," is deleted and "Boulder City, Nev.," is substituted therefor.

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

Issued in Washington, D.C., on June 18, 1968.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 68-7531; Filed, June 25, 1968; 8:45 a.m.]

[Airspace Docket No. 68-SO-17]

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

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Routes and Designation of Domestic High Altitude Reporting Point

On May 8, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 6940) stating that the Federal Aviation Administration was considering realigning J-6 from Little Rock, Ark., via Bowling Green, Ky., to Charleston, W. Va.; extending J-66 from Little Rock to Memphis, Tenn.; and designating the Bowling Green VORTAC

as a domestic high altitude reporting point.

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

The Department of the Air Force offered no objection provided that no changes nor restrictions were required in the high altitude approach procedures at Little Rock AFB. The agency anticipates no changes to such procedures. In addition, it is anticipated that en route altitudes to be used on the realigned J-6 will be above those employed in the approach procedure. Excellent radar coverage in the vicinity of Little Rock should permit use of lower altitudes, when required, with no adverse effect on the approach procedures.

All other comments received were favorable.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended effective 0901 G.m.t., August 22, 1968, as hereinafter set forth.

1. In § 71.207 (33 F.R. 2287) the following is added.

Bowling Green, Ky.

2. In § 75.100 (33 F.R. 2349) the following changes are made.

a. In J-6 "Memphis, Tenn.; Nashville, Tenn.," is deleted and "Bowling Green, Ky.," is substituted therefor.

b. J-66 is amended to read as follows:

Jet Route No. 66 (Greater Southwest, Tex., to Memphis, Tenn.).

From Greater Southwest, Tex., via Little Rock, Ark.; to Memphis, Tenn.

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

Issued in Washington, D.C., on June 18, 1968.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 68-7532; Filed, June 25, 1968; 8:46 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Docket No. 19253; Reg. ER-540, Amdt. 4]

PART 288—EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Reasonable Level of Compensation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., 20th day of June 1968.

On November 16, 1967, by notice of proposed rule making EDR-127 (32 F.R. 15926), the Board requested comments of interested persons with respect to alternative proposals of the Department of Defense (DoD) to amend Part 288 of the economic regulations to permit DoD to purchase backhaul legs of commercial charters at rates lower than the minimum one-way Category B charter rates prescribed in Part 288.

During the Board's review of minimum rates for military charters in the spring of 1967, DoD requested that Part 288 be amended to permit DoD to purchase backhaul legs of one-way commercial charters at any tariff rate that might be lower than the minimum rates.¹ DoD noted that § 208.101 of the regulations, which conditions the operating authority of supplemental carriers, precludes those carriers from performing military airlift services at rates less than the Part 288 minimums. DoD expressed the opinion that this prohibition worked a hardship on both DoD and the supplemental carriers and that the effect of the regulation appeared inequitable.

In response to the DoD proposal, we stated in ER-494 (32 F.R. 7901), adopted May 25, 1967, "Since there is inherent in the proposal the possibility of undercutting the minimum rates by the filing of tariffs that could by their terms be used only by DoD, we will not adopt the proposal at this time but will treat it as a petition for rule making in order that further study may be given to its implications and the views of other interested persons."

Thereafter, DoD filed a petition for rule making on July 17, 1967 (Docket 18797), seeking amendment of Part 288 to permit DoD to purchase the opposite legs of one-way flights flown as part of commercial charters at the minimum rates prescribed in Part 288 for round-trip passenger or cargo charters.² DoD stated its belief that such an amendment would avoid the possibility of undercutting the minimum rates inherent in the previous proposal.

In the notice, we expressed our opinion that both of DoD's suggestions presented dangers of undermining the minimum rates, which are prescribed on the basis of detailed cost submissions and after consideration of all related questions of policy raised by DoD and the carriers. We noted that, under the latest DoD proposal, DoD could pay the round-trip rate for one-way outbound charters whenever a carrier flew an inbound charter for a "nonmilitary user." Some of the carriers have obtained a substantial number of charters at low tariff rates on backhaul flights of outbound military charters, and the revenue from such charters is taken into consideration to reduce the one-way military charter minimum rates. Combination of the round-trip minimum rate with these

¹ DoD's proposed language was as follows: "And provided further that if either a scheduled or supplemental carrier performs a one-way charter flight for a nonmilitary user, the DoD may purchase by MAC airlift contract a flight of that aircraft in the opposite direction at a rate which is equal to any lower rate available in a tariff published by the carrier with the Board."

² DoD's proposed amendment was as follows: "And provided further that if either a scheduled or supplemental carrier performs a one-way flight as part of a charter contract for a nonmilitary user, the DoD may purchase by MAC airlift contract a flight of that aircraft in the opposite direction at the minimum round-trip rates prescribed in this Part 288.7 for passengers or cargo."

low tariff rates might result in the carriers operating at a loss. On the other hand, we also noted that the use of tariff rates by DoD raises troublesome problems. As we indicated in ER-494, some carriers have undercut the minimum rates by publishing charter tariffs that are by their terms available only to the military and not to the general public, and some have published tariff rates for charters to or from military bases in the United States and foreign countries that are lower than those for comparable commercial services.

Comments on the DoD proposals were filed by eight carriers³ and DoD. All the carriers except TIA oppose the adoption of either of the DoD proposals. TIA's position is essentially neutral, and the effect of its comments is that it considers the second alternative (i.e., authorizing DoD to purchase backhauls of commercial charters at the round-trip minimum rates) the sounder of the two, since it would permit supplemental carriers to compete for such traffic on an equal footing with route carriers. The carrier opposition is based essentially on the general contention that either of the proposed amendments would open the door to erosion of the Board's carefully constructed minimum-rate policy. The carriers also point out that DoD already benefits in the one-way minimum rates by virtue of the fact that some carriers are selling the backhaul of DoD charters to commercial users, since the Board reduces the ferry factor built into the one-way minimum rates by the indicated extent to which military backhauls are sold to commercial users. The carriers also echo the Board's concern over the joining of one-way military charters at the round-trip minimum rates with previous one-way charters in the inbound direction sold to commercial users at the low tariff rates available in what would otherwise be a ferry return to an earlier outbound one-way military charter.

Although Capitol opposes amendment of Part 288 as proposed by DoD, it defends its practice of filing tariffs stating point-to-point passenger charter rates between military bases at the same levels as the round-trip minimum rate. Capitol argues that these rates are not restricted to military traffic but are a part of its overall point-to-point charter rate structure available to all customers including the military. It alleges that point-to-point rates between military bases, when initially published, were at levels comparable to the point-to-point rates between commercial centers involving similar distances. It further alleges that the rates between military bases were only recently reduced well below any rates applying between commercial centers for competitive reasons. The carrier does not elaborate on what the competitive considerations re-

quiring such reduction in rates between military bases are.

DoD's comments indicate that it favors the second alternative, which would permit it to purchase flights in the opposite direction to one-way commercial charters at the round-trip minimum rates. DoD agrees that purchase of backhauls to commercial charters at the round-trip minimum rates should be limited to instances where the related commercial charter was not the backhaul from an earlier one-way DoD charter. It further suggests that the authority requested be limited in application to instances in which the performing carrier undertook the related commercial charter with the anticipation that the aircraft would have to be ferried on the return. DoD suggested language to effect such limitations and also submitted a tabulation of special tariff rates available to it and data on the extent to which it had made use of such tariffs.

Upon consideration of the comments, we do not believe it would be appropriate to adopt DoD's proposal to permit it to purchase return legs of one-way commercial charters at the minimum rates for round-trip charters. During periods of excess of aircraft supply in relation to DoD demand, the proposed modification would provide an incentive for carriers to perform commercial charters at extremely low rates filed selectively in order to obtain DoD one-way charters. Since by definition the round-trip minimum rates, which would apply to such one-way military charters, cover no more than the cost of the one-way live military flights, this situation could be quite uneconomic unless the Board established some sort of minimum rates for the entire round trips.⁴ Moreover, this type of pricing may be uneconomic even without cut-rate pricing of the commercial legs, since the round-trip minimum rates are predicated upon the cost of fairly stable long-term contracts, and such cost levels may not be fully attainable in an operation that would involve switching from a commercial to a military charter.

In addition, the proposal seems to reflect a doubling up of the recognition already given in the one-way minimum rates to the existence of matching one-way commercial charters. Thus, in developing the one-way minimum rates, we deduct, on an average basis, the costs of performing the backhaul flights that

are sold to commercial charterers. Such cost deduction is made without reference to the revenue or rate per mile actually realized on such commercial backhaul flights. To set the one-way minimum rate in that fashion, which as a practical matter would apply only when there is no commercial return trip, and to apply the round-trip minimum rate to a one-way military flight when there is a commercial return would be an unfair double adjustment.

As to the DoD proposal to make use of commercial tariff rates that may be lower than the minimum rates, if such rates are available to the general public, the only reason for forbidding such action would be that DoD is the sole beneficiary of the highly favorable minimum rates. Part 288 is designed to accord DoD the benefit of rates that reflect the very favorable cost characteristics that obtain in service performed pursuant to DoD contracts while assuring that economic conditions are maintained. One of the principal purposes of setting minimum rates is to proscribe cutthroat competition that in times prior to the establishment of the minimum rates caused a deterioration in the quality and reliability of the service and the economic demise of a number of carriers. It is clear that the minimum-rate policy would be of little avail if the carriers could circumvent it by merely filing tariffs available to DoD alone that undercut the minimum rates.

On the other hand, there appears to be little reason to believe that tariffs will be used to circumvent the minimum rates, so long as such tariff rates must be made available to all potential users and are not permitted to be restricted in use to DoD. DoD requires all civil contractors to maintain a significant volume of nonmilitary operations. It is therefore unlikely that a carrier would attempt to gain a competitive advantage with respect to military traffic by filing tariff rates below the minimum rates if, in doing so, it would also have to suffer a substantial dilution in its commercial charter revenues.

It appears that the generally available charter tariff rates published by both supplemental and route carriers are reasonable. These rates are no less reasonable when the charterer happens to be DoD than when it is anyone else. Moreover, the fact that DoD may elect to place itself in the position of an ordinary commercial charterer rather than use the usually more favorable minimum rates does not undermine any of the assumptions underlying the minimum rates. Absent strong countervailing conditions, it would appear that DoD should have the right to use a rate available to all other shippers when such a rate happens to be more favorable than the applicable minimum rate. It is unlikely that DoD will find such commercial rates more favorable than the minimum rates except in the case of a few one-way charters where less ferry costs may, for probably sound reason, be built into the commercial rates than are built into the one-way minimum rates.

³ Capitol International Airways, Inc., Eastern Air Lines, Inc., Northwest Airlines, Inc., Pan American World Airways, Inc., Saturn Airways, Inc., Seaboard World Airlines, Inc., Trans International Airlines Corp., and Trans World Airlines, Inc.

⁴ DoD proposes to safeguard the economics by disqualifying commercial charters which are the reverse legs of one-way military charters. Aside from the problems of administering that kind of proviso, it does not solve the whole problem of uneconomic commercial charter rates filed for the purpose of getting military business on the reverse legs. DoD apparently contemplates that the commercial charter legs would be performed at "normal" charter rates that cover full costs of the round trip and therefore the carrier cannot be hurt by offering DoD the reverse legs at the round-trip minimum. However, DoD does not suggest how we are to assure that the rates on the commercial legs are maintained at normal levels.

We will therefore amend Part 288 to provide that, if a carrier performs a one-way charter flight carrying nonmilitary traffic for a nonmilitary user, DoD may purchase the return flight of that aircraft at a published one-way charter tariff rate that is in fact available to the general public for equivalent services.

The amendment would not permit the application to DoD use of tariffs not conforming to these criteria. There are presently two general types of charter tariff rates that are effectively limited in their availability to military users. First, there are tariff rates that apply only to or from military bases to which civil charterers do not have access.⁸ The second type of such tariffs is that which is by its terms available only to DoD.⁹ The amendment would permit DoD use of published point-to-point rates between military bases, but only if the rates are in line with other point-to-point rates published by the carrier between commercial centers, as determined by the Board. Such rates that are not in line with other point-to-point rates, and tariff rates that are in terms available only for the military, would not be acceptable under the amendment and accordingly would be subject to appropriate action by the Board, including rejection.

We recognize the possibility that there may be abuses of the requirement that tariffs filed by carriers be in fact available to the general public. In the event that such abuses should develop, the Board of course has the necessary power to rescind the rule.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 288 of the economic regulations (14 CFR Part 288), effective July 1, 1968, by adding a second proviso to the end of § 288.7(a), so that the provisos read as follows:

§ 288.7 Reasonable level of compensation.

(a) * * *

Provided, That, subject to the provisions of § 288.8, the minimum rates specified in subparagraphs (1) and (2) of this paragraph shall not be applicable to passengers or cargo carried on a particular trip in excess of the amount that the contract calls for DoD to supply and the carrier to provide space: *And, provided further*, That, if a carrier performs a one-way charter flight carrying nonmilitary traffic for a nonmilitary user, the carrier may charter the return flight of that aircraft to DoD at a published one-way charter tariff rate that is in fact available to the general public for equivalent services.

(Secs. 204, 401, 403, 404, 416, Federal Aviation Act of 1958, as amended; 72 Stat. 743,

⁸ An example of such rates, which apply only between McGuire Air Force Base and various Air Force Bases in Europe, is stated on 8th revised page 19 and 9th revised page 25 of Capitol's CAB No. 151.

⁹ An example of such rates is found on 3d revised page 147 of World's CAB No. 12.

754, 758, 760, 771, as amended; 49 U.S.C. 1324, 1371, 1373, 1374, 1386)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-7573; Filed, June 25, 1968; 8:49 a.m.]

SUBCHAPTER D—SPECIAL REGULATIONS

[Reg. SPR-24, Amdt. 5]

PART 375—NAVIGATION OF FOREIGN CIVIL AIRCRAFT WITHIN UNITED STATES

Operation of Aircraft Manufactured in States Not Members of International Civil Aviation Organization

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., 20th day of June 1968.

On April 11, 1968, by notice of proposed rule making, SPDR-12, 33 F.R. 5884, April 17, 1968, Docket 19818, the Board proposed to require information regarding the airworthiness standards for aircraft manufactured in countries which are not members of ICAO before such aircraft can be navigated in the United States. No comments were received on this proposal, and therefore the Board has decided to adopt the regulation as proposed.

In consideration of the foregoing, the Board hereby amends Part 375 of its special regulations (14 CFR Part 375), effective July 26, 1968, by modifying §§ 375.10 and 375.11 as follows:

§ 375.10 Certain foreign civil aircraft registered in ICAO member states.

Subject to the observance of the applicable rules, conditions, and limitations set forth in this part:

(a) Foreign civil aircraft manufactured in a State which at the time of manufacture was a member of the International Civil Aviation Organization (ICAO) and registered in a State which at the time of flight is a member of ICAO may be navigated in the United States;

(b) Foreign civil aircraft manufactured in a State which at the time of manufacture was not a member of ICAO and registered in a State which at the time of flight is a member of ICAO may be navigated in the United States (1) if the State of registry has notified ICAO that the requirements under which it issues or renders valid certificates of airworthiness, are equal to or above the minimum standards established pursuant to the Chicago Convention, or (2) if such notification has not been made to ICAO at the time of flight, there is on file with the Board a statement by the State of registry that with regard to aircraft of the type which is proposed to be operated hereunder the requirements under which certificates of airworthiness are issued or rendered valid are equal to or above the minimum standards established pursuant to the Chicago Convention. Such statement shall be filed with the Board through diplomatic channels.

§ 375.11 Other foreign civil aircraft.

Foreign civil aircraft other than those referred to in § 375.10 may be navigated in the United States only when so authorized by the Board under the provisions of Subpart G of this part.

(Secs. 204(a), 1108(b), Federal Aviation Act of 1958, as amended; 72 Stat. 743, 798; 49 U.S.C. 1324, 1508)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-7574; Filed, June 25, 1968; 8:49 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Subtitle A—Office of the Secretary of Commerce

PART 1—THE SEAL OF THE DEPARTMENT OF COMMERCE

The Secretary of Commerce issued Administrative Order 201-17 of May 24, 1968, which described the seal of the Department and delegated authority to affix the seal to certifications and documents of the Department. Portions of that order pertinent to the public are hereby issued as a revision of Part 1 of Subtitle A, Title 15 CFR which reads as follows:

- Sec.
1.1 Purpose.
1.2 Description and design.
1.3 Delegation of authority.

AUTHORITY: The provisions of this Part 1 issued under sec. 1, 32 Stat. 825, as amended, 15 U.S.C. 1501.

§ 1.1 Purpose.

The purpose of this part is to describe the seal of the Department of Commerce and to delegate authority to affix the seal to certifications and documents of the Department.

§ 1.2 Description and design.

(a) The Act of February 14, 1903 (32 Stat. 825, as amended) (15 U.S.C. 1501), which established the Department of Commerce, provided that "The said Secretary shall cause a seal of office to be made for the said department of such device as the President shall approve, and judicial notice shall be taken of the said seal." On April 4, 1913, the President approved and declared to be the seal of the Department of Commerce the device which he described as follows:

Arms: Per fesse azure and or, a ship in full sail on waves of the sea, in chief proper; and in base a lighthouse illumined proper.

Crest: The American Eagle displayed. Around the Arms, between two concentric circles, are the words:

DEPARTMENT OF COMMERCE
UNITED STATES OF AMERICA

(b) The design of the approved seal is as shown below. Where necessitated

by requirements of legibility, immediate comprehension, or clean reproduction, the concentric circles may be eliminated from the seal on publications and exhibits, and in slides, motion pictures, and television. In more formal uses of the seal, such as on letterheads, the full, proper rendition of the seal shall be used.



(c) The official symbolism of the seal shall be the following: The ship is a symbol of commerce; the blue denotes uprightness and constancy; the light-house is a well-known symbol representing guidance from the darkness which is translated to commercial enlightenment; and the gold denotes purity. The crest is the American bald eagle denoting the national scope of the Department's activities. (The above is a modification of the original symbolism issued with the President's approval of the seal, made necessary by changes in the functions of the Department.)

§ 1.3 Delegation of authority.

(a) Pursuant to authority vested in the Secretary of Commerce by law, (1) the Chief Administrative Officer of each operating unit, and (2) the Director, Office of Administrative Services in the Office of the Secretary, are hereby authorized to sign as Certifying Officers 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).

(b) Delegations of authority to persons other than those named in paragraph (a) of this section may be made by the Assistant Secretary for Administration.

(c) This delegation shall not affect or prejudice the use of properly authorized office or bureau seals in appropriate cases.

Dated: June 19, 1968.

DAVID R. BALDWIN,
Assistant Secretary
for Administration.

[F.R. Doc. 68-7468; Filed, June 25, 1968;
8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 34-8337]

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

Net Capital Requirements for Brokers and Dealers

On December 28, 1967, in Securities Exchange Act Release No. 8218 and in the FEDERAL REGISTER of January 5, 1968 (33 F.R. 152), the Securities and Exchange Commission published its proposal to amend its Rule 15c3-1 (17 CFR 240.15c3-1) under the Securities Exchange Act of 1934 ("Exchange Act"). This rule imposes specified financial responsibility requirements on brokers and dealers. The proposed amendment related to the percentage deductions to be applied to convertible debt securities in the computation of net capital. The Commission has considered the comments received and adopted the amendment in the form stated below.

Paragraph (c) (2) of the rule provides that, in the computation of "net capital", certain adjustments must be made to "net worth". Among these are deductions of specified percentages of market values of securities which are either carried in the capital, proprietary, and other accounts of a broker or dealer, or which are the subject of open contractual commitments in any such accounts, to the extent of each net long or net short position contemplated by the commitments. The amendment modifies and to some extent reduces the amounts to be deducted from net worth with respect to convertible debt securities which are carried in such accounts or are the subject of such open contractual commitments.

It was pointed out in the Report of the Special Study of Securities Markets that, when convertible debt securities sell at a price in excess of face value they are really selling in part as stock, and that when "the price of the underlying stock is below the conversion price it is probable that there is a greater tendency for the bonds to sell as debt securities and not on the basis of their conversion price." To the extent that the market price of a convertible debt security indicates that it is being treated essentially as an equity security, it appears appropriate that the prescribed deduction from net worth should be similar to that applicable to stock. On the other hand, when the market price of the security shows it is being regarded in the market as primarily a debt security with little or no value given for the conversion

right, the deduction should be the same as that prescribed for nonconvertible debt securities. When a convertible debt security becomes in essence a straight debt security, its market price is generally subject to the same general influences which affect straight debt securities, such as changes in interest rates and business conditions generally.

Under the amendment, a convertible debt security would be regarded as a straight debt security (without the speculative element of the conversion right) when its market value is below 90 percent of face value. When the market value is between 90 and 115, however, the security is treated as a hybrid to which a 30 percent deduction is applied with the proviso that the floor for net capital purposes is 80 percent of face value. When the market value is 115 or more, the full 30 percent deduction applicable to common stocks would be applicable to the convertible debt security; and in the case of open contractual commitments, which include firm commitment underwritings, the rule provides in subdivision (c) (2) (E) that the deductions from net worth in respect of convertible debt securities which are the subject of such commitments are to be similar to the deductions applicable to the same type of securities carried in the capital, proprietary, or other accounts of a broker or dealer.*

Commission action. The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, and particularly sections 15(c)(3) and 23(a) thereof, deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to provide safeguards with respect to the financial responsibility of brokers and dealers, and also deeming such action necessary for the execution of the functions vested in the Commission by the Act, hereby amends Chapter II of Title 17 of the Code of Federal Regulations by redesignating subdivision (iii) (c) of subparagraph (2) of paragraph (c) as subdivision (iii) (d), by adopting a new subdivision (iii) (c) and by amending subdivision (v) of subparagraph (2) of paragraph (c) of Rule 15c3-1 (17 CFR 240.15c3-1), effective August 1, 1968.

The text of the above changes reads as follows:

§ 240.15c3-1 Net capital requirements for brokers and dealers.

* Such treatment would produce results which are more nearly in line with the effect of the requirements of certain national securities exchanges respecting convertible debt securities, and would thus tend to correct existing inequities in connection with firm commitment underwritings. Members of specified national securities exchanges are exempted from the provisions of the net capital rule by paragraph (b) (2) of Rule 15c3-1 (17 CFR 240.15c3-1).

* See Report of Special Study of Securities Markets, Part 4, p. 24 (1963).

(c) * * *
(2) * * *
(iii) * * *

(c) In the case of a debt security not in default which has a fixed rate of interest and a fixed maturity date and which is convertible into an equity security, the deduction shall be as follows: If the market value is 90 percent or more of the face value, the deduction shall be 30 percent of the market value, but in no event shall such deduction reduce the value of such security below 80 percent of face value for the purposes of this section; if the market value is below the face value by more than 10 percent but not more than 30 percent, the deduction shall be a percentage of market value equal to the percentage by which the market value is below the face value; if the market value is 30 percent or more below the face value, the deduction shall be 30 percent.

(d) On all other securities, the Deduction shall be 30 percent.

(v) deducting, in the case of a broker or dealer who has open contractual commitments, the respective deductions as specified in subdivision (iii) of this subparagraph, from the value (which shall be the market value whenever there is a market) of each net long and each net short position contemplated by any existing contractual commitment in the capital, proprietary and other accounts of the broker or dealer and, if such broker or dealer is a partnership, in accounts of partners, as hereinafter defined: *Provided, however*, That this deduction shall not apply to exempted securities, and that the deduction with respect to any individual commitment shall be reduced by the unrealized profit, in any amount not greater than the deduction provided for in subdivision (iii) of this subparagraph (or increased by the unrealized loss), in such commitment; and that in no event shall an unrealized profit on any closed transactions operate to increase net capital.

(Secs. 15(c)(3), 23(a), 52 Stat. 1075, 48 Stat. 901, as amended, sec. 203(a), 49 Stat. 1379; 15 U.S.C. 78o and 78w)

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

JUNE 19, 1968.

[F.R. Doc. 68-7526; Filed, June 25, 1968;
8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER G—CIVIL DEFENSE

PART 187—EMPLOYMENT OF MILITARY RESOURCES IN THE EVENT OF CIVIL DISTURBANCES

The Deputy Secretary of Defense approved the following on June 8, 1968:

Sec.
187.1 Purpose and scope.
187.2 Applicability.

Sec.	Definitions.
187.3	Background.
187.4	Policies.
187.5	Responsibilities.
187.7	Command relationships.
187.8	Organization and administration.
187.9	Providing resources to civil authorities.
187.10	Funding.
187.11	Implementation.

AUTHORITY: The provisions of this Part 187 issued under Chapter 15 of Title 10 of the United States Code (10 U.S.C. 331 et seq.).

§ 187.1 Purpose and scope.

This part establishes uniform Department of Defense policies, assigns responsibilities, and furnishes general guidance for utilizing DoD military and civilian personnel, facilities, equipment, or supplies:

(a) In support of civil authorities during civil disturbances within the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof.

(b) In other related instances where Federal armed forces may be used to protect life or Federal property or to prevent disruption of Federal activities.

§ 187.2 Applicability.

This part is applicable to all components of the Department of Defense having cognizance over military resources which may be utilized in accordance with the policies set forth herein.

§ 187.3 Definitions.

(a) "Civil disturbances" are riots, acts of violence, insurrections, unlawful obstructions or assemblages, or other disorders, prejudicial to public law and order within the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof. The term civil disturbance includes all domestic conditions requiring the use of Federal armed forces pursuant to the provisions of Chapter 15 of Title 10, United States Code.

(b) "Federal property" is that property which is owned, leased, possessed, or occupied by the Federal Government.

(c) "Military resources" include military and civilian personnel, facilities, equipment, and supplies under the control of a DoD component.

§ 187.4 Background.

(a) Under the Constitution and laws of the United States, the protection of life and property and the maintenance of law and order within the territorial jurisdiction of any State are the primary responsibility of local and State governments; and the authority to enforce the laws is vested in the authorities of those governments.

(b) The Posse Comitatus Act (18 U.S.C. 1385) prohibits the use of any part of the Army or Air Force to execute local, State or Federal laws except as Congress may authorize. Although the Navy and Marine Corps are not expressly included within its provisions, the act is regarded as national policy applicable to all military services of the United States.

(c) The Constitution of the United States and numerous statutes provide authority to the President to utilize Federal armed forces within any State or territories of the United States, in cases of domestic violence or other civil disturbances:

(1) *To aid State authorities at the request of the State.* Article IV, section 4, of the Constitution makes it the duty of the Federal Government at the request of the legislature of any State (or of the governor if the legislature cannot be convened), to protect the State against domestic violence. Congress has authorized the President to utilize Federal armed forces for this purpose. See 10 U.S.C. 331.

(2) *To enforce the laws of the United States.* Article II, section 3, of the Constitution makes it the duty of the President to see that the laws of the United States are faithfully executed. Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State or territory by the ordinary course of judicial proceedings, he is authorized by Congress to utilize such Federal armed forces as he deems necessary to enforce those laws or to suppress the rebellion. See 10 U.S.C. 332.

(3) *To protect the civil rights of citizens within any State.* The XIV Amendment to the Constitution forbids any State to deny equal protection of the laws to any person within its jurisdiction.

(i) In implementation of this provision, Congress has provided that whenever insurrection, civil violence, unlawful combinations, or conspiracies in any State so oppose, obstruct, or hinder the execution of the laws of that State, and of the United States, as to deprive any of the population of that State of rights, privileges, and immunities named in the Constitution and secured by laws, and the authorities of that State are unable, fail, or refuse to provide such protection, it will be deemed a denial by that State of the equal protection of the laws.

(ii) Thereupon, it becomes the duty of the President to take such measures, by using Federal armed forces, or by any other means, as he deems necessary, to suppress such disturbances. See 10 U.S.C. 333.

(d) The Attorney General of the United States has been designated by the President to receive and coordinate preliminary requests from States for Federal military assistance under the provisions stated in paragraph (c) (1) of this section. Formal requests from States will be made to the President, who will determine whether Federal Armed Forces will be committed.

§ 187.5 Policies.

(a) The employment of DoD military resources for assistance to civil authorities in controlling civil disturbances will normally be predicated upon the issuance of a Presidential Executive order or Presidential directive authorizing and directing the Secretary of Defense to provide for the restoration of law and

order in a specific State or locality. Exceptions to this condition will be limited to:

(1) Cases of sudden and unexpected civil disturbances or other emergencies endangering life or Federal property or disrupting the normal processes of Government, which require that immediate military action be taken to protect life or Federal property or to prevent the disruption of Federal activities.

(2) The providing of military resources to civil authorities as prescribed in § 187.9.

(b) Until further notice, the Secretary of the Army is delegated any and all of the authority vested in the President by the Constitution and laws of the United States which may hereafter be delegated to the Secretary of Defense by the President by Executive or other order issued for the purpose, in whole or in part, of exercising the authority vested in the President by Chapter 15 of Title 10, United States Code.

(c) Until further notice, the Secretary of the Navy and the Secretary of the Air Force are delegated the authority which may hereafter be delegated by the President to the Secretary of Defense, by Executive or other order, to order to active duty units and members of the Reserve components under their respective jurisdictions, except National Guard units and members, for use pursuant to Chapter 15 of Title 10, United States Code.

(d) DoD Components and their subordinate activities will coordinate with local civil authorities or local military commanders as appropriate, to assure mutual understanding of the policies and procedures to be adhered to in an actual or anticipated civil disturbance situation.

§ 187.6 Responsibilities.

(a) The Secretary of the Army is designated as the Executive Agent for the Department of Defense in all matters pertaining to the planning for, and the deployment and employment of military resources in the event of, civil disturbances. As DoD Executive Agent, the Secretary of the Army (or the Under Secretary of the Army, as his designee) is responsible for:

(1) Providing policy and direction concerning plans, procedures, and requirements to all DoD components having cognizance over military resources which may be employed under the provisions of this part.

(2) Establishing DoD policies and procedures for: (i) Calling the National Guard to active Federal service and ordering other Reserve components to active duty; and (ii) the employment of such forces that may be required to carry out the purposes of this part.

(3) Calling to active Federal service:

(i) The Army National Guard units or members required to carry out the provisions of the Presidential Executive order or other appropriate authority.

(ii) The Air National Guard units or members required to carry out the provisions of the Presidential Executive order or other appropriate authority,

subject to the provisions of paragraph (c) (1) (i) of this section.

(4) Providing military resources of the U.S. Army, consistent with defense priorities, to include:

(i) The resources of the Army National Guard called to active Federal service under the provisions of subparagraph (3) of this paragraph.

(ii) The resources of the Army Reserve (other than Army National Guard) ordered to active duty to carry out the purposes of this part.

(5) Exercising through designated military commanders the direction of military resources committed or assigned for employment in the event of actual or potential civil disturbances. When circumstances warrant, such direction will include: (i) Alerting and, if necessary, prepositioning predesignated ground forces; and (ii) directing the Secretary of the Air Force to alert and provide necessary airlift resources. The Attorney General, as the President's representative, will be advised in every instance prior to the pre-positioning of ground force units.

(6) Devising command, control, and communications arrangements to insure effective coordination and responsiveness among Defense agencies, military departments, the Joint Chiefs of Staff (JCS), and Commanders-in-Chief (CINCS) of unified and specified commands, under conditions of prepositioning, deployment, or employment of military resources. Maximum utilization will be made of existing reports of the Joint Operational Reporting System (JOPREP), as prescribed in JCS Pub. 6. Arrangements and reports affecting commanders of unified and specified commands will be coordinated with the JCS.

(7) Providing essential planning, operational, and intelligence data to the National Military Command Center (NMCC) and the military service command centers on a timely basis to insure that the National Command Authorities and appropriate military service command authorities are adequately informed.

(8) Keeping the Secretary of Defense informed of unusual military resource requirements (actual or potential) and other significant developments in connection with civil disturbance planning and operations.

(9) Establishing procedures for review and coordination of all DoD components' directives, instructions, and plans affecting civil disturbance planning and operations to assure conformity with DoD policies stated herein and DoD Executive Agent policies.

(10) Providing for the establishment of a DoD Civil Disturbance Steering Committee and a Directorate of Civil Disturbance Planning Operations. (See § 187.8.)

(11) Providing the necessary facilities, equipment, and personnel as required by the ASD(PA) in the accomplishment of his public affairs responsibilities set forth in paragraph (f) of this section.

(b) The Joint Chiefs of Staff are responsible for:

(1) Establishing procedures that will promptly transfer military resources that are assigned to unified and specified commands (i) to the military departments for civil disturbance operations in the Continental United States (CONUS) or (ii) to unified commands for such operations outside the CONUS, as directed by the DoD Executive Agent and consistent with defense priorities.

(2) Maintaining an appropriate strategic reserve for worldwide employment and contingency operations.

(3) Insuring that directives concerning civil disturbances are issued to the commanders of unified commands, for the employment of military resources outside the CONUS, in accordance with direction and guidance provided by the DoD Executive Agent.

(c) The Secretary of the Air Force is responsible for:

(1) Providing military resources of the U.S. Air Force, as required by the DoD Executive Agent and consistent with defense priorities, to include:

(i) Designating and providing the specific units or members of the Air National Guard to be called to active Federal service under the provisions of paragraph (a) (3) of this section.

(ii) Designating and providing the resources of the Air Force Reserve (other than Air National Guard) ordered to active duty to carry out the purposes of this part.

(2) Exercising for the DoD Executive Agent, through designated military commanders, coordinating authority over and direction of DoD provided military and commercial obligated airlift resources used to fulfill civil disturbance airlift requirements.

(3) Providing airlift to deploy and redeploy civil disturbance forces and for supply, resupply, and aeromedical evacuation.

(d) The Secretary of the Navy is responsible for:

(1) Designating and providing military resources of the U.S. Navy and the U.S. Marine Corps, as required by the DoD Executive Agent and consistent with defense priorities, to include ordering to active duty and utilizing the resources of the Naval Reserve and the Marine Corps Reserve required to carry out the purposes of this part.

(2) Making airlift resources available to the Secretary of the Air Force, consistent with defense priorities, as requested by him in the accomplishment of his airlift responsibilities set forth in paragraph (c) of this section.

(e) The Defense Agencies are responsible for providing resources as required, and advice and assistance on matters within their spheres of responsibility, to the DoD Executive Agent and to the Secretaries of the military departments and to the Joint Chiefs of Staff in the discharge of their responsibilities.

(f) The Assistant Secretary of Defense (Public Affairs) is responsible for all DoD public affairs matters related to civil disturbances. To assure efficiency

and responsiveness in keeping the public fully informed he will:

(1) Provide direction and guidance to the DoD Executive Agent on all aspects of public release of information relating to civil disturbances.

(2) Assign Public Affairs representatives, of appropriate rank, to the Directorate of Civil Disturbance Planning and Operations during civil disturbance operations.

(3) Designate as required on-site DoD Public Affairs Chiefs who will furnish appropriate advice and guidance to task force commanders and, upon request or by direction of appropriate authorities, to other representatives of the Federal Government. The on-site Public Affairs Chief is responsible for the release of public information in the affected area(s). He will work closely with the task force commander and other representatives of the Federal Government to keep the public fully informed. In the event of a disagreement concerning the public release of information between a task force commander and the on-site Public Affairs Chief, the issue will be resolved by the ASD(PA) who will coordinate with the DoD Executive Agent to the extent feasible.

§ 187.7 Command relationships.

(a) In the event of civil disturbances within the CONUS:

(1) Military resources of the unified or specified commands will be transferred by the JCS to their respective military departments, when directed by the DoD Executive Agent. (Such resources will revert to the unified or specified commands, when directed by the DoD Executive Agent.)

(2) The DoD Executive Agent is delegated the authority to exercise, through the Chief of Staff, U.S. Army, the direction of those forces assigned or committed to him by the military departments.

(b) In the event of civil disturbances outside the CONUS, the DoD Executive Agent is delegated the authority to exercise, through the commander(s) designated by the JCS, the direction of those forces assigned or committed to the commanders of unified or specified commands.

(c) At objective areas, designated task force commanders will exercise operational control over all military forces assigned for employment in the event of civil disturbances.

§ 187.8 Organization and administration.

(a) A DoD Civil Disturbance Steering Committee will be established to provide advice and assistance to the DoD Executive Agent concerning civil disturbance matters. The Committee Chairman will be the Under Secretary of the Army. Members will include:

Deputy Attorney General of the United States.
Assistant Secretaries of Defense for Administration and Public Affairs.
General Counsel of the DoD.
Under Secretaries of the Navy and Air Force.

Vice Chiefs of Staff of the Army and Air Force.

Vice Chief of Naval Operations and Assistant Commandant of the Marine Corps.
Representative of the JCS.

(b) A Directorate of Civil Disturbance Planning and Operations with a joint service staff will be established under the Chief of Staff, U.S. Army by the DoD Executive Agent, to plan, coordinate, and direct civil disturbance operations. The Department of the Army will provide the Director and the Department of the Air Force will provide the Deputy Director.

§ 187.9 Providing resources to civil authorities.

Requests for DoD facilities, personnel, equipment, or supplies, received from officials of the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof, for use in connection with civil disturbances, will be handled as follows:

(a) *Classification of resources.* Military resources will be classified into three groups, as follows:

(1) *Group One.* Military personnel; or arms, ammunition, tank-automotive equipment, and aircraft.

(2) *Group Two.* Military equipment of an offensive nature not included in Group One, such as riot control agents and concertina wire.

(3) *Group Three.* Fire fighting equipment; equipment of a protective nature (such as masks, helmets, armored vests) and other equipment not included in Group One or Two (such as clothing, communications equipment, search lights); and the use of DoD facilities.

(b) *Approval of requests.* (1) Requests for Group One resources may be granted only with the personal approval of the DoD Executive Agent or, when designated by him for that purpose, the Under Secretary of the Army.

(2) Requests for Group Two resources may be granted only with the personal approval of the DoD Executive Agent; or, when designated by him for that purpose: (i) The Under Secretary of the Army; (ii) a task force commander employed at an objective area during a civil disturbance or (iii) a commander, in the event of an actual civil disturbance, specifically designated to implement a contingency plan approved by the DoD Executive Agent.

(3) Requests for Group Three resources may be granted by Secretaries of the military departments, by CINCs of unified and specified commands for areas outside the CONUS, or by commanders of military service installations or organizations who have been delegated such authority by the appropriate Secretary or CINC.

(c) *Denial of requests.* (1) Requests for Group One, Two, or Three resources may be denied at any level in the chain of command, down to and including commanders delegated Group Three approval authority.

(2) To the maximum extent practicable, local military authorities will en-

courage the use of local or state resources rather than military resources.

(d) *Processing of requests.* (1) All requests will be promptly submitted through channels to the appropriate approving authorities, using the format established by the DoD Executive Agent.

(i) Requests of an urgent nature will be forwarded by the most rapid means of communications available.

(ii) Requests which are not time critical will be handled in keeping with the degree of urgency dictated by the situation.

(2) Requests received by personnel of the Defense agencies will be referred to local military commanders for processing.

(e) *Reporting of requests.* (1) Reports of all requests (approved, denied, or pending) will be prepared by all approval authorities, using the format established by the DoD Executive Agent, and forwarded through channels as follows:

(i) To the military department headquarters, in the case of requests received in the CONUS by the four Services.

(ii) To the JCS, in the case of requests received by organizations or installations over which the commanders of the unified and specified commands exercise command authority.

(2) Reports received by the military department headquarters and the JCS will be transmitted to the DoD Executive Agent, who, in turn, will transmit information copies of all approved requests for Group One and Two resources to the General Counsel of the DoD and the Deputy Attorney General of the United States.

(3) In addition, a weekly summary report of all requests will be compiled by the DoD Executive Agent, showing actions taken (approved, denied, or pending) and submitted to the General Counsel of the DoD, the Assistant Secretary of Defense (Installations and Logistics), and the Deputy Attorney General of the United States. Negative summary reports are required.

§ 187.10 Funding.

(a) The Assistant Secretary of Defense (Comptroller) will issue implementing instructions including related reporting requirements to provide for financing costs associated with civil disturbance operations, to include reimbursement of military department expenditures as appropriate.

(b) Military assistance (Group One, Two, and Three resources) provided to civil authorities, under the provisions of § 187.9, will be on a reimbursable or reclaimable basis as appropriate.

§ 187.11 Implementation.

(a) Military department, JCS, and Defense agency directives, instructions, or plans for the use of military resources in the event of civil disturbances will be revised within 30 days from the date of this part: (i) To agree with the provisions of this part, and (ii) to conform with the policies and guidance promulgated by the DoD Executive Agent.

(b) Implementing directives, instructions, or plans revised or developed by DoD components under assignment herein will be furnished to the DoD Executive Agent for review.

(c) The Secretary of the Army, as DoD Executive Agent, will:

(1) Develop terms of reference, in conformity with the DoD policies set forth herein, prescribing responsibilities, functions, and procedures for the DoD Civil Disturbance Steering Committee and the Directorate of Civil Disturbance Planning and Operations.

(2) Submit such terms of reference to the Secretary of Defense for approval within 30 days from the date of this part.

Effective date. This part is effective immediately.

MAURICE W. ROCHE,
Director, Correspondence and
Directives Division, OASD
(Administration).

[F.R. Doc. 68-7521; Filed, June 25, 1968;
8:45 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS

PART 205—WITHDRAWAL OF CASH FROM THE TREASURY FOR ADVANCES UNDER FEDERAL PROGRAMS

Letter-of-Credit Method of Financing Advances

As a matter of convenience for banks in the District of Columbia which maintain accounts for public or private organizations receiving advances under Federal grant or other programs, and to authorize the Cash Division, Office of the Treasurer, to make payment on payment vouchers issued by such organizations, the Treasury Department finds that it is necessary to amend its regulations at 31 CFR Part 205 which govern withdrawal of cash from the Treasury for advances under such programs. The Department also finds, in accord with 5 U.S.C. 553, that notice and public procedure thereon are not necessary since the amendments involve matters relating to grants.

Accordingly, paragraphs (d) and (f), § 205.4, Subchapter A, Chapter II of Title 31 of the Code of Federal Regulations are amended to read as follows:

§ 205.4 Letter-of-credit method of financing advances.

(d) **Drawdowns.** Recipient organizations shall draw on letters of credit by issuing a payment voucher, Form TUS 5401. Each payment voucher, bearing the signature and, if required, the countersignature of the individuals so authorized by the recipient organization, shall be forwarded through the commercial bank in which the recipient organization

has its account to (1) the appropriate Federal Reserve Bank or branch, or (2) the Cash Division, Office of the Treasurer of the United States, Department of the Treasury, if that commercial bank is located in the District of Columbia. The payment voucher will be reviewed for compliance herewith and the payment charged to the general account of the Treasurer of the United States. The amount of each payment voucher paid under this regulation shall constitute payment to the recipient organization by the United States.

(f) **Disposition.** Letters of credit, together with related signature cards, shall be transmitted to the Bureau of Accounts, Department of the Treasury, Washington, D.C. 20226, for transmittal to the appropriate Federal Reserve Bank or branch, or the Cash Division, Office of the Treasurer of the United States, and a copy of the letter of credit shall be furnished to the recipient organization. A recipient organization shall not submit, and a Federal Reserve Bank or branch, or the Cash Division, shall not charge the account of the Treasurer of the United States for, any payment voucher which exceeds the balance of the letter of credit remaining available, or which does not contain the signature and, if required, countersignature of the individuals authorized to sign the payment voucher.

(5 U.S.C. 301)

Effective date. This amendment shall be effective on July 1, 1968.

Dated: June 20, 1968.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 68-7562; Filed, June 25, 1968;
8:48 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration PART 1—GENERAL PROVISIONS

Copies of Records and Papers

In § 1.526, paragraphs (i) and (l) are amended to read as follows:

§ 1.526 Copies of records and papers.

- | | |
|--|--------|
| (1) Schedule of fees: | |
| (1) Typewritten pages, each page or fraction thereof..... | \$1.50 |
| (2) Photocopy reproductions from all types of copying processes. Each reproduced page..... | .25 |
| (3) Certification..... | .50 |
| Seal, including certification..... | .50 |
| (4) Searching, per hour (minimum charge one-half hour)..... | 3.00 |
| (5) Abstracts or copies of medical and dental records which are furnished by Veterans Administration hospitals and outpatient clinics to insurance companies. Per request..... | 4.00 |

(6) Office handling of files under court subpoena.

- | | |
|---|--------|
| (i) When the file is in the office served with the subpoena..... | \$3.00 |
| (ii) When the file must be shipped from a different geographical area to the office served with the subpoena..... | 10.00 |

(1) Department, staff office, and field station heads are authorized to designate employees to certify copies of records and papers furnished under the provisions of paragraph (a) of this section.

(72 Stat. 1114; 38 U.S.C. 210)

This VA regulation is effective the date of approval.

Approved: June 20, 1968.

By direction of the Administrator.

[SEAL] A. H. MONK,
Acting Deputy Administrator.

[F.R. Doc. 68-7559; Filed, June 25, 1968;
8:48 a.m.]

PART 2—DELEGATIONS OF AUTHORITY

Certification of Copies of Records and Papers

Section 2.50 is revised to read as follows:

§ 2.50 Department, staff office, and field station heads are authorized to designate employees to certify copies of records and papers in the custody of the Veterans Administration.

This delegation of authority is identical to § 1.526(l) of this chapter.

By direction of the Administrator.

[SEAL] A. H. MONK,
Acting Deputy Administrator.

[F.R. Doc. 68-7560; Filed, June 25, 1968;
8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4455]

[Montana 6712]

MONTANA

Extension of Boundaries of Lewis and Clark National Forest

By virtue of the authority vested in the President by section 13 of the act of June 28, 1934 (48 Stat. 1274; 43 U.S.C. 315-1), and section 1 of the act of July 20, 1939 (53 Stat. 1071; 16 U.S.C. 471b), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The boundaries of the Lewis and Clark National Forest are hereby extended to include the following described public lands and, subject to valid existing rights, the lands are hereby added to and made a part of the said national forest and hereafter shall be subject to all laws and regulations applicable thereto:

PRINCIPAL MERIDIAN

T. 11 N., R. 18 E.,
Sec. 18, NE¼NW¼.

The tract described contains 40 acres in Fergus County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 20, 1968.

[F.R. Doc. 68-7524; Filed, June 25, 1968;
8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18123; FCC 68-644]

PART 31—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS A AND CLASS B TELEPHONE COMPANIES

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

Continuation of Property Records, Retirement Units, Plant Accounting, and Units of Property

Order. In the matter of amendment of Part 31 of the Commission's rules relating to continuing property records, retirement units, and plant accounting; also amendment of Part 33 of the Commission's rules relating to units of property; Docket No. 18123 (RM-1203), (RM-1215), (RM-1241).

1. On April 10, 1968, the Commission adopted a notice of proposed rule making in the above matter. This notice was published in the FEDERAL REGISTER on April 17, 1968 (33 F.R. 5585).

2. The time for filing comments with respect to this matter has expired and the only comments received were from the GT&E Service Corp. on behalf of the General System Companies favoring the amendments set forth in the notice of proposed rule making.

3. The amendments herein being adopted are exactly the same as those indicated in the notice of proposed rule making with respect to this matter.

It is ordered. Under authority contained in sections 4(i) and 220 of the Communications Act of 1934, as amended, that Part 31, Uniform System of Accounts for Class A and Class B Telephone Companies, and Part 33, Uniform System of Accounts for Class C Telephone Companies, are amended as set forth below, effective January 1, 1969.

It is further ordered. That this proceeding is hereby terminated.

Adopted: June 19, 1968.

Released: June 21, 1968.

(Secs. 4, 220, 48 Stat., as amended 1066, 1078; 47 U.S.C. 154, 220)

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

I. Part 31—Uniform System of Accounts for Class A and Class B Telephone Companies is amended as follows:

1. In § 31.100:2, paragraph (a) is amended to read as follows:

§ 31.100:2 Telephone plant under construction.

(a) This account shall include the original cost of construction of telephone plant, other than station apparatus and station connections, that is not completed ready for service. It shall include interest during construction, taxes during construction, and all other elements of cost of such construction work. (Note also §§ 31.2-20 to 31.2-22 and account 231.)

2. In § 31.2-25, paragraphs (a) and (b) (2) are amended to read as follows:

§ 31.2-25 Telephone plant retired.

(a) To the end that the telephone plant accounts (note §§ 31.2-20 and 31.2-21) shall at all times disclose the original cost of all property in service, the original cost of retired property, whether replaced or not (except as provided in paragraph (b) (2) of this section and in account 231), shall be credited to the account or accounts in this classification to which such cost was charged. Normally, these retirement credits with respect to such plant as entire buildings, entire central offices, large private branch exchanges, all plant abandoned, and any large sections of plant withdrawn from service with knowledge that they will not be physically removed during the following month shall be entered in the accounts for the month in which use of the property ceased and no later than the next succeeding month with respect to other plant: *Provided*, That when literal compliance with this provision for timing of entries with respect to the property amounting to less than \$10,000 retired under any one project would involve an unreasonable amount of recordkeeping and estimating of quantities, original costs, and salvage, such entries may be deferred until physical removal of the property or decision to abandon it in place if there is assurance that such removal or decision will not be unduly delayed. Every company shall, therefore, take such measures and establish such procedure as will insure strict compliance with these requirements. When any item of property sub-

¹ Commissioner Loevinger not participating; Commissioner Johnson absent.

ject to plant retirement accounting is worn out, lost, sold, destroyed, abandoned, surrendered upon lapse of title, becomes permanently unserviceable, is withdrawn, or for any other reason is retired from service, the amount in the plant accounts applicable to that item shall be credited to the appropriate plant accounts, and the retirement entry shall refer to the source (or to the supporting records showing the source) in the continuing property record from which the cost was obtained. (Note also paragraph (e) of this section.)

(b) Depreciable telephone plant: For the purpose of avoiding undue refinement in accounting for the replacement of small items of property, the accounting for retirements and replacements of depreciable telephone plant shall be as follows:

(2) Minor items: This group includes any part or element of plant, other than station apparatus and station connections, which is not designated as a retirement unit. The original cost of any minor item of property retired and not replaced shall be credited to the plant account and charged to account 171 (note also paragraph (b) of the text of that account), except that if the original cost of a minor item of property is included in the specific or average cost for a retirement unit of which the minor item is a part or is included in the costs for various retirement units to which the minor item is common, no separate credit to the telephone plant account is required when such a minor item is retired. If minor items of property are replaced (apart from the retirement unit of which they form a part or with which they are associated) no retirement entry shall be made. The cost of the replacement shall be charged to the account appropriate for the cost of repairs of the property, except that if the replacement effects a substantial betterment (the primary aim of which is to make the property affected more useful, of greater durability, of greater capacity, or more economical in operation) the excess cost of (i) such a replacement over (ii) the estimated cost at the then current prices of replacing without betterment the minor items being retired, shall be charged to the appropriate telephone plant account.

3. In § 31.2-26, paragraph (a) is amended to read as follows:

§ 31.2-26 Continuing property record required.

(a) Not later than June 30 of the first year following that in which a company has annual operating revenues in excess of \$1 million, it shall file with the Commission two copies of a complete plan of the method to be used in the compilation of a continuing property record with respect to each class of property for which such records are hereinafter prescribed. The plan shall include a list of the property-record units proposed for

use under each plant account. A narrative statement shall accompany the list of proposed property-record units, describing in detail the content and method of maintenance of all forms and other records which are designed for use in compiling the continuing property record, to the end that a ready analysis with respect to the sufficiency thereof may be made. In preparing this narrative statement, the company shall include typical examples indicating the use of, and relationship between, the various forms and records. Each company shall submit to the Commission two copies of any proposed basic changes in its continuing property-record plan at least thirty days before the effective date of the proposed changes.

§ 31.8 [Amended]

4. Section 31.8 is amended as follows:

a. The introductory text is amended to read as follows:

(a) The list of retirement units prescribed in paragraph (c) of this section shall (except as provided in paragraph (b) of this section) be used in connection with the accounting provided in §§ 31.2-24 and 31.2-25, except that any company may use smaller units which are subdivisions of the units listed provided its practice in this respect is consistent. However, the list shall not be considered as determining the classification of the telephone plant involved. Any company having annual operating revenues exceeding \$1 million which elects to exercise its option of using smaller units than those prescribed in paragraph (c) hereof shall notify the Commission 30 days before (1) commencing such use, (2) making any change therein, or (3) discontinuing such use.

(b) In lieu of the retirement units prescribed in paragraph (c) hereof with respect to a particular account, a company may, after obtaining specific approval by the Commission, establish and maintain its own list of retirement units for a portion or all of the plant in any such account. The considerations underlying the selection of items as retirement units and a list of representative retirement units shall be submitted for Commission approval. An up-to-date list of such retirement units shall be maintained in each accounting area. This list shall be available for inspection at any time.

(c) Except as provided in paragraphs (a) and (b) of this section, each company shall use the following list of retirement units:

b. The note following the list of retirement units for account 221 is amended to read as follows:

221 CENTRAL OFFICE EQUIPMENT

NOTE: When a substantial expenditure is incurred in the replacement of minor items that are parts of retirement units in a central office or at a large private branch exchange (apart from the replacement of the retirement units with which their cost is associated) for the purpose of improving or

changing the type of equipment or its method of operation, the material installed and retired and the labor and incidental costs involved in replacing the minor items shall be handled through the telephone plant and depreciation reserve accounts.

c. The list of retirement units for accounts 242:1, 242:2, 242:3 and 242:4 is amended to read as follows:

242:1 AERIAL CABLE; 242:2 UNDERGROUND CABLE; 242:3 BURIED CABLE; 242:4 SUBMARINE CABLE

Two continuous spans or more of cable, with or without associated distribution terminals, suspension strand, clamps, lashing, etc. (The term "span" shall include a length of cable from a Y splice not located at a pole to a pole or building.)

A section or run of cable, with or without associated elements and parts, as follows:

(1) Between a manhole, handhole, or service box and a pole, building, fence, wall, or the junction with house cable.

(2) Between manholes, handholes, or service boxes; or between an office cable vault and an office manhole.

(3) Between a cable vault or an office manhole and the main frame, the main frame terminating cables, or the frame mounted connector stub.

(4) A section of buried cable 300 feet or more in length, or any section of buried cable between manholes, splicing boxes, pedestals, poles, or buildings.

(5) All of a continuous run of one size of house cable. ("All of a continuous run of one size" means a section between splices other than straight splices.)

(6) All of a continuous run of one size of block cable, i.e., cable attached to buildings, walls, or fences. ("All of a continuous run of one size" means a section between splices other than straight splices.)

(7) All of a submarine cable for one crossing; or a section of submarine cable 300 feet or more in length.

(8) A section of underground dip cable between poles and/or buildings, or the appropriate units listed above.

Any length of cable connected with but not a part of any unit on this list when replaced concurrently with the unit.

Terminating cables: All of the cables and forms used for terminating one cable.

A complete cross-connecting cable terminal, protected or unprotected, with or without associated balcony, pole seat, etc.

A pressure contactor terminal, with or without contactor.

A complete house terminal, protected or unprotected, including frame type.

A complete video terminal.

A complete coaxial terminal.

A submarine cable hut or house.

A submarine cable anchorage.

A submarine cable terminating frame.

A case of equipment, such as loading coils, building-out capacitors, carrier line filters, or auto-transformers.

An air dryer.

5. In Appendix B to Part 31, sections 1 and 2 are amended to read as follows:

APPENDIX B

STANDARD PRACTICES FOR THE ESTABLISHMENT AND MAINTENANCE OF CONTINUING PROPERTY RECORDS BY TELEPHONE COMPANIES HAVING INVESTMENT IN ACCOUNT 100:1, "TELEPHONE PLANT IN SERVICE," IN EXCESS OF \$40 MILLION

1. Accounting areas. . . .

(b) Not later than June 30, following the year in which a company's investment in account 100:1, "Telephone plant in service," exceeded \$40 million, there shall be filed with the Commission two copies of a list of ac-

counting areas, to be accompanied by descriptions of the boundaries of each area. Description of proposed major changes in accounting areas, such as consolidation, subdivision, addition or elimination of areas shall be submitted in duplicate to the Commission 30 days in advance of the proposed effective dates of such changes.

2. Property record units. (a) In each of the established accounting areas, the "property-record units" (in terms of which the continuing property record is to be maintained) shall be set forth separately, classified by size and type and with the amount of original cost (or other appropriate book cost) associated with such units. When a list of property-record units has been accepted by the Commission, the property-record units set forth therein shall become the property-record units referred to in this statement of standard practices. When it is found necessary to revise this list because of the addition of units used in providing new types of service, or new units resulting from improvements in the art, or because of the grouping or elimination of units which no longer merit separate recognition as property-record units, two copies of such changes shall be submitted to the Commission. Upon appropriate showing by the company, the Commission may specifically exempt the company from the filing provisions of the preceding sentence.

(d) The continuing property record shall reveal the location, the essential details of construction, and the cost of each type of central office (manual, step-by-step, etc.) in each building, and of each large private branch exchange. Because of the small number of interim retirements and the comparatively small amounts involved therein, unless such annual retirements become at least 25 percent of the balance at the beginning of the year with respect to any central office, the cost of each central office need not be broken down into the individual retirement units of which it is composed. Further, the cost of an office from which annual interim retirements of 25 percent or more were made need not be broken down to its component retirement units if that type of office is not being used in the current installation of new wire centers. The continuing property record and other underlying records of construction cost shall be so maintained that, upon any retirement of one or more retirement units (or of minor items without replacement when not included in the costs of retirement units), the actual cost or a reasonable accurate estimate of the cost of the plant retired can be determined.

II. Part 33—Uniform System of Accounts for Class C Telephone Companies is amended as follows:

In § 33.81, the note following the list of units of property for account 1021 and the list of units of property for account 1045 are amended to read as follows:

§ 33.81 Units of property.

CENTRAL OFFICE EQUIPMENT (Account 1021)

NOTE: When a substantial expenditure is incurred in the replacement of minor items that are parts of retirement units in a central office or at a large private branch exchange (apart from the replacement of the retirement units with which their cost is associated) for the purpose of improving or changing the type of equipment or its method of operation, the material installed

and retired and the labor and incidental costs involved in replacing the minor items shall be handled through the telephone plant and depreciation reserve accounts.

POLES, CONDUIT, CABLE, AND WIRE (ACCOUNT 1045)

Cable:

Two continuous spans or more of cable, with or without associated distribution terminals, suspension strand, clamps, lashing, etc. (The term "span" shall include a length of cable from a Y splice not located at a pole to a pole or building.)

A section or run of cable, with or without associated elements and parts, as follows:

(1) Between a manhole, handhole, or service box and a pole, building, fence, wall, or the junction with house cable.

(2) Between manholes, handholes, or service boxes; or between an office cable vault and an office manhole.

(3) Between a cable vault or an office manhole and the main frame, the main frame terminating cables, or the frame mounted connector stub.

(4) A section of buried cable 300 feet or more in length, or any section of buried cable between manholes, splicing boxes, pedestals, poles, or buildings.

(5) All of a continuous run of one size of house cable. ("All of a continuous run of one size" means a section between splices other than straight splices.)

(6) All of a continuous run of one size of block cable; i.e., cable attached to buildings, walls, or fences. ("All of a continuous run of one size" means a section between splices other than straight splices.)

(7) All of a submarine cable for one crossing; or a section of submarine cable 300 feet or more in length.

(8) A section of underground dip cable between poles and/or buildings, or the appropriate units listed above.

Any length of cable connected with but not a part of any unit on this list when replaced concurrently with the unit.

Terminating cables: All of the cables and forms used for terminating one cable.

A complete cross-connecting cable terminal, protected or unprotected, with or without associated balcony, pole seat, etc.

A pressure contactor terminal, with or without contactor.

A complete house terminal, protected or unprotected, including frame type.

A complete video terminal.

A complete coaxial terminal.

A submarine cable hut or house.

A submarine cable anchorage.

A submarine cable terminating frame.

A case of equipment, such as loading coils, building-out capacitors, carrier line filters, or auto-transformers.

[F.R. Doc. 68-7582; Filed, June 25, 1968; 8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF LABOR

Office of Labor-Management and Welfare-Pension Reports

[29 CFR Part 464]

EXEMPTIONS FROM BONDING REQUIREMENTS

Investment Advisers and Banks and Trust Companies

Section 13(a) of the Welfare and Pension Plans Disclosure Act, hereinafter referred to as WPPDA, 29 U.S.C. 308d (a), requires that every administrator, officer and employee of a benefit plan subject thereto who handles funds of a plan or other plan property be bonded as therein provided. Pursuant to authority in section 13(e), WPPDA, 29 U.S.C. 308d(e), the Secretary of Labor has promulgated regulations defining the terms "administrator, officer and employee" and "handles" (29 CFR 464.4 and 464.7). By the terms of these definitions, personnel of banks, trust companies and investment advisers are subject to the bonding requirement when they handle funds of a plan or other plan property. Section 13(e) also gives to the Secretary authority to exempt a plan from the bonding requirement when, in his opinion, it is demonstrated that "financial responsibility", or "other bonding arrangements" would adequately protect the beneficiaries and participants.

Since 1962 banks and trust companies have been exempted from the bonding requirement (see 29 CFR 464.4(e)(1)) on the basis of the Secretary's determination that due to pervasive federal and state banking regulations, such institutions meet the tests of section 13 (e) referred to above. Investment advisers subject to the Investment Advisers Act of 1940, 15 U.S.C. 80b, must register with and are regulated by the Securities and Exchange Commission pursuant to 15 U.S.C. 80b-11(a) (See 17 CFR Parts 275 and 276), but the Secretary of Labor has heretofore regarded such regulation as being insufficient, in light of the criteria in section 13(e), WPPDA, to justify an exemption from bonding for investment advisers handling plan funds.

In litigation arising from the Secretary's denial of a petition submitted by Fiduciary Counsel, Inc., a New York investment adviser, for an exemption from the bonding requirement, questions have been raised relating to the premises on which the present position regarding both banks and trust companies and investment advisers has been based. Accordingly, pursuant to authority in section 13(e), WPPDA and 29 CFR 465.9,

written and oral communications of data, views, or argument are invited, as herein provided, on the following issues:

1. Whether banks and trust companies subject to State regulation should as a class retain their present exemption from the WPPDA bonding requirement in light of the criteria set forth in section 13(e), WPPDA, 29 U.S.C. 308d(e) ?

2. Whether banks and trust companies subject to State regulation should as a class retain their present exemption from the WPPDA bonding requirement in light of the criteria in section 13(e), WPPDA, 29 U.S.C. 308d(e) ?

3. Whether investment advisers registered with and regulated by the Securities and Exchange Commission pursuant to the Investment Advisers Act of 1940, 15 U.S.C. 80b and subject to 29 CFR Part 464 should as a class be granted an exemption from the WPPDA bonding requirement in light of the criteria in section 13(e), WPPDA, 29 U.S.C. 308d(e) ?

For further information pertinent to the above issues, interested persons may consult the documents on file in connection with the petition of Fiduciary Counsel, Inc., in the Office of Labor-Management and Welfare-Pension Reports as well as the decision of the U.S. Court of Appeals, District of Columbia Circuit, in *Fiduciary Counsel, Inc. v. Wirtz*, 383 F. 2d 203 (1967), cert. denied, 389 U.S. 1005, 88 S. Ct. 563 (1967).

Persons interested in the above stated issues are invited to submit written data, views, or argument by mail to the Director, Office of Labor-Management and Welfare-Pension Reports, U.S. Department of Labor, Room 801, 8701 Georgia Avenue Silver Spring, Md. 20910 by August 2, 1968. Such statements will be offered in evidence at the oral proceedings referred to below. Any such statements which have not been received by August 2, 1968 may be submitted when oral testimony is received.

Opportunity will be provided for interested persons to make oral presentation of data, views, or argument on the same issues before John Mealy, a Hearing Examiner appointed pursuant to 5 U.S.C. 3105 (Supp. II, 1965-66) in conference room 112 of the U.S. Department of Labor, Main Building, 14th Street and Constitution Avenue NW., Washington, D.C., commencing at 10 a.m., August 12, 1968.

All those making oral presentations shall be subject to cross-examination by all others participating including counsel for the Government. The Hearing Examiner shall govern the course of the proceeding, confine presentations to relevant matters, govern the content of the record and see that the proceedings are stenographically reported and transcripts made available to persons participating on payment of the fees therefor. The Hearing Examiner shall close the pro-

ceedings promptly after the last oral presentation and certify the record to the Assistant Secretary of Labor for Labor-Management Relations for such amendment to 29 CFR 464 as may to him seem appropriate.

Signed in Washington, D.C., this 14th day of June 1968.

THOMAS R. DONAHUE,
Assistant Secretary of Labor
for Labor-Management Relations.

[P.R. Doc. 68-7525; Filed, June 25, 1968;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service

[45 CFR Part 203]

AID TO FAMILIES WITH DEPENDENT CHILDREN

Deprivation of Parental Support or Care

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations relate to the basis for determining whether a child is deprived of parental support or care as a condition for approval of a State plan under section 402 of part A of title IV of the Social Security Act (42 U.S.C. 602).

Prior to the adoption of the proposed regulations, consideration will be given to any comments, suggestions, or objections thereto which are submitted in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed regulations are to be issued under the authority contained in section 402, 49 Stat. 627, section 1102, 49 Stat. 647; 42 U.S.C. 602, 1302.

Dated: June 18, 1968.

[SEAL] MARY E. SWITZER,
Administrator, Social and
Rehabilitation Service.

Approved: June 20, 1968.

WILBUR J. COHEN
Secretary.

Chapter II of Title 45 of the Code of Federal Regulations is amended by adding a new Part 203, as follows:

PART 203—DEPRIVATION OF PARENTAL SUPPORT OR CARE

§ 203.1 Condition of plan approval; bases for determining eligibility of a child.

(a) A State plan for aid and services to needy families with children under part A of title IV of the Social Security Act, to be approved under section 402 of such Act (42 U.S.C. 602), must provide that the determination whether a child has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, or (if the State plan includes such cases) the unemployment of his father, will be made only in relation to the child's natural or adoptive parent, or in relation to a child's step-parent who is ceremonially married to the child's natural or adoptive parent and is legally obligated to support the child under State law of general applicability which requires stepparents to support stepchildren to the same extent that natural or adoptive parents are required to support their children.

(b) The inclusion in the family, or the presence in the home, of a "substitute parent" or "man-in-the-house" or any individual other than one described in paragraph (a) of this section is not an acceptable basis for a finding of ineligibility or for assuming the availability of income by the State.

(c) Any State whose past policies and procedures with respect to the determination referred to in paragraph (a) of this section have been inconsistent with the provisions in paragraph (a) or (b) of this section must provide for making prompt written notification to all persons who have been deprived of benefits within two years prior to the effective date of the regulations in this part by reason of such inconsistent policies and procedures. Such notification must be given within 90 days of publication of the regulations in this part and must explain clearly the rights which such persons have under the regulations in this part.

Effective date. The regulations in this part shall be effective on the date of their publication in the FEDERAL REGISTER.

[F.R. Doc. 68-7564; Filed, June 25, 1968; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 8960]

AIRWORTHINESS DIRECTIVES

SIAI-Marchetti S.205/22R Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive (AD) applicable to SIAI-Marchetti S.205/22R air-

planes. Cracks in the lower part of fuselage frame No. 2 and cracks and deformation of the stringers of the fuselage belly skin at the outboard rudder pedal support tube brackets have been found. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed AD would require inspection and modification of these frame and stringer parts.

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 docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before July 29, 1968, 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 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

SIAI-MARCHETTI. Applies to model S.205/22R airplanes, Serial Nos. 213, 370, 371, 372, 373, 374, 378, 379, 380, 381, 382, 384, 385, 386, 387, 388, 389, 390, 392, 393, 394, 395, 396, 398, 4-124, 4-125, 4-132, 4-142, 4-143, 4-145, 4-146, 4-147, and 4-148.

Compliance required as indicated, unless already accomplished.

To detect cracks in the lower part of fuselage frame No. 2, at the rudder control bellcrank brackets, and to detect cracks and deformation in the stringers of the fuselage belly skin which are located at the outboard rudder pedal support tube brackets, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, visually inspect, using a lamp and mirror, the lower portion of fuselage frame No. 2 for cracks and the lower fuselage stringers for cracks and deformation in accordance with SIAI Service Bulletin No. 205B20, dated March 22, 1968 or later RAI-approved revision or an FAA-approved equivalent. If no cracks are found, comply with paragraph (d) within the next 100 hours' time in service after the effective date of this AD.

(b) If cracks are found during the inspection required by paragraph (a) none of which exceed 3/16 inch in length, repeat that inspection at intervals not to exceed 20 hours' time in service from the last inspection and comply with paragraph (d) within the next 100 hours' time in service after the effective date of this AD. The repetitive inspection required in this paragraph may be discontinued upon compliance with paragraph (d).

(c) If cracks are found during the inspection required by paragraph (a) which exceed 3/16 inch in length, comply with paragraph (d) before the next flight.

(d) Modify fuselage frame No. 2 and stringers in accordance with SIAI Service

Bulletin No. 205B20, dated March 22, 1968, or later RAI-approved revision or an FAA-approved equivalent.

Issued in Washington, D.C., on June 18, 1968.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 68-7537; Filed, June 25, 1968; 8:46 a.m.]

[14 CFR Part 39]

[Docket No. 8961]

AIRWORTHINESS DIRECTIVES

SIAI-Marchetti Model S.205-22/R Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive (AD) applicable to SIAI-Marchetti S.205-22/R airplanes. Limitation markings on the suction gage instrument, SIAI P/N NS5F017, located on the right side of the instrument panel have been found to be incorrect on certain of the airplanes initially delivered. The proposed AD would require the correction of the limitation markings and the resetting of the instrument to the proper limitations.

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 docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before July 29, 1968, 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 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

SIAI-MARCHETTI. Applies to Model S.205-22/R airplanes, Serial Nos. 213, 370, 371, 372, 373, 374, 378, 379, 380, 381, 382, 384, 385, 386, 387, 388, 389, 390, 392, 393, 394, 395, 396, 398, 4-124; 4-125.

Compliance required within the next 100 hours' time in service after the effective date of this AD unless already accomplished.

Modify the limitation markings on the suction gage instrument, SIAI P/N NS5F017, located on the right side of the instrument panel, by marking a green arc in the range from 4 inches Hg. to 5 inches Hg. and a red radial line at 5 inches Hg. and adjust the instrument's suction relief valve so that the suction-gage reading is 4.5 ± 0.1 inches Hg.

at 2,200 r.p.m., in accordance with SIAI-Marchetti Service Bulletin No. 205B21 dated May 6, 1968, or later RAI-approved issue, or an FAA-approved equivalent. Check to insure that the suction gage reading does not exceed 5 inches Hg. at maximum engine r.p.m.

Issued in Washington, D.C., on June 17, 1968.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 68-7538; Filed, June 25, 1968;
8:46 a.m.]

[14 CFR Part 39]

[Docket No. 8962]

AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Viscount Model 810 Series Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive (AD) applicable to British Aircraft Corp. Viscount Model 810 Series airplanes. There have been reported cases of cracking and distortion in the forward landing flap assembly diaphragms. Since this condition is likely to exist or develop in other Model 810 Series airplanes, the proposed AD would require replacement of the No. 1 forward landing flap assembly diaphragm and periodic inspection for, and replacement of, cracked Nos. 2 and 3 forward landing flap assembly diaphragms and attachment plates.

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 docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before July 29, 1968, 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 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BRITISH AIRCRAFT, Applies to Viscount Model 810 Series airplanes.

Compliance required within the next 125 landings after the effective date of this AD, or before the accumulation of 10,125 landings, whichever occurs later.

To prevent cracking or distortion of forward landing flap assembly diaphragms P/Ns 80284-139/140, 80284-561/562, and 80284-711/712, and attachment plates P/Ns 80284-

131, 80284-565, and 80284-709, accomplish the following:

(a) Replace the No. 1 forward landing flap assembly diaphragm P/Ns 80284-139 and 80284-140 with new landing flap assembly diaphragm P/Ns 81084-51 and 81084-52 in accordance with British Aircraft Corp. Modification Bulletin No. FG. 2089, dated January 12, 1968, or later ARB-approved issue, or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region.

(b) Visually inspect Nos. 2 and 3 forward landing flap assembly diaphragms and attachment plates for cracks in accordance with British Aircraft Corp. Preliminary Technical Leaflet No. 136, Issue 1 (800/810 Series) or later ARB-approved issue or an FAA-approved equivalent. Repeat this inspection at intervals not to exceed 600 landings from the last inspection until the accumulation of 20,000 landings and thereafter at intervals not to exceed 450 landings from the last inspection.

(c) If cracks are detected during the inspection required by paragraph (b), before the next flight, replace the defective parts with serviceable parts of the same part number. Continue the repetitive inspections required by paragraph (b) for all replacement parts.

(d) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

Issued in Washington, D.C., on June 18, 1968.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 68-7539; Filed, June 25, 1968;
8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 18222; FCC 68-651]

FM BROADCAST STATIONS

Table of Assignments; Blairstown Township, N.J., etc.

In the matter of amendment of § 73.202, Table of Assignments, FM Broadcast Stations (Blairstown Township, N.J., Lexington, Mo., Knox, Ind., North Syracuse, N.Y., Williamsport, Md., Ukiah, Calif., and New Castle, Ind.); Docket No. 18222; RM-1283, RM-1284, RM-1285, RM-1292, RM-1293, RM-1294, RM-1295.

1. Notice is hereby given of proposed rule making in the above-entitled matters, concerning amendments of the FM Table of Assignments in § 73.202(b) of the rules. All the proposed assignments are alleged and appear to conform to the minimum spacing requirements of the rules. All proposed assignments within 250 miles of the United States-Canadian border require coordination with the Canadian Government, under the terms of the Canadian-United States FM Agreement of 1947 and the Working Arrangement of 1963. Except as noted, all

population figures are from the U.S. 1960 Census.

2. RM-1284, Blairstown, Township, N.J. (Benjamin J. Friedland); RM-1292, Lexington, Mo. (Lexington Broadcasting Co., Inc.); RM-1294, Knox, Ind. (Kankakee Valley Broadcasting Co., Inc.). In these three cases, interested parties are seeking the assignment of a first Class A channel in a community without requiring any other changes in the Table. The communities range in size from 1,797 to 4,485 in population. They all appear to warrant the requested assignments and so comments are invited on the following requested additions to the Table:

City	Channel No.
Blairstown Township, N.J.	292A ¹
Lexington, Mo.	292A
Knox, Ind.	257A

3. RM-1283, North Syracuse, N.Y. In a petition for rule making filed March 28, 1968, WSOQ, Inc., licensee of Station WSOQ(AM), North Syracuse, N.Y., requests the assignment of an FM channel to North Syracuse as follows:

City	Channel No.	
	Present	Proposed
North Syracuse, N.Y.		269A

North Syracuse, located about 5 miles north of Syracuse, has a population of 7,412. It is a part of the Syracuse Urbanized Area, which has a total population of 333,286. The Syracuse SMSA has a population of 563,781. North Syracuse has one local AM station and no FM assignments; the AM station, WSOQ, is licensed to the petitioner for daytime-only operation. Syracuse, with a population of 216,038, has been assigned four Class B channels and one Class A, all of which are in operation, except for the Class A channel on which a station is under construction. There are seven AM stations operating in the Syracuse Urbanized Area, consisting of five unlimited time and two daytime-only stations.

4. WSOQ states that the proposed assignment of Channel 269A will comply fully with the technical requirements of the rules. With respect to the important matter of areas which may be precluded from future FM assignments if the proposed channel were assigned, the petitioner's engineering study reveals that Channel 269A would be so involved. The precluded area would include 11 communities having populations greater than 2,500. Of these, Watertown (33,306), Oswego (22,155), Fulton (14,261), and Baldwinsville (5,985) presently have one or more AM stations and one FM assignment each. Solvay (8,732), East

¹ A site for this assignment will have to be selected about 2 miles north of Blairstown Township in order to conform to the minimum spacing requirements with Station WQAL(FM), Channel 291, Philadelphia, Pa.

² The preclusion area is somewhat greater than indicated by the engineering showing since Channel 269(B) was deleted from Ottawa-Hull, Ontario, by Canada on Apr. 22, 1968, subsequent to the date of this petition.

Syracuse (4,708), and Liverpool (3,487), each located within the Syracuse Urbanized Area, have no FM assignments, but East Syracuse has one daytime-only AM station. The remaining four communities of Carthage (4,216), Lowville (3,616), Camden (2,694), and Clyde (2,693) have neither AM or FM assignments.

5. In support of its request, WSOQ includes data from various local governmental sources to indicate that the township of Clay and Cicero, with a combined population of 32,485, and of which North Syracuse is a part, are becoming the fastest growing areas within the Syracuse region, whereas the rate of change for the principal city of Syracuse is decreasing. It is contended that the Clay-Cicero Township Area has a totally independent status and that the separately identified communities experiencing increasing growth and development have an independent need for radio service apart from that provided by the Syracuse stations. Petitioner urges that, since North Syracuse is presently limited to a daytime-only outlet, a full-time FM service would offer a much broader range of coverage for the needs and interests of the North Syracuse area and would be a vital source for dissemination of information on public activities, governmental, civic and social affairs.

6. While we are not persuaded that this assignment should be made in view of its effect on a possible assignment to a community not within the Syracuse Urbanized Area, we are of the view that comments should be invited on the proposed assignment of Channel 269A to North Syracuse, New York as proposed, in order that interested parties may submit their views and relevant data. Because of the significant number of communities which would be precluded from assignment of Channel 269A if the proposal were to be adopted, comments are also requested on the probable future availability of other FM channels to those communities presently without any local FM assignments. We also invite counterproposals from interested parties for assignment of the channel to other communities located within the above-described preclusion area.

7. RM-1295, *New Castle, Ind.* New Castle Broadcasting Corp., a potential FM applicant, filed a petition on April 24, 1968, requesting the addition of a second FM channel to New Castle, Ind., as follows:

City	Channel No.	
	Present	Proposed
New Castle, Ind.	273	232A, 273

New Castle, Ind., located in Henry County, has a population of 20,349 persons. It is the county seat and largest community in the county, which has a population of 48,899. The one existing FM assignment at New Castle is utilized by Station WCTW-FM, which is licensed to the same licensee as is the only AM station in the community, WCTW(AM), unlimited time. There are no other FM

assignments or AM stations in Henry County.

8. The petitioner submits that New Castle and its surrounding environs have experienced a steady growth in population and industry during the 1960's, and urges that a second FM assignment to the area of New Castle, with an estimated population of over 30,000, would serve the public interest. It is stated that the proposed Class A channel is the only channel which could be assigned to New Castle meeting all technical requirements and without involving channel changes for at least three operating stations.³ A showing is included with the petition indicating that the proposed assignment would not involve any preclusion area on the six adjacent channels. Two small areas are indicated for the proposed Channel 232A, but no communities having populations greater than 1,000 are included within either of these areas.

9. We are of the view that rule making should be instituted on the above proposal in order that all interested parties may submit their comments. Since the proposed channel would require a site about 5.5 miles outside of New Castle, comments are invited on the availability of suitable sites from which all the technical requirements of the rules could be met. Comments are also invited on the fact that the proposal would result in a mixture of Class A and B channels, a result we have attempted to avoid where possible.

10. RM-1293, *Ukiah, Calif.* On April 22, 1968, a petition was filed jointly by Daniel S. Cubberly and Elma J. Cubberly, requesting substitution of Channel 277 for Channel 228A at Ukiah, Calif., as follows:

City	Channel No.	
	Present	Proposed
Ukiah, Calif.	228A, 233	233, 277

Ukiah, population 9,900, is the largest community in Mendocino County, which has a population of 51,059. Ukiah has two AM stations, one daytime-only and one Class IV; petitioners are the licensees, as joint tenants, of the Class IV FM Channel 233 is presently under construction and the petitioners hold a construction permit for Channel 228A. Since the petitioners are permittees, an order is also requested to modify the construction permit, BPH-4771, to specify operation on Channel 277.

11. In support of the proposed substitution of Channel 277 for 288A, the petitioners show that the proposal would conform to all of the separation requirements of the rules and could be accomplished without any other changes in the Table. It is claimed that, due to the nature of northern California and the distribution therein of population and

³ A transmitter site about 5.5 miles southeast of New Castle would be required in order to meet the separation requirements of 65 miles from Station WMER(FM), Channel 232A, Celina, Ohio.

communities, a Class B assignment is necessary to meet the coverage conditions and adequately serve the public. It is submitted that Ukiah is approximately 118 miles from San Francisco to the south and 160 miles from Eureka to the north with mountain ranges and scattered communities to the east and west. The petitioners assert that no FM service is available in the area, except as may be provided by Ukiah-based facilities, and that other communities in the region are too small to support an FM station. The petitioners urge that Class A FM facilities at Ukiah could not reach the cities and rural populations in the area because of power and height limitations. They therefore conclude that the only practical solution for reliable service in the area is by allocation of Class B FM facilities to Ukiah.

12. The proponents cite the Commission's action of partially recognizing the above-described situation by substituting Class B Channel 233 for Channel 232A at the request of another FM permittee in Ukiah and contend that the instant proposal would eliminate the problem of mixing Class A and B channels in the same community resulting from that action.⁴

13. In view of the showing made by the petitioners concerning coverage and advantages that would be attained by use of a Class B channel we believe that we should invite comments on the proposal outlined above. Proponents of the proposal should indicate areas in which the assignment of Channel 277 and the six pertinent adjacent channels would be precluded in the event the proposal were adopted. Since the petitioners hold a construction permit on Channel 228A for Station KUKI-FM, and because the proposal would delete this assignment in order to assign Channel 277 there, consideration will be given to a modification of the KUKI-FM authorization in the event the proposal is adopted.

14. RM-1285, *Williamsport, Md.* Michael G. Callas, a resident of Hagerstown, Md., filed a petition on April 1, 1968, for rule making to assign a Class A FM channel to Williamsport, Md., as follows:

City	Channel No.	
	Present	Proposed
Williamsport, Md.		1 240A

¹ A site about 2 miles from Williamsport would be required in order to satisfy the spacing requirements of the rules.

Williamsport, population 1,853, is located in Washington County, population 91,219, about 6 miles from Hagerstown, the county seat, with a population of 36,660. Williamsport has no local radio outlet. Washington County has six radio outlets operating: Two Class IV AM and two Class B FM stations at Hagerstown and a daytime-only AM and

⁴ Channel 233 was substituted for Channel 232A at Ukiah by Report and Order, RM-1125, Docket No. 17627, FCC 67-1179, on Oct. 25, 1967.

Class A FM at Halfway. Halfway, with a population of 4,256 persons, is located about midway between Hagerstown and Williamsport.

15. The petitioner shows that the proposed channel will meet the technical requirements of the rules if a site is selected between Williamsport and Hagerstown about 2 miles outside of Williamsport. It is also shown that no significant preclusion area would be involved on Channel 240A and it is stated that adjacent channels would not be affected in the area, although no showing supporting the latter statement is furnished. In support of the proposal, the petitioner submits that Williamsport, an incorporated city with a mayor-council form of government, enjoys a significant amount of local industry by various manufacturers, an engineering and research organization, and a large power generating station. The petitioner estimates the current population of Williamsport as 2,000, and lists several community social organizations operating there. It is urged by the petitioner

that he determined that need exists for an additional broadcast outlet in the area, specifically in Williamsport, and that he and his associates are prepared to file an application for the proposed channel upon its allocation to Williamsport.

16. We are of the view that comments should be invited on the proposed assignment for Williamsport, Md., in order that interested parties may submit their views. Because of the proximity of the proposed community to larger communities having one or more FM assignments, comments with supporting data are also requested on the preclusion areas that may result on the pertinent six adjacent channels if Channel 240A were assigned as proposed.

17. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

18. Pursuant to applicable procedures set out in § 1.415 of the Commission's

rules, interested parties may file comments on or before July 30, 1968, and reply comments on or before August 9, 1968. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

19. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all written comments, replies, pleadings, briefs, or other documents shall be furnished the Commission.

Adopted: June 19, 1968.

Released: June 21, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,*

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-7583; Filed, June 25, 1968;
8:50 a.m.]

* Commissioner Johnson absent.

Notices

DEPARTMENT OF AGRICULTURE

Packers and Stockyards Administration AINSWORTH LIVESTOCK AUCTION ET AL.

Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

<i>Original name of stockyard, location, and date of posting</i>	<i>Current name of stockyard and date of change in name</i>
NEBRASKA	
Ainsworth Livestock Auction, Ainsworth, Sept. 6, 1956.	Ainsworth Livestock Market, Jan. 1, 1968.
Aurora Livestock Market, Aurora, Oct. 8, 1966.	Aurora Auction Market, Mar. 9, 1968.
OKLAHOMA	
Farmers Livestock Commission Co., Enid, Jan. 4, 1937.	Enid Livestock Market, Inc., Jan. 1, 1968.
Selling Sales Association, Seiling, Mar. 12, 1956.	Selling Sales Association, Inc., Jan. 1, 1968.
TEXAS	
Belton Livestock Auction, Belton, Sept. 10, 1963.	Belton Livestock Auction, Inc., Mar. 11, 1968.
Childress Livestock Commission Co., Childress, Nov. 9, 1956.	Childress Livestock Auction, Feb. 8, 1968.
TEXAS	
Hopkins County Livestock Comm. Co., Sulphur Springs, Sept. 26, 1962.	Hopkins County Livestock Commission, Jan. 20, 1968.
Texoma Cattle Company, Whitesboro, Feb. 14, 1963.	Whitesboro Livestock and Commission Company, Mar. 14, 1968.
WYOMING	
Gillette Livestock, Gillette, May 18, 1951.	Gillette Livestock Exchange, Sept. 22, 1967.

Done at Washington, D.C., this 20th day of June 1968.

G. H. HOPPER,
*Acting Chief, Registrations, Bonds, and Reports
Branch, Livestock Marketing Division.*

[F.R. Doc. 68-7554; Filed, June 25, 1968; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket S-213]

OCEANIC STEAMSHIP CO.

Notice of Hearing

A notice was published in the *FEDERAL REGISTER* of December 2, 1967 (32 F.R. 16537), inviting views and comments regarding an application dated October 18, 1967, filed by The Oceanic Steamship Co., for a waiver under section 804 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1222) to permit its parent company, Matson Navigation Co., to engage in certain activities in connection with Trans-Pacific foreign commerce operations under a Basic Shoreside Container Service Agreement, No. FMC 9626 with Nippon Yusen Kaisha, a competitive Japanese-flag company.

Various comments from several U.S.-flag Trans-Pacific operators, having been received, the Acting Maritime Adminis-

trator has concluded that a public hearing, though not required by law, may be of assistance in determining whether to grant or deny the requested waiver.

Accordingly, in the exercise of his discretionary authority, the Acting Maritime Administrator hereby gives notice that a public hearing will be held on the application.

Interested parties may inspect this application in the Office of Government Aid, Maritime Administration, Room 4077, General Accounting Office Building, 441 G Street NW., Washington, D.C.

The purpose of the hearing is to receive evidence relevant to whether special circumstances and good cause exist so as to justify a waiver of the provisions of section 804 with regard to those activities and operations covered by said agreement No. FMC 9626 which fall within said section 804.

The hearing will be before the Chief Hearing Examiner of the Maritime Administration (or a designee of his office) as the duly authorized representative of

the Acting Maritime Administrator, in Room 4519, General Accounting Office Building, 441 G Street NW., Washington, D.C., at 10 a.m. on July 23, 1968, and a recommended decision will be issued.

Any American-flag carrier by water having any interest (within the meaning of section 804) in the foregoing application and desiring to be heard on the referred-to issues pertinent to section 804 must file such request by close of business on July 12, 1968, with the Secretary, Maritime Subsidy Board/Maritime Administration, in writing, in triplicate, stating clearly and concisely the grounds of interest, and the alleged facts relied on in support of its position in the matter. Notwithstanding any provision of the Maritime Subsidy Board/Maritime Administration rules of practice and procedure (46 CFR Part 201), any request to participate in the hearing which is received after the close of business July 12, 1968, will not be entertained in this proceeding.

If no requests to participate in the hearing are received within the specified time, or if it is determined that submitted requests to participate do not demonstrate sufficient interest to warrant a hearing, the Acting Maritime Administrator will take such action as may be deemed appropriate.

Dated: June 21, 1968.

By order of the Acting Maritime Administrator.

JOHN M. O'CONNELL,
Assistant Secretary.

[F.R. Doc. 68-7618; Filed, June 25, 1968; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

DRUGS FOR HUMAN USE

Drug Efficacy Study Implementation Announcement Regarding Triamcinolone Acetonide Dental Paste

The Food and Drug Administration has received and evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation: Triamcinolone acetonide 0.1 percent in emollient dental paste, marketed as Kenalog in Orabase by E. R. Squibb and Sons, Inc., 745 Fifth Avenue, New York, N.Y. 10022.

The Food and Drug Administration concurs in the conclusion of the Academy that this drug is shown to be effective for adjunctive treatment and for the temporary relief of symptoms associated with oral inflammatory lesions

and ulcerative lesions resulting from trauma.

A supplemental new-drug application is invited to revise the labeling provided for in the new-drug application for the above preparation to limit the claims and present the conditions of use as follows:

ACTIONS

Triamcinolone acetonide is a synthetic corticosteroid and possesses properties of an anti-inflammatory, antipruritic, and anti-allergic nature. The emollient dental paste acts as an adhesive vehicle for applying the active medication to oral tissues. The protective action of the adhesive vehicle may serve to reduce the pain associated with oral irritation.

INDICATIONS

Indicated for adjunctive treatment and for the temporary relief of symptoms associated with oral inflammatory lesions and ulcerative lesions resulting from trauma.

CONTRAINDICATIONS

Fungal, viral, or bacterial infections of the oral mucosa. Hypersensitivity to any component.

WARNING

USE IN PREGNANCY: Safe use in pregnancy has not been established.

PRECAUTIONS

Patients with tuberculosis, peptic ulcer, or diabetes mellitus should not be routinely treated with this steroid preparation.

It should be borne in mind that the normal defensive responses of the oral tissues are depressed in patients receiving topical corticosteroid therapy. Virulent strains of oral microorganisms may multiply without producing the usual warning symptoms of oral infections.

If significant regeneration or repair of oral tissues has not occurred in 7 days, additional investigation into the etiology of the oral lesion is advised.

ADVERSE REACTIONS

Prolonged administration may elicit the adverse reactions known to occur with systemic steroid preparations; for example, adrenal suppression, alteration of glucose metabolism, protein catabolism, peptic ulcer activations, and others. These are usually reversible and disappear when the hormone is discontinued.

DOSAGE AND ADMINISTRATION

The drug should be applied 2 to 3 times a day following meals and at bedtime. If significant repair or regeneration has not occurred in 7 days, further investigation is advisable.

The holder of the new-drug application for the drug listed above has been mailed a copy of the NAS-NRC report together with a copy of the labeling conditions in this announcement. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to the drug listed in this announcement or any other interested person may obtain a copy of the NAS-NRC report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

Written comments regarding this announcement may be addressed to the Special Assistant for Drug Efficacy Study Implementation, Bureau of Medicine, Food and Drug Administration, 200 C

Street SW., Washington, D.C. 20204.

This statement is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 18, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-7587; Filed, June 25, 1968;
8:50 a.m.]

DRUGS FOR HUMAN USE

Drug Efficacy Study Implementation Announcement Regarding Salt Substitutes

The Food and Drug Administration has received reports from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following salt substitute preparations:

1. Diasal, marketed by E. Fougere and Co., Inc., East Cantigue Road, Hicksville, Long Island, N.Y. 11802.
2. Neocurtasal, marketed by Winthrop Laboratories, 90 Park Avenue, New York, N.Y. 10016.
3. Co-Salt, marketed by U.S. Vitamin and Pharmaceutical Corp., 800 Second Avenue, New York, N.Y. 10017.

Such preparations are regarded by the Food and Drug Administration as foods and are subject to the food provisions of the Federal Food, Drug, and Cosmetic Act, including section 403(j) concerning foods for special dietary uses (21 U.S.C. 343(j)). They should be suitably labeled to comply with Part 125 (21 CFR Part 125), the current regulations for foods for special dietary uses, including § 125.9 *Label statements relating to certain foods used as a means of regulating the intake of sodium in dietary management.*

These preparations are also regarded as drugs and are thus subject to the drug provisions of the act. They should bear a cautionary statement to the effect that they should not be used without the advice of a physician.

Attention is directed to the public hearing on foods for special dietary uses that was scheduled to begin June 20, 1968, in Room 5131, Health, Education, and Welfare Building North, 330 Independence Avenue SW., Washington, D.C., involving issues that will relate to this announcement. Notice of the hearing was published in the FEDERAL REGISTER of April 2, 1968; 33 F.R. 5268.

At a later date it will be proposed that the subject preparations be added to paragraph (b) of § 130.302 *List of drugs for human use that do not now require an approved new-drug application* (21 CFR 130.302). Section 130.302 was included in a notice of proposed rule-making published in the FEDERAL REGISTER of May 28, 1968 (33 F.R. 7762).

The holders of new-drug applications for the drugs listed above have been mailed a copy of the NAS-NRC report.

Any other manufacturer, packer, or distributor of such drugs or any other interested person may obtain a copy of the NAS-NRC report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 18, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-7588; Filed, June 25, 1968;
8:50 a.m.]

DRUGS FOR HUMAN USE

Drug Efficacy Study Implementation Announcement Regarding Certain Iron Preparations for Parenteral Use

The Food and Drug Administration has reviewed and evaluated reports from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following iron preparations for parenteral use:

1. Astrafer injection; 100 milligrams of trivalent iron (as dextriferron) per 5 milliliters; marketed by Astra Pharmaceutical Products, Inc., 7 Neponset Street, Worcester, Mass. 01606.
2. Imferon injection; 50 milligrams of trivalent iron (as iron dextran) per milliliter; marketed by Lakeside Laboratories, Inc., 1707 East North Avenue, Milwaukee, Wis. 53201.

The Food and Drug Administration concurs in the conclusions of the Academy that these drugs are shown to be effective and suitable for the treatment of iron-deficiency anemia when established conditions exist corroborating iron deficiency anemia not amenable to oral therapy.

The active components of preparations of this kind are complexes of iron and modified carbohydrates. Because of the potential for toxicity associated with the use of these drugs and the fact that their integrity is dependent to a large degree upon manufacturing procedures, such preparations continue to be regarded as new drugs (21 U.S.C. 321(p)).

The holders of previously approved new-drug applications for these articles are herewith exempted, pursuant to § 130.35(i), from the annual reporting requirements of §§ 130.35(e) and 130.13(b)(4) of the new-drug regulations (21 CFR 130.13(b)(4), 130.35(e), (i)).

The holders of such new-drug applications are invited to submit new-drug application supplements to provide for revising the labeling so that the parts of the labeling indicated are substantially as described below and include the box warning at the beginning of any labeling piece:

WARNING: The parenteral use of complexes of iron and carbohydrates has resulted in fatal anaphylactic-type reactions. Deaths associated with such administration have been reported. Therefore, should be used only in those patients where clearly established indications exist, confirmed by appropriate laboratory investigations corroborating iron deficiency anemia not amenable to oral iron therapy.

*Name of drug.

ACTIONS

Ferric iron administered parenterally is transported by transferrin and incorporated into hemoglobin.

INDICATIONS

For the treatment of iron deficiency anemia: Intramuscular or intravenous injections of iron are advisable solely for use in those patients in whom iron deficiency anemia is present, its cause has been determined and, if possible, corrected, and in whom oral administration of iron is unsatisfactory or impossible; for example:

Intolerance to oral preparations;

Resistance to oral iron therapy;

Rapid replenishment of iron stores in selected patients in whom oral therapy is ineffective, such as hypochromic anemia of infancy and hypochromic anemia of the last trimester of pregnancy;

Selected hemorrhagic cases (appropriate steps should be taken to correct and prevent any excessive blood loss that may have been revealed as an etiologic factor);

To replace postoperative transfusion to some degree;

In those patients who cannot be relied upon to take oral medication.

CONTRAINDICATIONS

Hypersensitivity to the product.

All anemias other than iron deficiency anemia.

WARNINGS

This preparation should be used with extreme care in the presence of serious impairment of liver function.

A risk of carcinogenesis may attend the injection of iron-carbohydrate complexes. Such complexes have been found under experimental conditions to produce sarcomas when injected in rats, mice, and rabbits, and possibly in hamsters, in very large doses. The number of tumors produced was relatively small, and such tumors have not been produced in guinea pigs. The risk of carcinogenesis in man following recommended therapy appears to be extremely small; however, the long latent period between the injection of a potential carcinogen and the appearance of a tumor makes it impossible as yet to measure the risk in man.

PRECAUTIONS

Improper therapy with these agents will cause storage of iron with the consequent possibility of exogenous hemosiderosis. Such iron overload is particularly apt to occur with patients with hemoglobinopathies and other refractory anemias which might be erroneously diagnosed as iron deficiency anemia.

ADVERSE REACTIONS

Intramuscular injection: Variable degree of soreness and inflammation; brownish discoloration in the area of injection.

Intramuscular and intravenous injections: Anaphylactoid and anaphylactic reactions, including fatal anaphylactic reactions; severe febrile reactions.

DOSAGE AND ADMINISTRATION

Periodic hematologic determinations are to be used as a guide in therapy, bearing in mind that iron storage may lag behind the

appearance of normal blood morphology. The total cumulative amount required to restore hemoglobin and replenish iron stores may be approximated from the formula:

$$0.3 \times \text{Body weight in pounds} \times (100 - \frac{\text{Patient's hemoglobin in gram percent} \times 100}{14.8}) = \text{Milligrams total iron to be injected}$$

DOSAGE FOR INTRAMUSCULAR PREPARATIONS

Each day's dose should ordinarily not exceed 25 milligrams for infants under 10 pounds, 50 milligrams for children under 20 pounds, 100 milligrams for patients under 110 pounds, and 250 milligrams for others.

DOSAGE FOR INTRAVENOUS PREPARATIONS

To minimize toxic reactions, the initial dose should be limited to 15 to 30 milligrams followed by daily increments for 2 or 3 days until a 100-milligram daily dose is reached. This larger dose should be given slowly (1 minute per 20 to 50 milligrams).

The holders of the new-drug applications for the drugs listed above have been mailed a copy of the NAS-NRC report along with a copy of the labeling conditions contained in this announcement. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to the drugs listed in this announcement, or any other interested person, may obtain a copy of the NAS-NRC report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

Written comments regarding this announcement may be addressed to the Special Assistant for Drug Efficacy Study Implementation, Bureau of Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(p), 502 (a), (f), 505, 52 Stat. 1041, 1050-53, as amended; 21 U.S.C. 321(p), 352 (a), (f), 355) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 18, 1968.

JAMES L. GODDARD,

Commissioner of Food and Drugs.

[F.R. Doc. 68-7589; Filed, June 25, 1968; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Agreement CAB 5044-A136; Order E-26946]

AIR TRAFFIC CONFERENCE OF AMERICA

Order Deferring Action Regarding Advertised Tours

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 20th day of June 1968.

On March 19, 1968, the Air Traffic Conference of America (ATC) filed pursuant to section 412 of the Federal Aviation Act of 1958, as amended, the following amendment to the Agency Resolution adopted at the Agency Committee meet-

ing of January 16-18, 1968, for intended effectiveness June 1, 1968:¹

Resolved, that effective June 1, 1968, section XII.B.1, Resolution 80.10, be amended to read as follows:

"Advertised Air Tour' means a complete package, as set forth in Paragraph C of this section, advertised in a Tour Folder, offered for sale to the public, and prepaid in full by the purchaser: *Provided*, That in connection with travel to or from conventions or meetings, lodgings and other ground arrangements directly connected with the convention or meeting program shall not be considered a part of the 'complete package.'"

An advertised air tour, to qualify for the 10 percent commission must include, in addition to lodging for a minimum of two nights, at least two meals per day and at least one additional feature such as a sightseeing trip, etc., in addition to the air transportation involved.² Thus, the effect of the amendment is to make it more difficult for a tour connected with a convention or meeting to qualify as an advertised air tour and thereby entitle the agent to a 10 percent rather than a 5 or 7 percent commission.

The American Society of Travel Agents (ASTA), Don Travel Service, Inc., New York, and Beltz Travel Service, Inc., San Francisco, oppose the amendment. ATC submitted a letter of clarification and explanation.

It appears from ATC's letter that the resolution is based on the assumption that persons attending meetings and conventions do so for reasons other than the promotional efforts of the agents. As a consequence, the agents are not entitled to a 10 percent commission but rather the normal commission rates should apply. ATC also attempted to give meaning and content to the words convention and meetings.

ASTA and the individual agents contend that over the years agents have promoted and developed tours associated with conventions and meetings to the benefit of all concerned, including the airlines. According to the objectors, by reducing the commission and tightening the definition of an advertised air tour, the resolution will make it more difficult for the agents to promote domestic tour travel. It is argued that such a result is contrary to the efforts of all concerned to promote domestic travel.

On the basis of the record to date, the Board is unable to act upon the matter. Except for the submission of several brochures describing advertised air tours

¹ ATC has agreed on behalf of its members to withhold implementation of the amendment until the Board acts on the matter.

² An exception is provided which permits the Advertised Air Tour Committee of ATC to approve any package by two-thirds majority vote.

built around conventions or meetings, the record does not contain the factual information we deem necessary for a decision. Consequently, we shall defer action on the resolution and afford interested persons an opportunity to submit factual data in support of or in opposition to the agreement.

To begin with, we believe the record should contain information indicating the magnitude of the alleged problem which the agreement is designed to cure. Consequently, we believe the air carriers should submit information showing for calendar year 1967, the number of advertised air tours sold by agents over their respective systems, and the number of such tours which would have been ineligible for the 10 percent commission if the proposed definition had been in effect. Along with such factual data, the carriers should give reasons for their conclusion that the tours would not have qualified under the proposed definition.²

The agents should submit factual data indicating in what manner they have promoted tours connected with conventions and meetings during 1967; the number of such tours sold in 1967 which would have been affected by the amendment; and factual data indicating what role the agents performed in the overall planning, promoting, organizing, and coordination of the conventions or meetings involved in the tours. Similar information should be submitted for the period beginning January 1, 1968.

The Board is desirous of receiving information from those corporations, organizations or other groups which either conducted conventions and meetings involved in advertised air tours or have such scheduled for the future. Such data should indicate, among other things, whether the convention or meeting would have been held absent the sale by travel agents of air tours; the probable location of the convention or meeting if no tour had been available; an estimate, along with its basis, of the number of people who would have attended the convention or meeting absent the tour as compared to the size of the actual attendance; and the role played by the agent in the overall organization, planning, promotion, and coordination associated with the meeting or convention.

We would also expect both the carriers and agents to address themselves to the relationship, if any, between the instant matter and the overall commission question, and the appropriate role of the agent in marketing air transportation. In this connection, attention should be given to the relevancy of the SARC study and the cost study now under way to the matter at issue herein.

² If the carriers choose to use ATC as a vehicle for submitting the requested data, the requirement of Part 263 of the Board's economic regulations must be complied with.

Interested persons are at liberty to submit any additional factual data in support of their respective positions. We wish to emphasize that argumentative comments devoid of factual data will be of little assistance in resolving this matter.

Accordingly, it is ordered:

1. That further action on Agreement CAB 5044-A136 be and it hereby is deferred.

2. That all interested persons be and they hereby are afforded a period of 45 days from the date of service of this order to file factual material in support of or in opposition to the agreement.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-7576; Filed, June 25, 1968;
8:49 a.m.]

[Docket No. 19849; Order E-26948]

DELTA AIR LINES, INC.

Order Instituting Investigation Regarding Applicability of Off-Peak Coach Fare Services

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 20th day of June 1968.

By revisions to its general flight schedules, Delta Air Lines, Inc. (Delta), canceled its DC-8 deluxe night coach and night coach flight 181 between New York and Los Angeles via Atlanta and Dallas; and in its place, established DC-8 flight 121 but with different scheduled times. The flight times for these two flights are set forth below:

		Flight 181	Flight 121
New York	Lv.	1:25 a.m.	3:30 a.m.
Atlanta	Ar.	3:39 a.m.	5:36 a.m.
	Lv.	4:25 a.m.	6:28 a.m.
Dallas	Ar.	5:21 a.m.	7:14 a.m.
	Lv.	6:05 a.m.	7:58 a.m.
Los Angeles	Ar.	6:55 a.m.	8:46 a.m.

American Airlines, Inc. (American), filed a complaint³ against Delta requesting the Board to (a) enter an order pursuant to section 1002 of the Act prohibiting Delta from designating the flight in question as a "night-coach" flight, (b) institute an investigation of Delta's night-coach tariff, set forth on eighth revised page 129 of Airline Tariff Publishers, Inc., Local and Joint Passenger Fares Tariff No. PF-7, A.T.B. No. 41, to be effective April 28, 1968, to the extent such tariff permits the applicability of night-coach fares on the

¹ Delta Air Lines, Inc., General Schedule CAB-28, 6th revised page 2, issued Mar. 29, 1968, for effectiveness on Apr. 28, 1968.

² Docket 19849; the complaint was received by the Board on Apr. 24, 1968, 3:23 p.m.

flights in question,⁴ and (c) take whatever other action may be appropriate to prevent Delta from violating § 399.33 (a) of the Board's regulations and 404 (b) of the Federal Aviation Act.

American asserts that the offering of night-coach fares on the 7:58 a.m. departing Dallas-Los Angeles nonstop flight would violate the Board's off-peak coach policy and the antidiscrimination provisions of the Federal Aviation Act. American refers to § 399.33(a) of the Board's regulations regarding "off-peak services" and further states that the Board has repeatedly held that "when air carriers submit proposals for new low fare off-peak services * * * they will be required to demonstrate that the proposed services are in fact off-peak" (Order E-16642, Apr. 11, 1961). American contends that Delta's flight is not off-peak but rather is within an hour of prime morning departure period, and is obviously not inconvenient. Finally, American states that the Board has permitted off-peak fares on tail-end segments of a flight; however, they know of no flight in a major market having as attractive a departure time as Delta's flight 121.⁴

Delta has filed an answer to the complainant's contentions. Delta contends that the complaint makes no showing that Delta's April 28, 1968, schedules are in any manner inappropriate; the initial departure of flight 121 from New York (3:30 a.m.) is between the traditional hours for night coach departure (10 p.m.—4 a.m.) and that the designation as a jet deluxe night coach (FN) jet night coach (YN) flight is fully in accord with tariff provisions, and with principles of tariff application, which have remained unchanged for a long period of time. Delta further states that Board precedent requires denial on the basis of a similar complaint and petition for reconsideration of American which the Board discussed (Docket 17102, Order E-23486 and Docket 17105). Finally, Delta contends that a grant of American's petition would prejudice the traveling public by precluding Delta from offering services to the public at night coach

³ The tariff provides that Delta's jet deluxe night-coach fares and jet night-coach fares apply on flights scheduled to depart from origin terminal between 10 p.m. and 4 a.m., with certain exceptions which include the exception that flights will be scheduled to depart from origin terminal of New York or Newark between 9 p.m. and 4 a.m. While the rule complained against appeared upon a tariff page marked to become effective Apr. 28, 1968, this same rule appeared on earlier effective tariff pages and had been in effect at all times material hereto. There was therefore no issue of suspension presented.

⁴ American states that several of Delta's multisegment flights begin as night coach but change to regular coach for the segments having departure times comparable to that of the Dallas-Los Angeles flight. For example, Delta's flight 151, from Chicago to Dallas via intermediate points, changes from night coach to day coach on its departure from Jackson, Miss., at 7:26 a.m.

fares from Atlanta to Los Angeles since flight 121 will be its only such service at night coach fares.

Delta has not demonstrated that service from Dallas to Los Angeles with a 7:58 a.m. departure is in fact off-peak. American, in its complaint sets forth numerous examples of flights with departures between 7 and 8 a.m. with good patronage at regular fares, as well as noting the Los Angeles to Dallas flight departing at 8:10 a.m. It appears that 7:58 a.m. departures may approximate prime flight time and that such services may not be uneconomic because of the inconvenience of the departure time. The Board has previously noted there is nothing unusual in applying off-peak fares to all segments of an off-peak flight even though some segments may involve more attractive hours of travel (Order E-23529). However, we cannot conclude that the fact that the originating New York departure is at 3:30 a.m. indicates an inconvenient departure time with respect to Dallas to Los Angeles traffic, or that we should not investigate the lawfulness of the Dallas to Los Angeles night-coach fares. In these circumstances we will initiate an investigation of the lawfulness of the night-coach fares as applied from Dallas to Los Angeles. Although the flight in question originated in New York and has another intermediate stopping point at Atlanta, with a 6:28 a.m. departure, no person has challenged the lawfulness of the applications of night-coach fares from New York or Atlanta to Dallas or Los Angeles with a 6:28 a.m. departure and we will limit the scope of the inquiry to the lawfulness of the Dallas to Los Angeles issue."

Upon consideration of all relevant matters, the Board finds Delta's night coach tariff fares, rules and practices, insofar as they apply to a Dallas flight departing Dallas at 7:58 a.m. for Los Angeles, may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial and should be investigated.

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

It is ordered, That:

1. An investigation be instituted to determine whether the provisions on eighth Revised Page 129 and the fares between Dallas and Los Angeles on eighth Revised Page 132 of Airline Tariff Publishers, Inc., Agent's CAB No. 101 (including subsequent revisions and reissues thereof) insofar as such fares and provisions apply from Dallas to Los Angeles on flights scheduled to depart from Dallas at 7:58 a.m., and rules, regulations, and practices affecting such fares and provisions, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and

"In support of its Dallas fare, Delta states that flight 121 is the only off-peak service from Atlanta to Los Angeles. As American noted, Delta need not offer off-peak fares to passengers boarding at Dallas in order to provide off-peak fares from Atlanta to Los Angeles.

if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. This investigation be assigned for hearing before an examiner of the Board at a time and place to be hereafter designated; and

3. A copy of this order shall be served on American Airlines, Inc., and Delta Air Lines, Inc., which are made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-7577; Filed, June 25, 1968;
8:49 a.m.]

[Agreement CAB 19691, Amdt. A1; Order E-26944]

NATIONAL AIR CARRIER ASSOCIATION, INC.

Order of Tentative Approval of Bylaws

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of June 1968.

On June 28, 1967, there was filed with the Board for approval pursuant to section 412 of the Federal Aviation Act of 1958, as amended, revised bylaws of the National Air Carrier Association, Inc. (NACA).¹ On March 25, 1968, three amendments were also filed.² As amended the agreement is identified as Agreements CAB 19691 and CAB 19691-A1 and hereinafter referred to as the "agreement."

The parties have readopted substantially those provisions of the original bylaws and amendments thereto which have previously been approved by the Board³ and deleted two provisions which were approved subject to certain conditions.⁴ In addition to various revisions of

¹ The members of NACA are: Capitol International Airways, Inc.; Modern Air Transport, Inc.; Overseas National Airways, Inc.; Purdue Aeronautics Corp.; Saturn Airways, Inc.; Southern Air Transport, Inc.; Standard Airways, Inc.; Trans International Airlines Corp.; Universal Airlines, Inc.; and World Airways, Inc.

² The filings were supplemented by NACA's letter of May 2, 1968.

³ The certificate of incorporation and the original bylaws and amendments thereto were previously approved by the Board, subject to various conditions. See Orders E-18165, Mar. 29, 1962, E-19232, Jan. 25, 1963, E-19629, June 3, 1963, and E-20960, June 22, 1964.

⁴ Article VI of the original bylaws which established a Committee on Safety and Procedures has been deleted, thereby obviating the requirement of the Board's conditions with respect thereto, contained in the ordering paragraphs 1 (b) and (c) of Order E-19232, supra; Article II section 1 as currently formulated has deleted the requirement that a new member purchase, in addition to one share in the association, a pro rata share in the association's surplus, thereby eliminating the Board's requirement of implementation as set forth in Order E-19232, supra. Other conditions of this order and of Order E-20960, supra, are of a continuing nature and applicability.

a clarifying nature and relating to internal administrative matters, the parties have adopted a number of new substantive terms.

Briefly, the clarifying and administrative provisions of the agreement relate to such matters as the change of name of the "Public Relations Division" to "Trade Division"; the effective date of resignation of any member; the automatic removal of directors upon failure to attend two consecutive regular meetings of the Board; the association's obligation, instead of an option, to repurchase the shares of withdrawing members; the deletion of associate memberships; and the filling of vacancies on the Board of Directors.

The new substantive terms of the agreement provide for a decrease in price of an applicant's qualifying membership share of stock in the association from \$5,000 to \$1,000; solvent financial condition as an additional qualification for membership; the expulsion of any member upon the determination of the Board of Directors, subject to arbitration, that such member has failed to maintain its initial qualifications for membership; a Board of Directors consisting of a minimum of five (5) persons and a maximum no greater than the number of members in the association, instead of a fixed number of seven (7) directors; a quorum of the Board of Directors consisting of one less than a majority but in no event less than five directors; annual dues in an amount fixed by the Board of Directors instead of annual dues in a stated sum; the amendment of bylaws by a majority of the whole Board of Directors; and participation by each member in both the trade division and the traffic division of the association.⁵

In clarification of the last mentioned provision, NACA advised that both the trade division and the traffic division have important roles in the evaluation of military procurement activities and policies and the dissemination to member carriers of information concerning such activities; that, historically, NACA was formed primarily because of the military's desire for a joint bidding agent, in lieu of dealing separately with a large number of supplemental carriers; that, in view of the substantial overlap of functions of NACA, it would be awkward and inefficient for a member carrier to belong to one division only; and that all present members of NACA belong to both divisions.

The Board finds that the agreement constitutes, as did NACA's original bylaws, a cooperative working arrangement among air carriers affecting air transportation, and accordingly, is subject to

⁵ Article VI, provides as follows: "Section 1. *Traffic Division.* The Traffic Division shall be responsible for the procurement of both military and commercial air transportation which shall be allocated among the members in the Association in accordance with procedures determined by the Board of Directors. "Section 2. *Trade Division.* The purpose of the Trade Division shall be to promote in all proper manners the purposes of the Association."

section 412 of the Act. The terms of the agreement which identically restate or omit various provisions of NACA's original bylaws and those which are merely of a clarifying nature or relate to internal administrative procedures do not appear to raise substantive issues not previously considered by the Board.⁶ The new substantive terms of the agreement relate to the elimination of fines and suspensions of members; the composition, procedures and functions of the Board of Directors; and the eligibility and qualifications for membership. With one exception, these terms appear to be consistent with those which are recognized as proper and lawful for trade associations and appear to be fair and reasonable.

The exception relates to the requirement that each member participate in both the traffic division and trade division of the association.⁷ Upon the formation of the association in 1962 and pursuant to its certificate of incorporation and bylaws, NACA undertook, on behalf of its members, the function of a joint bidding agent for military air service contracts, and the allocation of such awards among its members. Almost concurrently, the association began to undertake public relations and promotional functions on behalf of the supplemental air carrier industry. Since then, the percentage of supplemental air carriers' revenues derived from military operations compared with their total revenues has decreased,⁸ and more significantly, the awards to the members of NACA obtained through the association's traffic division in the recent past have yielded relatively small percentages of the member carriers' respective revenues.⁹ In the meantime, the association's trade division has actively pursued its functions designed to bring economic advantages to its members in such matters as securing enactment of laws and regulations relating to air carriers as well as military transportation, evaluating and disseminating to its members information affecting the supplemental air carrier industry, and acting as spokesman for supplemental carriers at industry conferences and in their relationships with the public. Under the term of the agreement which requires dual participation by members in both the traffic and trade divisions of the association, an otherwise qualified supplemental air carrier may be denied membership and the benefits of the association's trade division activities, unless it also participates in the traffic division operations of the association. Thus, the

economic advantages of the trade division available to other supplemental air carriers may not be available to a particular applicant unless it is prepared, contrary to its own views of its economic interest, to participate with other members in the procurement and allocation by the association of military and commercial air transportation.¹⁰

No convincing showing has been made that dual participation by members in both the traffic and trade divisions of the association is reasonably essential to the purposes of the organization, or that the failure or refusal of members to participate in both operating divisions would effectively impair the association's basic functions. Absent such a showing and in view of the apparent benefits obtained by membership in NACA, the Board tentatively concludes that the subject requirement is an unreasonable restriction upon membership in the association by otherwise qualified carriers. Accordingly, in the final order the Board intends to condition its approval in such a manner as to provide that membership in NACA not be denied an otherwise qualified carrier which does not wish to participate in both the traffic and trade divisions. This condition will be in addition to those of a continuing nature which were attached to the Board's previous approvals of the association's bylaws in Orders E-19232 and E-20960, supra.

Upon consideration of the foregoing, the Board tentatively finds that the agreement is not adverse to the public interest or in violation of the Act, and should be approved if such approval is made subject to the following conditions:

1. That an otherwise qualified applicant shall not be refused membership in NACA nor an existing member be expelled for failure or refusal to participate in both the traffic and trade division of NACA;

2. That NACA shall file with the Board within fifteen (15) days of adoption, a copy of detailed procedures adopted for handling the arbitration of matters made subject to arbitration;

3. That NACA shall file with the Board, within thirty (30) days of preparation, copies of written opinions and reports or actions of its board of directors, or decisions of arbitrators which result in the expulsion of a member, or other disciplinary action. The names of the carrier parties to the proceedings which are the subject of such opinions, reports, and decisions may be deleted therefrom for the purpose of this paragraph;

4. That NACA shall maintain full and complete minutes of meetings of its board

of directors and of its general membership;¹¹

5. That NACA shall file the agenda for such meetings and the minutes thereof with the Board within thirty (30) days after the meeting;¹²

6. That NACA shall file with the Board a true copy, or if oral, a true and complete memorandum, of any public relations program authorized or adopted by NACA's board of directors or members, within thirty (30) days after such adoption;

7. That NACA shall so conduct its affairs as to preclude it, its officers or employees from engaging in the practice of law in such manner as to create a claim of privilege against disclosure to the Board of information or documents based upon an alleged attorney-client relationship between it, its officers or employees, on the one hand, and its members, on the other.¹³ Nothing in this condition, however, shall prevent attorneys employed or retained by NACA from rendering confidential legal advice to, and accepting confidential communications in connection therewith from, officers or employees of NACA or its instrumentalities, or individual members of its various committees, etc., with respect to the activities of NACA or its instrumentalities or of such committees, etc., or shall prevent NACA from asserting attorney-client privilege with respect to any such communication, provided that the procedures hereinafter called for have been followed. NACA shall promptly establish standard procedures for the handling of written documents and communications as to which NACA desires to preserve its asserted right to claim attorney-client privilege, and shall report such procedures and all subsequent revisions thereof to the Board. Such procedures shall provide for at least the following:

(1) Any document which is claimed to be confidential by reason of an asserted attorney-client privilege shall be promptly identified, so marked, and segregated. As to documents hereafter created, this shall be done within 60 days of the creation of such document or its receipt by NACA, as the case may be. As to documents heretofore created, it shall be done within 90 days after imposition of this condition.

(2) All such documents which NACA elects to keep in its possession or control shall be kept in a separate file or files in the charge of an appropriate principal officer of NACA or of its legal staff.

(3) NACA shall quarterly report to the Board how many documents have been

⁶ Orders E-18165, E-19232, and E-19629, supra, footnote 3.

⁷ Article II, section 2D provides as follows: "Association Participation—Each member shall participate in both the Traffic Division and the Trade Division."

⁸ A decrease from 79 percent of the total revenues (approximately \$79 million) in 1963, to 58 percent of total revenues (\$263 million) in 1967. (CAB Form 41 Reports, 1963, 1967; Supplemental Air Carriers: A Report by NACA, 1967).

⁹ Less than 4 percent (\$8,257,872) in 1966, and less than 3 percent (\$7,338,970) in 1967. (CAB Form 41 Reports, 1966, 1967).

¹⁰ In 1967, for example, while military air service awards obtained by NACA and allocated among its members, decreased approximately 11 percent from the preceding year (footnote 9, supra), another nonmember supplemental air carrier's (American Flyers) contracts for similar service increased to \$5,349,857 from \$4,061,694, or more than 30 percent.

¹¹ Such minutes shall contain, inter alia, a summary of the discussion identifying each participant on each matter, regardless of the action, or lack of action taken thereon.

¹² The filing of minutes will not relieve NACA from the requirement for filing separately contracts and agreements subject to section 412 of the Act.

¹³ Such restriction is not intended to prohibit the participation of an association in a Board proceeding pursuant to the provisions of Part 263 of the Board's Economic Regulations.

segregated in the above-described confidential files.

(4) Upon request of the Board, NACA shall furnish the Board with a list of all documents so segregated, such list to give the date, author, and addressee of each document or communication, and as detailed a description of its contents as preservation of confidentiality will permit.

8. That NACA and its air carrier members agree that the Board and its authorized agents shall have access to and authority to inspect all accounts, records, and memoranda, including all documents, papers, and correspondence belonging to or in possession of NACA, other than documents, papers, and correspondence segregated in accordance with the procedures specified by paragraph 7 of this order: *Provided, however*, That the Board shall have access to and authority to inspect all such segregated materials except those which are in fact legally privileged against disclosure by reason of an attorney-client privilege which NACA (or, as to documents heretofore created, a member of NACA) is entitled to assert.

9. That the action of the Board herein shall not be construed as an approval or disapproval of any contract, agreement, or resolution entered into or any action taken pursuant to the instant agreements, as currently or hereafter constituted; ¹⁴ and

10. That, within fifteen (15) days after issuance of this order, NACA, on behalf of its members, shall submit to the Board a written statement indicating their acceptance of the foregoing conditions.

Accordingly, it is ordered:

1. That final action on Agreements CAB 19691 and 19691-A1, be and it hereby is deferred for a period of thirty (30) days to permit the filing of comments by interested persons¹⁵ relative to the Board's tentative decision herein;

2. That a copy of this order be served on all supplemental air carriers and NACA; and

3. That this order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-7578; Filed, June 25, 1968;
8:49 a.m.]

¹⁴ The revised bylaws of the association preserve the broad powers of the Board of Directors to take various types of action. For example, in connection with establishment of a traffic division, the directors are to determine procedures for the allocation of both military and commercial business among members. In this connection, it is to be understood that any order of approval of the instant agreement would not extend to other resolutions or actions taken by NACA or the members thereof. Any such matters which are subject to section 412 of the Act must be separately submitted to the Board for approval.

¹⁵ Such comments shall conform with the general requirements of the Board's rules of practice in economic proceedings. Further, since an opportunity to file comments is provided for, petitions for reconsideration of this order will not be entertained.

[Docket No. 17665]

WASHINGTON/BALTIMORE HELICOPTER SERVICE INVESTIGATION

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be held on July 17, 1968, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., June 21, 1968.

[SEAL]

THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-7575; Filed, June 25, 1968;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 18219, 18220; FCC 68-642]

BRADLEY AVIATION CO., INC., AND SKYTEL AVIATION, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Bradley Aviation Co., Inc., Fort Lauderdale, Fla., Docket No. 18219, File No. 23-A-L-127; Skytel Aviation, Inc., Fort Lauderdale, Fla., Docket No. 18220, File No. 140-A-AL-107; for aeronautical advisory station to serve the Executive Airport, Fort Lauderdale, Fla.

1. The Commission's rules (§ 87.251 (a)) provide that only one aeronautical advisory station may be authorized to operate at a landing area. The above-captioned applications both seek Commission authority to operate an aeronautical advisory station at the Executive Airport, Fort Lauderdale, Fla., and therefore are mutually exclusive. Accordingly, it is necessary to designate the applications for hearing. Except for the issues specified herein each applicant is otherwise qualified.

2. In view of the foregoing: *It is ordered*, That pursuant to the provisions of section 309(e) of the Communications Act of 1934, as amended, that the above-captioned applications are hereby designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order on the following issues:

(a) To determine which applicant would provide the public with better aeronautical advisory service based on the following considerations:

(1) Location of the fixed-based operation and proposed radio station in relation to the landing area and traffic patterns;

(2) Hours of operation;

(3) Personnel available to provide advisory service;

(4) Experience of applicant and employees in aviation and aviation communications;

(5) Ability to provide information pertaining to primary and secondary communications as specified in § 87.257 of the Commission's rules;

(6) Proposed radio system including control and dispatch points; and

(7) The availability of the radio facilities to other fixed-base operators.

(b) To determine in light of the evidence adduced on the foregoing issues which, if either, of the applications should be granted.

3. *It is further ordered*, That to avail themselves of an opportunity to be heard Bradley Aviation Co., Inc., and Skytel Aviation, Inc., pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 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 set for hearing and present evidence on the issues specified in this order. Failure to file a written appearance within the time specified may result in dismissal of the application with prejudice.

Adopted: June 19, 1968.

Released: June 21, 1968.

FEDERAL COMMUNICATIONS COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-7584; Filed, June 25, 1968;
8:50 a.m.]

[Docket Nos. 18208, 18209]

JEFF DAVIS BROADCASTING SERVICE (WKPO) AND MISS LOU BROADCASTING CORP. (WYNK)

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Jesse R. Williams and Albert Mack Smith, doing business as Jeff Davis Broadcasting Service (WKPO), Prentiss, Miss., Docket No. 18208, File No. BP-17136, Has: 1510 kc, 1 kw (250 w-CH), Daytime, Requests: 1380 kc, 500 w, Daytime; Miss Lou Broadcasting Corp. (WYNK), Baton Rouge, La., Docket No. 18209, File No. BP-17572, Has: 1380 kc, 500 w, Daytime, Requests: 1380 kc, 5 kw, DA, Daytime; for construction permits.

1. The Commission, by the Chief, Broadcast Bureau, under delegated authority, considered the above-captioned and described applications for construction permits.

2. These applications are mutually exclusive in that operation by the applicants as proposed would result in prohibited overlap of contours as defined in § 73.37 of the Commission's rules.

3. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

¹ Commissioner Johnson absent.

4. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, 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 operations of Stations WKPO and WYNK and the availability of other primary service to such areas and populations.

(2) To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

(3) To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

5. *It is further ordered*, That, in the event of a grant of either application, the construction permit shall contain the following condition: Any prescriptive operation must conform with §§ 73.37 and 73.99 of the rules, as amended June 28, 1967 (32 F.R. 10437), supplementary proceedings (if any) involving Docket No. 14419, and/or the final resolution of matters at issue in Docket No. 17562.

6. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 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.

7. *It is further ordered*, That the applicants herein 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, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rules, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: June 18, 1968.

Released: June 20, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] GEORGE S. SMITH,
Chief, Broadcast Bureau.

[F.R. Doc. 68-7585; Filed, June 25, 1968;
8:50 a.m.]

[Docket No. 18139; FCC 68M-971]

MULTI-CHANNEL CABLE CO.

Order Regarding Procedural Dates

In re petition by Multi-Channel Cable Co., Paducah, Ky., Docket No. 18139, File No. CATV 100-120, for authority pursuant to § 74.1107 of the rules to operate CATV systems in the Cape Girardeau,

Mo., Paducah, Ky., Harrisburg, Ill., television market (ARB 80).

As a result of agreements reached on the record of a prehearing conference in the above matter held June 18, 1968: *It is ordered*, That:

(1) Exhibits for the direct case shall be exchanged October 14, 1968,

(2) Exhibits of respondents shall be furnished October 30, 1968,

(3) Notification of witnesses shall occur November 7, 1968, and

(4) The hearing is scheduled to commence at 10 a.m., November 18, 1968, in the Commission's offices in Washington, D.C.

Issued: June 19, 1968.

Released: June 20, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-7586; Filed, June 25, 1968;
8:50 a.m.]

FEDERAL MARITIME COMMISSION

CUNARD LINE, LTD., AND STATE OF ALASKA

Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages; Notice of Issuance of Certificate (Casualty)

Notice is hereby given that pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20 (46 CFR Part 540) that a certificate of financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages has been issued to the following:

Cunard Line, Ltd., "Queen Elizabeth", "Carmania", "Franconia", Certificate No. C-1,061, Effective date: May 7, 1968.
State of Alaska, "M/V Wickersham", Certificate No. C-1,062, Effective date: June 13, 1968.

Dated: June 20, 1968.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-7540; Filed, June 25, 1968;
8:46 a.m.]

CUNARD LINE, LTD., AND STATE OF ALASKA

Indemnification of Passengers for Nonperformance of Transportation; Notice of Issuance of Certificate (Performance)

Notice is hereby given that pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20 (46 CFR Part 540) that a certificate of financial responsibility for indemnification of passengers for nonperformance of transportation has been issued to the following:

Cunard Line, Ltd., "Queen Elizabeth", "Carmania", "Franconia", Certificate No. P-65, Effective date: May 7, 1968.

State of Alaska, "M/V Wickersham", Certificate No. P-66, Effective date: June 13, 1968.

Dated: June 20, 1968.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-7541; Filed, June 25, 1968;
8:46 a.m.]

AUSTRALIA/U.S. ATLANTIC & GULF CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has 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 at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. 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:

Mr. E. F. Reardon, Australia/U.S. Atlantic & Gulf Conference, 17 Battery Place, New York, N.Y. 10004.

Agreement 9450-2, between member lines of the Australia/U.S. Atlantic & Gulf Conference, amends Article 6(a) of the basic agreement (9450, as amended) to provide for the assessment of a conference admission fee of \$5,000 (five thousand dollars) for new members, no part of which is to be returned except upon dissolution of the Conference.

Dated: June 20, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-7542; Filed, June 25, 1968;
8:46 a.m.]

THAILAND/U.S. ATLANTIC & GULF CONFERENCE RUBBER POOL

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has 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 at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. 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:

Mr. R. J. Flynn, Chairman, New York Committee of Inward Far East Lines, 11 Broadway, New York, N.Y. 10004.

Agreement 8061-12, between member lines of the Thailand/U.S. Atlantic & Gulf Conference (Agreement 8100, as amended), would modify Agreement 8061 (Siam Rubber Pool) to reapportion the percentage of rubber which each individual carrier is entitled to lift per annum because of the withdrawal of Compagnie Maritime des Chargeurs Reunis from Agreement 8100; and to increase from 34.30 to 36.25 percent the aggregate percentage share of American flag carriers as a class.

Dated: June 20, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-7543; Filed, June 25, 1968; 8:46 a.m.]

STRAITS/NEW YORK CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has 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 at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. 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:

Mr. R. J. Flynn, Chairman, New York Committee of Inward Far East Lines, 11 Broadway, New York, N.Y. 10004.

Agreement 6010-14, between the member lines of Straits/New York Conference, amends the basic Agreement 6010, as amended, by the addition of Article 10(m) which (1) requires an agent of a Conference carrier to agree that he will not represent, except as husbanding agent or chartering broker, any common, private or contract carrier in the trade within the scope of the Conference agreement other than a carrier who is a party to the Conference agreement and (2) provides that each Conference carrier is responsible to the other parties of the Conference for any loss or damage sustained by the other carriers by reason of any act or omission of his agent.

Dated: June 20, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-7544; Filed, June 25, 1968; 8:47 a.m.]

STATES MARINE LINES

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has 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 at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. 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:

Mr. William A. Craig, Counsel, States Marine Lines, Inc., 90 Broad Street, New York, N.Y. 10004.

Agreement No. 7628-5, between States Marine Lines, Inc., and Global Bulk Transport, Inc., modifies the basic agreement to add ports in Pakistan to the range of ports presently served by this joint service.

Dated: June 20, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-7545; Filed, June 25, 1968; 8:47 a.m.]

[Docket No. 68-32]

MATSON NAVIGATION CO.

Elimination of Rates on Containerizable Cargo in Conventional Break-Bulk Service; Notice of Investigation

Matson Navigation Co. (Matson) has filed with the Federal Maritime Commission Tariff FMC-F No. 141, which cancels Tariff FMC-F No. 136, to become effective June 22, 1968. These tariffs contain rates applicable to Matson's conventional break-bulk service, as distinct from its containerized service. However, new Tariff FMC-F No. 141 eliminates all specific commodity rates previously published in Tariff FMC-F No. 136 applicable to commodities which are containerizable, i.e., those which can be shipped in Matson's 24 foot by 8 foot by 8 foot containers. Under provisions in this new tariff no containerizable cargo will hereafter be carried by Matson under the rates published therein, and on cargo which is containerizable, rates published in Matson's eastbound and westbound container tariffs will hereafter be applicable.

On a number of commodities to which rates had previously been applicable in conventional Tariff FMC-F No. 136, the container rates which will be applicable after June 22, 1968 will apparently result in increases in rates. Some of these increases appear to be substantial and based upon protests received, may have a serious adverse impact upon shippers in the Hawaii trade. The Commission, therefore, is instituting an investigation to determine whether such increases in rates may be unjust or unreasonable.

This investigation, furthermore, will consider whether the practice of Matson to hereafter refuse to carry any containerizable cargo in its conventional break-bulk service under Tariff FMC-F No. 141, and to require containerizable cargo to be carried exclusively on its container service, may be contrary to section 14, Fourth and/or section 16, First.

It is ordered, That pursuant to authority of section 3 of the Intercoastal Shipping Act, 1933, and section 22 of the Shipping Act, 1916, an investigation be hereby instituted into the lawfulness of Matson's rates and practices under sections 14, Fourth, 16, First, and 18(a) of the Shipping Act, 1916, and sections 3 and 4 of the Intercoastal Shipping Act, 1933, to determine whether the higher container rates hereafter applicable to certain commodities may be unjust or unreasonable, and whether the refusal of Matson to hereafter carry containerizable cargo under its conventional Tariff FMC-F No. 141 may be unfair or unjustly discriminatory between shippers, or may give an undue or unreasonable preference or advantage in any respect whatsoever.

It is further ordered, That the investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated as the reason for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of the said schedule under the Shipping Act, 1916, or the Intercoastal Shipping Act, 1933.

It is further ordered, That Matson Navigation Co. be named as respondent in this proceeding;

It is further ordered, That Fibreboard Corp., American Can Co., Kaiser Steel Corp. and Kaiser Gypsum Co. be named as petitioners in accordance with the Commission's rules of practice and procedure;

It is further ordered, That this proceeding be assigned for public hearing before an examiner of the Commission's Office of Hearing Examiners;

It is further ordered, That (I) a copy of this order shall forthwith be served upon the respondent and petitioners herein; (II) the said respondent and petitioners be duly notified of the time and place of the hearing; and (III) this order be published in the FEDERAL REGISTER and notice of said hearing be served upon the respondent and petitioners.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(1) (46 CFR 502.72) with a copy to respondent and petitioners.

By the Commission.

[SEAL]

THOMAS LIST,
Secretary.

RESPONDENT

Matson Navigation Co., 100 Mission Street,
San Francisco, Calif. 94105.

PETITIONERS

Fibreboard Corp., 475 Brannan Street, San
Francisco, Calif. 94119.

American Can Co., 100 Park Avenue, New
York, N.Y. 10017.

Kaiser Steel Corp., 300 Lakeside Drive, Oak-
land, Calif. 94604.

Kaiser Gypsum Co., 300 Lakeside Drive, Oak-
land, Calif. 94604.

[F.R. Doc. 68-7572; Filed, June 25, 1968;
8:49 a.m.]

FEDERAL POWER COMMISSION

TECHNICAL ADVISORY COMMITTEE ON TRANSMISSION FACILITIES FOR OFF-SHORE NATURAL GAS

Establishment

JUNE 19, 1968.

It is hereby determined, in connection with the performance of duties imposed by the Federal Power Commission that it is in the public interest that a Technical Advisory Committee on Transmission Facilities for Off-Shore Natural Gas be established to make periodic reports to

the Commission's Chief of the Bureau of Natural Gas.

1. *Purpose.* The purpose of the Committee shall be to assist the Commission in the study and development of standards and to the extent possible, specific proposals for transporting natural gas from off-shore fields (including but not necessarily limited to fields off-shore Southern Louisiana) which based upon available natural gas reserves information and the current level of pipeline technology, will present economically optimum means for transporting off-shore gas to on-shore delivery points. The studies should, to the extent possible, be reflective of existing off-shore transmission systems, economies of scale, high utilization of facilities, and the most expeditious means for the attachment of available off-shore gas reserves to pipeline transmission facilities.

The results of the Committee's work, upon approval by the Chief, Bureau of Natural Gas will be made public so that they may be made available for consideration and utilization by natural gas companies on an individual or joint-company basis.

The Committee shall not advise or make recommendations with respect to any case or controversy pending before the Commission.

2. *Selection of Committee members.* All Committee members and alternates shall be selected by the Chairman of the Commission with the approval of the Commission.

3. *Conduct of meetings.* The Chairman of the Commission designates the Chief of the Bureau of Natural Gas or the latter's duly appointed staff representative as the Chairman of Committee meetings. The Committee Chairman shall be responsible for opening, conducting meetings, and for adjourning meetings, when in his judgment, adjournment is in the public interest.

4. *Minutes.* The Chairman of the Commission having made a finding that maintenance of a verbatim transcript would be impractical and not in the public interest, there shall be kept by the Secretary of the Committee, in lieu thereof, a record of persons present, a description of matters discussed and conclusions reached and copies of all reports received, issued or approved by the Committee.

5. *Secretary of the Committee.* The Chairman of the Commission delegates to the Chief of the Bureau of Natural Gas the authority to appoint a Secretary for the Committee from the Commission's staff who shall be responsible for preparing summary minutes of all Committee meetings, preparing agenda, notifying members of the meetings, and maintaining all records relating to organization, membership, and operation of each Committee. The Secretary or his alternate shall be present during all meetings and shall certify the accuracy of all minutes.

6. *Location and time of meetings.* The initial meeting of the Committee will convene at the call of the Chief of the Bureau of Natural Gas or the individual

designated by him as Chairman at the office of the Federal Power Commission, 441 G Street NW., Washington, D.C. 20426. Subsequent meetings normally will be convened at the call of the Secretary or as otherwise directed. Ordinarily, meetings will be held during the regular working hours of the Federal Power Commission.

7. *Report of the Committee.* The reports and records of the Committee will be presented to the Chief of the Bureau of Natural Gas in written form. The content shall be limited to matters relating to those set forth in item 1, Purpose.

8. *Duration of the Committee.* The Committee shall terminate not later than 2 years subsequent to its establishment unless the Commission determines, in writing, not more than 60 days prior to the expiration of such 2-year period, that continued existence of the Committee is in the public interest. A like determination by the Commission shall be required not more than 60 days prior to the end of each subsequent 2-year period to continue the existence of the Committee thereafter.

9. The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER in accordance with the provisions of the Bureau of the Budget Circular No. A-63.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-7523; Filed, June 25, 1968;
8:45 a.m.]

[Docket No. CP68-350]

EL PASO NATURAL GAS CO.

Notice of Application

JUNE 18, 1968.

Take notice that on June 11, 1968, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP68-350 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the sale and delivery of natural gas to Cascade Natural Gas Corp. (Cascade) for resale and distribution in the communities of Sultan, Startup, Goldbar, and Granite Falls, Wash., and Stanfield, Oreg., and their respective environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate three measuring and regulating stations and necessary appurtenances at three locations adjacent to its 4½-inch O.D. Grotto Lateral and one measuring and regulating station adjacent to its 26-inch O.D. Ignacio-Sumas Line, all in Snohomish County, Wash., and to make deliveries of gas to Cascade at the outlet of such facilities for resale and distribution in Sultan, Startup, Goldbar, and Granite Falls. Deliveries of gas by Applicant to

Cascade for resale and distribution in Stanfield, Oreg., will be made at the outlet of a measuring and regulating station to be constructed by Pacific Gas Transmission Co. (PGT) at a point adjacent to PGT's 36-inch O.D. pipeline in Umatilla County, Oreg.

Applicant states that the proposed sales and deliveries of natural gas to Cascade will provide Cascade with long-term natural gas supplies necessary to enable Cascade to satisfy the requirements of consumers thereof located in areas where, heretofore, natural gas has not been available.

The total estimated cost of Applicant's proposed facilities, including the facilities to be constructed by PGT, is \$37,306. Applicant proposes to finance such cost by means of working funds.

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) and the regulations under the Natural Gas Act (§ 157.10) on or before July 15, 1968.

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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-7546; Filed, June 25, 1968;
8:47 a.m.]

[Docket No. CP68-349]

HORNER AND SMITH Notice of Application

JUNE 18, 1968.

Take notice that on June 11, 1968, Horner and Smith (Applicant), 1810 Bank of the Southwest Building, Houston, Tex. 77002, filed in Docket No. CP68-349 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing (1) the acquisition of the facilities of Tensas Gas Gathering Corp. (Tensas) and the continuation of the associated sale of natural gas to Humble Oil and Refining Co. (Humble); and (2) the acquisition of the facilities of Texas San Juan Oil Corp. (Texas San Juan) and the continuation of the associated sale of natural gas to American Louisiana Pipe Line Co. (American

Louisiana), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to acquire the Locust Ridge Processing Plant of Texas San Juan located in Tensas Parish, La., and to continue to sell natural gas to American Louisiana. Further, Applicant seeks to acquire all of the facilities of Tensas and to continue to sell natural gas to Humble.

Total estimated cost of acquiring the facilities is \$400,000, with \$100,000 being allocated to the Locust Ridge Processing Plant of Texas San Juan and the remainder to the facilities of Tensas. The cost of acquisition is to be financed by bank loans.

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) and the regulations under the Natural Gas Act (§ 157.10) on or before July 15, 1968.

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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-7547; Filed, June 25, 1968;
8:47 a.m.]

[Docket No. E-7425]

IOWA SOUTHERN UTILITIES CO. Notice of Application

JUNE 19, 1968.

Take notice that on June 17, 1968, Iowa Southern Utilities Co. (Applicant) filed an application seeking an order pursuant to section 204 of the Federal Power Act authorizing the issuance of short-term Promissory Notes in an aggregate amount not to exceed \$14,500,000.

The Applicant is incorporated under the laws of the State of Iowa with its principal business office at Centerville, Iowa, and is engaged in the electric utility business in 24 counties in Iowa.

The Applicant proposes to issue notes to both commercial banks and to commercial paper dealers. The notes issued to commercial banks will not exceed \$8 million and the notes to be issued to commercial paper dealers will not ex-

ceed 25 percent of the Applicant's most recent 12 months revenue from the sale of electricity and gas, which would presently permit the issuance of more than \$6,500,000.

The interest rate on the notes issued to commercial banks will not exceed one-quarter percent above the Continental Illinois National Bank and Trust Company of Chicago prime rate in effect at the time of the borrowing. It is anticipated that the interest rate on commercial paper at the time of issuance will, in general, average from one-quarter percent to one percent below the prime bank rate; however, on occasions it is possible the interest rate could exceed the prime rate.

Notes will be issued from time to time as the need for funds arises with maturity dates not in excess of 90 days from the date of issue on the notes issued to commercial banks, but not later than July 1, 1970. Promissory notes issued to commercial paper dealers will be issued from time to time with varying maturities, but no note will have a maturity of more than 270 days from date of issuance nor will any note be extended or renewed or contain any provision for automatic "rollover".

The proceeds from the issuance of the commercial paper will be used to restore the company's working capital which has been depleted by its being used in part to provide interim funds for construction expenditures, and the proceeds from the issuance of the notes to commercial banks will be added to the general funds of the company, which general funds will be used, among other things, to provide, in part, interim funds for construction expenditures heretofore made and to be made in 1968 and 1969.

The principal items in this program include the expenditure of \$3.9 million for construction work on the 215,000-kw generating station near Burlington, \$980,000 for construction work on a 60 mile 161-kv transmission line from applicant's Fairfield substation to Moulton, Iowa, and \$540,000 for construction work on a substation near Newton, Iowa.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 3, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-7522; Filed, June 25, 1968;
8:45 a.m.]

[Docket No. CP68-190]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Petition To Amend

JUNE 18, 1968.

Take notice that on June 10, 1968, Michigan Wisconsin Pipe Line Co. (Petitioner), 1 Woodward Avenue, Detroit,

Mich. 48226, filed in Docket No. CP68-190 a petition to amend the order of the Commission issued in this docket on April 15, 1968, by requesting authorization to increase its Maximum Daily Quantity (MDQ) to certain of its customers, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the order of April 15, 1968, the Petitioner was authorized to increase its MDQ to certain of its customers.

By the instant filing, Petitioner seeks authorization to make certain changes, either in the MDQ or in the rate schedule under which service is to be rendered by Petitioner, to 17 of its customers for the contract year commencing September 1, 1968.

Petitioner states that since preparation of the application in this proceeding, all of its customers have reviewed their requirements in the light of their actual residential, commercial, and industrial growth and operations experienced during this past winter. As a result of such review, certain of Petitioner's customers have requested a modification in their MDQ entitlement and/or a change in rate schedule under which service will be rendered.

The Petitioner states that the requested MDQ modifications will result in a net aggregate increase of 35,996 Mcf per day which can be served from a portion of an unallocated capacity of 97,000 Mcf per day.

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) and the regulations under the Natural Gas Act (§ 157.10) on or before July 15, 1968.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-7548; Filed, June 25, 1968;
8:47 a.m.]

[Docket No. CP68-353]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Application

JUNE 18, 1968.

Take notice that on June 11, 1968, Michigan Wisconsin Pipe Line Co. (Applicant), 1 Woodward Avenue, Detroit, Mich. 48226, filed in Docket No. CP68-353 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation, in and around the South Marsh Island Area, Offshore Louisiana, of certain natural gas facilities for the transportation of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has entered into a conventional contract with Shell Oil Co. (Shell) for the purchase of all

recoverable natural gas reserves in Blocks 7 and 10, South Marsh Island Area, Offshore Louisiana.

Specifically, Applicant proposes to construct, so as to connect to its system the Shell reserves, 18.4 miles of 12-inch gas supply lateral together with related facilities.

The total cost of the proposed facilities is \$2,637,000, which cost will be financed with borrowings under lines of credit, retained earnings, and internally generated funds.

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) and the regulations under the Natural Gas Act (§ 157.10) on or before July 15, 1968.

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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-7549; Filed, June 25, 1968;
8:47 a.m.]

[Docket No. CP68-352]

UNITED GAS PIPE LINE CO.

Notice of Application

JUNE 18, 1968.

Take notice that on June 11, 1968, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP68-352 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities to provide additional pipeline capacity in order to meet the anticipated requirements of its customers now being served in Gregg, Rusk, Smith, Cherokee, Anderson, Houston, Trinity, and Walker Counties, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks to construct the following facilities:

(1) 5.4 miles of 6-inch loop on the Henderson, Tex., lateral in Rusk County, Tex.

(2) 5 miles of 6-inch loop on the Rusk, Tex., lateral in Cherokee, Tex.

(3) Replace 943 feet of 8-inch pipeline at various locations in Gregg, Rusk, Smith, and Cherokee Counties, Tex.

Total estimated cost of the proposed facilities is \$366,600 to be financed from funds on hand.

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) and the regulations under the Natural Gas Act (§ 157.10) on or before July 15, 1968.

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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-7550; Filed, June 25, 1968;
8:47 a.m.]

[Docket No. E-7278]

VILLAGE OF ELBOW LAKE, MINN. AND OTTER TAIL POWER CO.

Notice Fixing Place of Hearing

JUNE 18, 1968.

Take notice that a hearing in the above-designated matter fixed by order or June 14, 1968, and set for July 9, 1968, at 10 a.m., c.d.s.t., will be held in a courtroom in the U.S. Post Office and Courthouse, 118 South Mill Street, Fergus Falls, Minn.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-7551; Filed, June 25, 1968;
8:47 a.m.]

WASHINGTON

Order Partially Vacating Withdrawal of Lands

JUNE 18, 1968.

Lands withdrawn in Project No. 2199. Application has been filed by the U.S. Forest Service (Applicant) for vacation of the power withdrawal pertaining to the following described lands of the United States located within the Gifford Pinchot National Forest:

WILLAMETTE MERIDIAN, WASHINGTON

T. 4 N., R. 9 E.,
 Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$, unsurveyed;
 Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 16, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$, unsurveyed;
 NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
 S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 16, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$, unsurveyed;
 Sec. 21, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, unsurveyed;
 Sec. 22, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23, NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, E $\frac{1}{2}$
 SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 24, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 26, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$,
 SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$.
 T. 5 N., R. 9 E.,
 Sec. 16, SW $\frac{1}{4}$, unsurveyed;
 Sec. 17, S $\frac{1}{2}$, unsurveyed;
 Sec. 18, E $\frac{1}{2}$ SE $\frac{1}{4}$, unsurveyed;
 Sec. 19, E $\frac{1}{2}$ NE $\frac{1}{4}$, unsurveyed;
 Sec. 20, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,
 unsurveyed;
 Sec. 21, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
 unsurveyed.
 (Containing approximately 3,370 acres.)

Applicant proposes to exchange some of the subject lands in a land exchange with the State of Washington.

The subject lands are withdrawn pursuant to the filing on April 2, 1956, of an application for preliminary permit by Public Utility District No. 1 of Skamania County, Wash. (District), for proposed Project No. 2199. While the lands were included in the application for permit for reservoir storage purposes, those lands were not included in a subsequent application for license because, upon investigation under the permit, District decided that the hydroelectric potential of the stream involved and the area adjacent thereto could be developed most economically by construction of a run-of-river project with pondage for daily regulation of the stream flow.

The Commission finds: Inasmuch as the subject lands have negligible, if any, power value, the power withdrawal referred to above should be vacated to the extent that it pertains to the lands.

The Commission orders: The withdrawal of the subject lands pursuant to the application for Project No. 2199 is hereby vacated insofar as it pertains to the subject lands.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-7552; Filed, June 25, 1968;
 8:47 a.m.]

[Docket No. DA-1080-California]

CALIFORNIA

Order Partially Vacating Withdrawal of Lands

JUNE 18, 1968.

The Bureau of Land Management, Department of the Interior, has forwarded, for Commission determination pursuant to section 24 of the Federal Power Act, a recommendation of the Geological Sur-

vey for the restoration of lands remaining withdrawn under Power Site Reserve Nos. 655 and 656 and Power Site Classification Nos. 45, 80, 240, and 267 in the Kern River area in California as described in the attached schedule.

A study of the Kern River made by the Geological Survey indicates that subject lands are surplus to the needs of existing and proposed projects or are adequately protected by withdrawals made specifically for such projects. Lands included in these withdrawals located within the boundaries of existing licensed projects have not been included in the Bureau of Land Management's request. Portions of the lands have previously been the subject of Commission determinations permitting disposal subject to section 24 of the Federal Power Act.

In our consideration of the instant application, we noted that some of the lands described in the attached schedule were withdrawn for Project Nos. 550 and 564 pursuant to applications for preliminary permit filed on October 30, 1924 and September 25, 1925, respectively. These applications proposed construction of projects at the site of the Isabella Reservoir constructed by the Corps of Engineers. The power withdrawal on lands outside of the now existing Isabella Reservoir except the area studied by the Corps of Engineers for enlargement of the reservoir, described in the attached schedule, no longer serves a useful purpose.

The Commission finds:

(A) The lands described in the attached schedule have no significant value for power development, accordingly, it has no objection to the revocation of Power Site Reserve Nos. 655 and 656, and Power Site Classification Nos. 45, 80, 240, and 267.

(B) In the circumstances described above it is appropriate for the purposes of the Federal Power Act that the power withdrawals affecting lands in Project Nos. 550 and 564, as described in the attached schedule, which are not occupied by the Isabella project as constructed and proposed for enlargement, be vacated.

The Commission orders: The Power withdrawals for Project Nos. 550 and 564 to the extent they affect lands described in finding (B) are hereby vacated.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

SCHEDULE OF LANDS

The withdrawal(s) affecting the tract is shown in parentheses.

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 25 S., R. 29 E.,
 Sec. 18, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240).
 T. 28 S., R. 30 E.,
 Sec. 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 12, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45, Proj. 550), S $\frac{1}{2}$
 SW $\frac{1}{4}$ (PSC 45, Proj. 550), NE $\frac{1}{4}$ SE $\frac{1}{4}$
 (PSC 45), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45, Proj. 550),
 S $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 45);

Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45), SW $\frac{1}{4}$ NE $\frac{1}{4}$
 (PSC 45, Proj. 564), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45),
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45, Proj. 550), S $\frac{1}{2}$
 NW $\frac{1}{4}$ (PSC 45), N $\frac{1}{2}$ SW $\frac{1}{4}$ (PSC 45),
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45);
 Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45, Proj. 550),
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45), S $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 45,
 Proj. 550), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45, Proj.
 550), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45), NE $\frac{1}{4}$ SE $\frac{1}{4}$
 (PSC 45), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45, Proj. 550),
 S $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 15, S $\frac{1}{2}$ SW $\frac{1}{4}$ (PSC 45, Proj. 550);
 Sec. 16, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 20, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45, Proj. 550);
 Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 45, Proj. 550), SW $\frac{1}{4}$
 NE $\frac{1}{4}$ (PSC 45, Proj. 550), SE $\frac{1}{4}$ NE $\frac{1}{4}$
 (PSC 45), E $\frac{1}{2}$ NW $\frac{1}{4}$ (PSC 45), NE $\frac{1}{4}$ SE $\frac{1}{4}$
 (PSC 45), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45), SE $\frac{1}{4}$
 Proj. 550), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45), SE $\frac{1}{4}$
 (PSC 45);
 Sec. 22, NE $\frac{1}{4}$ (PSC 45), E $\frac{1}{2}$ NW $\frac{1}{4}$ (PSC
 45), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45, Proj. 550),
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC
 45, Proj. 564), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45),
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45, Proj. 564), NE $\frac{1}{4}$ SE $\frac{1}{4}$
 (PSC 45), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45, Proj. 564);
 Sec. 23, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45), S $\frac{1}{2}$ NE $\frac{1}{4}$
 (PSC 45), NW $\frac{1}{4}$ (PSC 45), N $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC
 45), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45);
 Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45, Proj. 564),
 NW $\frac{1}{4}$ (PSC 45), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45,
 Proj. 564);
 Sec. 30, W $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 45, Proj. 564), S $\frac{1}{2}$
 NE $\frac{1}{4}$ (PSC 45), N $\frac{1}{2}$ NW $\frac{1}{4}$ (PSC 45, Proj.
 564), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45, Proj. 564),
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC
 45), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45, Proj. 564),
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45);
 Sec. 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45, Proj. 564).
 T. 25 S., R. 31 E.,
 Sec. 20, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 240);
 Sec. 21, N $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 240);
 Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 240).
 T. 27 S., R. 31 E.,
 Sec. 24, SW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 25, N $\frac{1}{2}$ SW $\frac{1}{4}$ (PSC 45, Proj. 564), SW $\frac{1}{4}$
 SW $\frac{1}{4}$ (PSC 45, Proj. 564), SE $\frac{1}{4}$ SW $\frac{1}{4}$
 (PSC 45), SE $\frac{1}{4}$ (PSC 45);
 Sec. 26, E $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 45, Proj. 564);
 Sec. 28, SE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45); SW $\frac{1}{4}$ SE $\frac{1}{4}$
 (PSC 45);
 Sec. 32, SE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45);
 Sec. 34, NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45); S $\frac{1}{2}$
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 45, Proj. 564), W $\frac{1}{2}$
 NE $\frac{1}{4}$ (PSC 45), N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45),
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45), S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
 (PSC 45), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45, Proj. 564),
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45, Proj. 564), NW $\frac{1}{4}$
 SE $\frac{1}{4}$ (PSC 45), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45, Proj.
 564);
 Sec. 36, W $\frac{1}{2}$ NW $\frac{1}{4}$ (PSC 45).
 T. 28 S., R. 31 E.,
 Sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45), SW $\frac{1}{4}$ SE $\frac{1}{4}$
 (PSC 45);
 Sec. 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45), S $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC
 45), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45), SE $\frac{1}{4}$ (PSC 45);
 Sec. 8, NW $\frac{1}{4}$ (PSC 45), N $\frac{1}{2}$ SW $\frac{1}{4}$ (PSC
 45), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45);
 Sec. 18, lots 2 and 3 (PSC 45), N $\frac{1}{2}$ NE $\frac{1}{4}$
 (PSC 45), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45), E $\frac{1}{2}$ NW $\frac{1}{4}$
 (PSC 45).
 T. 22 S., R. 32 E.,
 Sec. 24, E $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 80), SE $\frac{1}{4}$ (PSC 80);
 Sec. 25, E $\frac{1}{2}$ (PSC 80);
 Sec. 36, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 80), NE $\frac{1}{4}$ SE $\frac{1}{4}$
 (PSC 80).
 T. 23 S., R. 32 E.,
 Sec. 1, lots 2 and 3 (PSC 80), SW $\frac{1}{4}$ NE $\frac{1}{4}$
 (PSC 80), W $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 80);
 Sec. 12, NE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 80), NE $\frac{1}{4}$ SE $\frac{1}{4}$
 (PSC 80).
 T. 25 S., R. 32 E.,
 Sec. 25, S $\frac{1}{2}$ SW $\frac{1}{4}$ (PSC 240), SW $\frac{1}{4}$ SE $\frac{1}{4}$
 (PSC 240);
 Sec. 36, N $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 240).

T. 26 S., R. 32 E.,

Sec. 25, E $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 267), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 267), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 267), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 267), SE $\frac{1}{4}$ (PSC 655);
 Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 656), N $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 656), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 656);
 Sec. 36, NE $\frac{1}{4}$ (PSC 655), N $\frac{1}{2}$ NW $\frac{1}{4}$ (PSC 656, PSC 267), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 656, PSC 267), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 267), SE $\frac{1}{4}$ (PSC 655).

T. 27 S., R. 32 E.,

Sec. 1, lots 2 and 3 (PSC 655), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 655), SW $\frac{1}{4}$ (PSC 655);
 Sec. 2, S $\frac{1}{2}$ (PSC 655);
 Sec. 3, NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45), S $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 10, NE $\frac{1}{4}$ (PSC 45), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45), S $\frac{1}{2}$ NW $\frac{1}{4}$ (PSC 45), SW $\frac{1}{4}$ (PSC 45), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 11, N $\frac{1}{2}$ N $\frac{1}{2}$ (PSC 45), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45, Proj. 564);
 Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 655);
 Sec. 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45, Proj. 564), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45, Proj. 564), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45);
 Sec. 15, NW $\frac{1}{4}$ (PSC 45), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 45), NW $\frac{1}{4}$ (PSC 45);
 Sec. 17, NE $\frac{1}{4}$ (PSC 45), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45), S $\frac{1}{2}$ NW $\frac{1}{4}$ (PSC 45), N $\frac{1}{2}$ SW $\frac{1}{4}$ (PSC 45);
 Sec. 18, NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45), S $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 19, NW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 45);
 Sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 45, Proj. 564), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45, Proj. 564), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 45);
 Sec. 21, N $\frac{1}{2}$ N $\frac{1}{2}$ (PSC 45);
 Sec. 22, NE $\frac{1}{4}$ (PSC 45), N $\frac{1}{2}$ NW $\frac{1}{4}$ (PSC 45), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45);
 Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 45).

T. 21 S., R. 33 E.,

Sec. 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 80), W $\frac{1}{2}$ E $\frac{1}{2}$ (PSC 80), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 80);
 Sec. 18, W $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 80), E $\frac{1}{2}$ W $\frac{1}{2}$ (PSC 80);
 Sec. 19, lot 3 (PSC 80) (uns. pt.);
 Sec. 30, uns. pt. (PSC 80);
 Sec. 31, uns. pt. (PSC 80).

T. 22 S., R. 33 E.,

Sec. 6, lots 4, 5, 6, 7, 10, 11, 12 (PSC 80);
 Sec. 7, lots 1, 2, 5, 6, 8 (PSC 80);
 Sec. 18, lots 2 through 8 (PSC 80);
 Sec. 30, lots 2 through 6, 8 (PSC 80);
 Sec. 31, lots 1 and 7 (PSC 80), N $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 80), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 80), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 80), S $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 80).

T. 23 S., R. 33 E.,

Sec. 6, lot 2 (PSC 80), E $\frac{1}{2}$ SW $\frac{1}{4}$ (PSC 80);
 Sec. 7, lots 1, 2 (PSC 80), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 80).

T. 24 S., R. 33 E.,

Sec. 17, W $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 80);
 Sec. 29, W $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 80), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 80);
 Sec. 33, SE $\frac{1}{4}$ (PSC 80).

T. 25 S., R. 33 E.,

Sec. 3, lots 1, 2 (PSC 80), S $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 80), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 80), E $\frac{1}{2}$ SW $\frac{1}{4}$ (PSC 80), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 80);
 Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240), S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240), NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240), S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240), S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240), N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240), SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240), E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 240), E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 240), W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 240), NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 240), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 240);
 Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240), S $\frac{1}{2}$ NE $\frac{1}{4}$ (PSC 240), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 240); W $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 240);
 Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 240), NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 240), S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 240), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 240);

Sec. 29, NE $\frac{1}{4}$ (PSC 240), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (PSC 240), N $\frac{1}{2}$ SW $\frac{1}{4}$ (PSC 240), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (PSC 240);
 Sec. 30, NE $\frac{1}{4}$ SE $\frac{1}{4}$ (PSC 240), S $\frac{1}{2}$ SE $\frac{1}{4}$ (PSC 240);

Sec. 31, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (PSC 240), N $\frac{1}{2}$ NW $\frac{1}{4}$ (PSC 240).

T. 26 S., R. 33 E.,

Sec. 31, lot 1 (PSC 655).
 Approximately 10,083 acres.

[F.R. Doc. 68-7553; Filed, June 25, 1968; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

AMERICAN CHECKMASTER SYSTEM, INC.

Order Suspending Trading

JUNE 20, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of American Checkmaster System, Inc., Houston, Tex., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 21, 1968, through June 30, 1968, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-7579; Filed, June 25, 1968; 8:50 a.m.]

PLANET OIL AND MINERAL CORP.

Order Suspending Trading

JUNE 20, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Planet Oil and Mineral Corp., 700 Fidelity Union Tower, Dallas, Tex. 75201, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period commencing June 20, 1968, through June 29, 1968, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-7580; Filed, June 25, 1968; 8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[Investigation and Suspension Docket No. M-22330]

INCREASED MINIMUM CHARGES, WITHIN AND FROM OR TO THE SOUTH

Investigation and Suspension

Present: Laurence K. Walrath, Commissioner, to whom the matter which is the subject of this order has been referred for action thereon.

It appearing, that by Commission order dated May 27, 1968, in the above-entitled proceeding, an investigation was instituted into and concerning the lawfulness of the rates, charges, and regulations contained in the schedules described in said order, and suspended the operation of said schedules;

And it further appearing, that in order that consideration be given to all factors which may bear upon a proper determination of the issues, including the question of whether the resulting rates would be just and reasonable, it is deemed appropriate in the public interest that the information specified below be included in the record to be developed in this proceeding; and good cause appearing therefor:

It is ordered, That respondents be, and they are hereby, notified and required to submit information and supporting data which shall include, among other things, actual expense and revenue data (including anticipated expense and revenue data to show the effect of the proposed increase or decrease) and operating ratios specifically related to the traffic and carriers involved, overall operating ratios, detailed data to establish the representative nature of the carriers used, and in addition, all pertinent evidence and supporting data for the individual representative carriers as they relate to their overall operations, and specifically to the traffic and territories involved.

It is further ordered, That the Commission will take official notice of all the respondent carriers' financial statements on file with the Commission.

It is further ordered, That the traffic studies to be submitted shall represent the most current period possible, and that they shall be based upon actual operations conducted during identical periods of time for each carrier; that the traffic studies shall be shown to be representative of the traffic covered by the rate proposal; and that the traffic study be costed out and operating ratios determined by the individual weight brackets included within the rate proposal. If the two carrier groups described below under the development of costs are used, the traffic study shall be similarly separated. The revenues and costs for both groups shall also be totaled and operating ratios developed.

It is further ordered, That respondents shall produce evidence showing the total

revenue earned for the services performed under the bureau's tariffs here under investigation for the most recent annual reporting period.

It is further ordered, That the cost study shall be based upon the most current annual reporting period adjusted to date. The costs may be developed for those carriers subject to the requirements for allocation of expenses between line haul and pickup and delivery in 49 CFR Part 182, Instructions 27 and 9002, whose total amount of revenue derived under the bureau's tariffs collectively is 75 percent or more of the total revenue derived by all carriers participating in those tariffs. If those instruction 27 carriers' revenue is less than 75 percent of the total, then all of the instruction 27 carriers should be used. These study carriers shall be selected from the participating carriers in descending order beginning with the carrier deriving the greatest dollar amount of revenue from those tariffs. Unit costs are to be developed separately for (1) those carriers who earn 50 percent or more of their revenues under the tariffs involved and (2) those carriers who earn less than 50 percent. If factors similar to those published in appendix A to Highway Form B for the above two groups of carriers are not available, the published factors for the applicable territory based on the latest study are acceptable in the development of the unit costs.

It is further ordered, That both the cost study and the traffic study be adequately supported by working papers to permit a complete check of the procedures followed and the results obtained.

It is further ordered, That respondents shall produce evidence of the sum of money, in addition to operating expenses, needed to attract debt and equity capital which they require to insure financial stability and the capacity to render service. This evidence should include, without limiting the evidence that may be presented, particularized reference to the respondents' reasonable interest, dividend, and surplus requirements; and experienced, projected, and needed rate of return on depreciated investment in transportation.

It is further ordered, That all Class I and II motor carrier respondents shall submit detailed data regarding carrier-affiliate financial and operating relationships and transactions including, with respect to any and all individuals, partnerships, and corporations affiliated with respondents, when such transactions individually or in the aggregate amount to \$2,500 or more during the year 1967, the following information:

1. Name of each affiliate from which respondent, during the year 1967, acquired, leased, or purchased lands, buildings, equipment, materials, supplies, parts, tires, tubes, gasoline, oil, or other property or services used by respondent in its operations as a motor common carrier.
2. Kinds of property or service which each affiliate supplies to respondent.
3. Basis of charges for property or

services supplied by affiliate to respondent including the base and rate for rental charges.

4. Total charges by each affiliate to respondent during the year 1967 for:

- a. Lease of vehicles.
- b. Lease of terminals.
- c. Lease of other property.
- d. Pickup and delivery of shipments.
- e. Repair and servicing of vehicles.
- f. Management, accounting, financial, legal, purchasing, or traffic solicitation services.
- g. Property sold by affiliate to respondent.

5. If the affiliate derives revenue from the sale or lease of property or from services through transactions with persons other than respondent, indicate the percentage of the revenue of such business to the total revenue of the affiliate in the year 1967.

6. A copy of the income statement for each affiliate for the year 1967 and the latest period of 1968 for which an income statement is available.

7. A statement listing the amount of wages, salaries, bonuses, and other compensation paid by the affiliate in 1967 to any individual who is also a respondent or an officer, director or substantial stockholder of a respondent; or the wife or close relative of a respondent or officer, director or substantial stockholder of a respondent.

8. The term "affiliate" as used in this order means:

a. Any individual who is also a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent, or of an officer, director, or substantial stockholder of a respondent.

b. Any partnership in which one of the partners is a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent; or of an officer, director, or substantial stockholder of a respondent.

c. Any corporation whose stock is wholly or partly owned by a respondent; by an officer, director, or substantial stockholder of a respondent; or by the wife or close relative either of a respondent or of an officer, director, or substantial stockholder of a respondent.

d. Any corporation which exercises control over the operations or finances of respondent.

It is further ordered, That all of the required data specified in this order shall be based upon and reflect at least the 1967 annual reporting period.

It is further ordered, That the detailed information called for by this order shall be in writing and shall be verified by a person or persons having knowledge thereof; that such verified material shall be served on all parties of record on or before July 29, 1968, and at the same time, respondents shall file an executed original and 16 copies with this Commission, together with certificates of service in accordance with § 1.22 (a) of the general rules of practice. The information with respect to carrier affiliates may be served on the parties in summary form, if so desired.

It is further ordered, That all underlying data used in preparation of the material outlined above shall be made available in the office of the party serving such verified matter during usual office hours for inspection by any party of record desiring to do so; and that the underlying data shall be made available also at the hearing, but only if and to the extent specifically requested in writing and required by any party for the purpose of cross-examination.

It is further ordered, That anyone desiring to become a party of record to receive copies of the verified material of respondents to be filed in accordance with the procedure set forth above, must notify the Commission, in writing, on or before July 15, 1968. As soon as practicable after such date, a service list of all parties of record will be prepared and served by the Commission. Otherwise, any interested person desiring to participate in this proceeding may make his appearance at the hearing.

It is further ordered, That this proceeding be, and it is hereby, referred to a hearing examiner to be later designated for hearing commencing on September 10, 1968, at 9:30 a.m., daylight saving time (or 9:30 a.m., U.S. standard time, if that time is observed), in Conference Room No. 310 of the Southern Motor Carriers Rate Conference, 1307 Peachtree Street NE., Atlanta, Ga.

It is further ordered, That this proceeding will not be the subject of an examiner's recommended report and order because due and timely execution of our functions requires an expedited decision.

It is further ordered, That a copy of this order be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

And it is further ordered, That, to avoid future unnecessary service upon those respondents who, although participating carriers in the tariff schedules which are the subject of investigation herein, are not actively interested in the outcome of such investigation, subsequent service on respondents herein of notices and orders of the Commission will be limited to those respondents who:

- (1) Specifically make written request to the Secretary of the Commission to be included on the service list; or
- (2) Have appeared at a hearing.

Dated at Washington, D.C., this 10th day of June 1968.

By the Commission, Commissioner Walrath.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-7565; Filed, June 25, 1968; 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 21, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of

practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG- AND SHORT-HAUL

FSA No. 41370—*Plaster and gypsum wallboard from Himes, Wyo.* Filed by Western Trunk Line Committee, agent (No. A-2556), for interested rail carriers. Rates on plaster and/or gypsum wallboard and related articles, in carloads, from Himes, Wyo., to points in Western trunkline (including Illinois) territory. Grounds for relief—Market competition.

Tariff—Supplements 102 and 103 to Western Trunk Line Committee, agent, tariff ICC A-4421.

FSA No. 41371—*Chlorine from Charleston, Tenn.* Filed by O. W. South, Jr., agent (No. A6026), for and on behalf of Southern Railway Co. Rates on chlorine, in tank carloads, from Charleston, Tenn. to Demopolis, Ala.

Grounds for relief—Market competition.

Tariff—Supplement 195 to Southern Freight Association, agent, tariff ICC S-484.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-7566; Filed, June 25, 1968;
8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JUNE 21, 1968.

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. 3832, filed (date not given). Applicant: WILLIAM T. ASHMORE, doing business as REFRIGERATED TRANSPORT SERVICE, 107 Candelaria NW., Albuquerque, N. Mex. Applicant's representative: John J. Duhigg, Post Office Box 271, Albuquerque, N. Mex. 87103. Certificate of public convenience and necessity sought to operate a meat delivery service as follows: Transportation of fresh and pre-

served meats, meat products, including fowl, both preserved and fresh, between Albuquerque, N. Mex., on the one hand and points and places in New Mexico on the other, over irregular routes, under nonscheduled service. Both interstate and intrastate authority sought.

HEARING: Tuesday, July 16, 1968, at 9:30 a.m., New Mexico Motor Carriers Association, 1500 Hannett Avenue NE., Albuquerque, N. Mex. Requests for procedural information including the time for filing protests concerning this application should be addressed to the New Mexico State Corporation Commission, Motor Carrier Division, Post Office Drawer 1269, Santa Fe, N. Mex. 87501, and should not be directed to the Interstate Commerce Commission.

State Docket No. M-4690, filed June 5, 1968. Applicant: POTEET TRANSFER CO., INC., 1511 East Fourth Street, Little Rock, Ark. Applicant's representative: Charles J. Lincoln, 1550 Tower Building, Little Rock, Ark. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of general commodities, (1) between Clinton, Ark., and Harrison, Ark.; from Clinton over U.S. Highway No. 65 to Harrison and return over the same route with service authorized at all intermediate points; (2) between Choctaw, Ark., and Morrilton, Ark.; from Choctaw, Ark., over Arkansas Highway No. 9 to Morrilton and return over the same route serving all intermediate points; (3) between Morrilton, Ark., and Pontoon, Ark.; from Morrilton, Ark., over Arkansas Highway 9 to the junction of Arkansas State Highways No. 9 and 154 at Oppelo, Ark., thence over Arkansas Highway 154 to Pontoon serving all intermediate points and specifically all off-route points at Petit Jean State Park, Winrock Enterprises, and Winrock Farms, serving all intermediate points and return over the route; and (4) between Oppelo and the junction of Arkansas Highway 60 and Arkansas River; from Oppelo over Arkansas Highway 113 to the junction of Arkansas Highways 113 and 60 near Houston, Ark., serving off-route point at Arkansas Kraft Paper Co., thence over Arkansas Highway 60 from Houston to the junction of the Arkansas River and Arkansas Highway No. 60 and return serving all intermediate points. Both interstate and intrastate authority sought.

HEARING: Monday, July 29, 1968, at 10 a.m., Arkansas Commerce Commission, Justice Building, Little Rock, Ark. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Arkansas Commerce Commission, Justice Building, Little Rock, Ark. 72201, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-7567; Filed, June 25, 1968;
8:48 a.m.]

[Notice 504]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 21, 1968.

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 4963 (Deviation No. 30), JONES MOTOR CO., INC., Bridge Street and Schuylkill Road, Spring City, Pa. 19475, filed June 11, 1968. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (1) From Boston, Mass., over Interstate Highway 90 to Cleveland, Ohio, and (2) from Boston, Mass., over Interstate Highway 90 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction Interstate Highway 80, thence over Interstate Highway 80 to Girard, Ohio, and return over the same routes, 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 Boston, Mass., over U.S. Highway 20 to Sturbridge, Mass., thence over Massachusetts Highway 15 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 15 to Hartford, Conn., thence over U.S. Highway 5 to junction U.S. Highway 1, thence over U.S. Highway 1 to Elizabeth, N.J., thence over U.S. Highway 22 to Allentown, Pa., thence over U.S. Highway 222 to junction U.S. Highway 422, thence over U.S. Highway 422 to junction U.S. Highway 322, thence over U.S. Highway 322 to Harrisburg, Pa., thence over U.S. Highway 11 to the Carlisle Tollgate, thence over the Pennsylvania Turnpike to the Irwin Tollgate, thence over U.S. Highway 30 to Pittsburgh, Pa., thence over U.S. Highway 30 to junction Ohio Highway 7, thence over Ohio Highway 7 to Youngstown, Ohio, thence over U.S. Highway 422 to Girard, Ohio, thence over U.S. Highway 422 to Cleveland, Ohio, and return over the same route.

No. MC 23135 (Deviation No. 2), **ERIE TRUCKING COMPANY**, 1314 West 18th Street, Erie, Pa. 16512, filed June 11, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Buffalo, N.Y., over U.S. Highway 20 to junction Interstate Highway 81, thence over Interstate Highway 81 to junction Interstate Highway 80, thence over Interstate Highway 80 to New York, N.Y., 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: (1) From Buffalo, N.Y., over New York Highway 5 to Dunkirk, N.Y., thence over New York Highway 60 to Fredonia, N.Y., thence over U.S. Highway 20 to Erie, Pa., and (2) from Erie, Pa., over Pennsylvania Highway 8 to junction Pennsylvania Highway 89 at Lowville, Pa., thence over Pennsylvania Highway 89 to junction U.S. Highway 6 to Elgin, Pa., thence over U.S. Highway 6 to Scranton, Pa., thence over U.S. Highway 611 to junction U.S. Highway 46 near Columbia, N.J., thence over U.S. Highway 46 to Buttzville, N.J., thence over New Jersey Highway 31 (formerly New Jersey Highway 69) to junction U.S. Highway 22, thence over U.S. Highway 22 to Newark, N.J., thence over U.S. Highway 1 to New York, N.Y., and return over the same route.

No. MC 23135 (Deviation No. 3), **ERIE TRUCKING CO.**, 1314 West 18th Street, Erie, Pa. 16512, filed June 11, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Erie, Pa., over Interstate Highway 79 to junction Interstate Highway 80, thence over Interstate Highway 80 to Mountain Lakes, N.J., thence over U.S. Highway 46 to West Caldwell, N.J., 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 Erie, Pa., over Pennsylvania Highway 8 to junction Pennsylvania Highway 89 to Lowville, Pa., thence over Pennsylvania Highway 89 to junction U.S. Highway 6 to Elgin, Pa., thence over U.S. Highway 6 to Scranton, Pa., thence over U.S. Highway 611 to junction U.S. Highway 46, thence over U.S. Highway 46 to Buttzville, N.J., thence over New Jersey Highway 31 (formerly New Jersey Highway 69) to junction U.S. Highway 22, thence over U.S. Highway 22 to Newark, N.J., thence over U.S. Highway 1 to New York, N.Y. (also from Bound Brook, N.J., over New Jersey Highway 18 to Highland Park, N.J., thence over U.S. Highway 1 to New York, N.Y., and also from Buttzville, N.J., over U.S. Highway 46 to New York, N.Y.), and return over the same routes.

No. MC 59680 (Deviation No. 65), **STRICKLAND TRANSPORTATION CO., INC.**, Post Office Box 5689, Dallas, Tex. 75222, filed June 13, 1968. Carrier proposes to operate as a *common carrier*,

by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Texarkana, Tex.-Ark., and Little Rock, Ark., over Interstate Highway 30, 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: Between Texarkana, Tex., and Little Rock, Ark., over U.S. Highway 67.

No. MC 59680 (Deviation No. 66), **STRICKLAND TRANSPORTATION CO., INC.**, Post Office Box 5689, Dallas, Tex. 75222, filed June 13, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From St. Louis, Mo., over Interstate Highway 55 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 90, thence over combined Interstate Highways 80-90 to Cleveland, Ohio, thence over Interstate Highway 90 to Boston, Mass., (2) from Harrisburg, Pa., over Interstate Highway 78 to junction Interstate Highway 287 east of Denville, N.J., thence over Interstate Highway 287 to junction of Interstate Highway 95 near Rye, N.Y., thence over Interstate Highway 95 to Boston, Mass., and (3) from Harrisburg, Pa., over Interstate Highway 81 to junction Interstate Highway 81 to junction Interstate Highway 84, at Scranton, Pa., thence over Interstate Highway 84 to junction Connecticut Highway 34, at Sandy Hook, Conn., thence over Connecticut Highway 34 to junction Connecticut Highway 114, thence over Connecticut Highway 114 to junction U.S. Highway 1, thence over U.S. Highway 1 to New Haven, Conn., and return over the same routes, for operating convenience only.

The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From St. Louis, Mo., over U.S. Highway 66 to junction Illinois Highway 48, thence over Illinois Highway 48 to junction U.S. Highway 54, thence over U.S. Highway 54 to junction U.S. Highway 24 to Gilman, Ill., thence over U.S. Highway 24 to junction U.S. Highway 6 at Napoleon, Ohio, thence over U.S. Highway 6 to Lorain, Ohio, thence over Ohio Highway 57 to junction Ohio Highway 254, thence over Ohio Highway 254 to Cleveland, Ohio, thence over Ohio Highway 84 to junction Ohio Highway 46, thence over Ohio Highway 46 to Ashtabula, Ohio, thence over U.S. Highway 20 to junction New York Highway 78, thence over New York Highway 78 to junction New York Highway 33, thence over New York Highway 33 to Batavia, N.Y., thence over New York Highway 5 to Albany, N.Y., thence over New York Highway 9J to junction U.S. Highway 9, thence over U.S. Highway 9 to Newark, N.J., thence over U.S. Highway 1 to junction unnumbered highway (formerly portion U.S. Highway 1), thence over unnumbered highway via Bridgeport, Conn., to junction U.S. Highway 1, thence over U.S. Highway 1 to New Haven, Conn., thence over U.S.

Highway 5 to Springfield, Mass., thence over U.S. Highway 20 to Boston, Mass.

(2) From Harrisburg, Pa., over the Pennsylvania Turnpike to the New Jersey Turnpike, thence over the New Jersey Turnpike to Newark, N.J., thence over U.S. Highway 1 to junction unnumbered highway (formerly portion U.S. Highway 1), thence over unnumbered highway via Bridgeport, Conn., to junction U.S. Highway 1, thence over the route described in (1) to Boston, Mass., and (3) from Harrisburg, Pa., over the Pennsylvania Turnpike to the New Jersey Turnpike, thence over the New Jersey Turnpike to Newark, N.J., thence over U.S. Highway 1 to junction unnumbered highway (formerly portion U.S. Highway 1), thence over unnumbered highway via Bridgeport, Conn., to junction U.S. Highway 1, thence over U.S. Highway 1 to New Haven, Conn., and return over the same routes.

No. MC 59680 (Deviation No. 67), **STRICKLAND TRANSPORTATION CO., INC.**, Post Office Box 5689, Dallas, Tex. 75222, filed June 13, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Akron, Ohio, over Interstate Highway 80S to junction Interstate Highway 80 west of Youngstown, Ohio, thence over Interstate Highway 80 to junction the Pennsylvania Turnpike Northeast Extension, thence over the Pennsylvania Turnpike Northeast Extension 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 Akron, Ohio, over U.S. Highway 21 to junction Ohio Turnpike, thence over the Ohio Turnpike to junction Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to junction New Jersey Turnpike, thence over the New Jersey Turnpike to Newark, N.J., thence over U.S. Highway 1 to Philadelphia, Pa., and return over the same route.

No. MC 59680 (Deviation No. 68), **STRICKLAND TRANSPORTATION CO., INC.**, Post Office Box 5689, Dallas, Tex. 75222, filed June 13, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From South Bend, Ind., over Indiana Highway 2 to junction U.S. Highway 20 near Rolling Prairie, Ind., and (2) from South Bend, Ind., over Interstate Highway 80-90 to junction Interstate Highway 280 near Toledo, Ohio, thence over Interstate Highway 280 to junction Interstate Highway 75, thence over Interstate Highway 75 to Detroit, Mich., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Chicago, Ill., over U.S. Highway 20 to South Bend, Ind., (2) from Detroit, Mich., over U.S. Highway 12 (formerly

U.S. Highway 112) to junction Interstate Highway 94 (formerly U.S. Highway 12), and (3) from South Bend, Ind., over U.S. Highway 31 to South Haven, Mich., and return over the same routes.

No. MC 59680 (Deviation No. 69), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex. 75222, filed June 13, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Exit 18, Pennsylvania Turnpike over Interstate Highway 83 to junction Interstate Highway 81 near Progress, Pa., thence over Interstate Highway 81 to junction Interstate Highway 78 near Harper Tavern, Pa., thence over Interstate Highway 78 to junction Pennsylvania Turnpike Northeast Extension at Exit No. 33, thence over the Pennsylvania Turnpike Northeast Extension to junction Interstate Highway 76, near Conchohocken, Pa., thence over Interstate Highway 76 to Philadelphia, Pa., and (2) from Exit 24 of the Pennsylvania Turnpike over Interstate Highway 76 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 pertinent service routes as follows: (1) From Exit 18 of the Pennsylvania Turnpike over the Pennsylvania Turnpike to junction New Jersey Turnpike, thence over the New Jersey Turnpike to Newark, N.J., thence over U.S. Highway 1 to Philadelphia, Pa., and (2) from Exit 23 of the Pennsylvania Turnpike over the Pennsylvania Turnpike to junction New Jersey Turnpike, thence over the routes described in (1) above to Philadelphia, Pa., and return over the same routes.

No. MC 72140 (Deviation No. 5), SHIPPERS DISPATCH, INC., 1216 West Sample Street, South Bend, Ind. 46624, filed June 13, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over Interstate Highway 70 to Indianapolis, Ind. (using U.S. Highway 40 to the extent Interstate Highway 70 is incomplete), thence over Interstate Highway 69 to Fort Wayne, Ind. (using Indiana Highway 67 to/from Indianapolis, Ind., its joinder with Interstate Highway 69 to the extent Interstate Highway 69 is incomplete), 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 Fort Wayne, Ind., over U.S. Highway 24 to Gilman, Ill., thence over U.S. Highway 45 to Onarga, Ill., thence over U.S. Highway 54 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction city U.S. Highway 66, thence over city U.S. Highway 66

to St. Louis, Mo., and return over the same route.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-7568; Filed, June 25, 1968;
8:49 a.m.]

[Notice 1192]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 21, 1968.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 119619 (Sub-No. 3) and MC 119619 (Sub-No. 5) (Republications), filed December 8, 1966, and August 29, 1967, respectively, published in the FEDERAL REGISTER issues of January 6, 1967, and August 29, 1967, respectively, and republished this issue. Applicant: DISTRIBUTORS SERVICE CO., a corporation, 2000 West 43d Street, Chicago, Ill. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. By application filed December 8, 1966 in MC 119619 (Sub-No. 3), as amended, applicant seeks a certificate of public convenience and necessity authorizing operations, in interstate or foreign commerce, as a common carrier, by motor vehicle, over irregular routes of (1) canned meat and sausage, not frozen, from piers located at Philadelphia, Pa., Boston, Mass., Baltimore, Md., and the Port of New York Harbor, as defined by the Interstate Commerce Commission, to the warehousing, processing and manufacturing facilities of J. S. Hoffman Co., at Chicago, Ill., and Monroe, Wis., (2) cheese, not frozen, from piers located at Philadelphia, Pa., Boston, Mass., Baltimore, Md., and the Port of New York Harbor, as defined by the Interstate Commerce Commission, to the warehousing, processing and manufacturing facilities of J. S. Hoffman Co., at Chicago, Ill., and (3) sliced meat and sausage, not frozen, from the warehousing, processing and manufacturing facilities of J. S. Hoffman Co., at Chicago, Ill., and Monroe, Wis., and cheese, not

frozen from the warehousing, processing, and manufacturing facilities of J. S. Hoffman Co., at Chicago, Ill., to points in Maryland, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, and the District of Columbia, and points on and east of U.S. Highway 15 from the Maryland-Pennsylvania State line to its intersection with the Pennsylvania-New York State line.

Restricted to traffic originating at or destined to the facilities of J. S. Hoffman Co., when moving from or to Chicago, Ill., or Monroe, Wis. Restricted: On the movement of cheese when moving in the same vehicle with or in mixed shipments of meat. In MC-119619 (Sub-No. 5), by application filed August 29, 1967, as amended, the same applicant seeks similar authority to transport sliced meat, canned meat, sausage, and cheese, not frozen, between the facilities of J. S. Hoffman Co. at Moonachie, N.J., on the one hand, and, on the other, Chicago, Ill., and Monroe, Wis. Restricted on the movement of cheese when moving in the same vehicle with or in mixed shipments of meat. Restricted to traffic originating at and destined to the facilities of J. S. Hoffman Co., when moving from or to Chicago, Ill., Monroe, Wis., and Moonachie, N.J. A report and recommended order of the Hearing Examiner served April 29, 1968, embracing both applications, and which became effective June 13, 1968, finds (1) in MC 119619 (Sub-No. 3) 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 (1) canned meat and sausage, not frozen, from Philadelphia, Pa., Boston, Mass., Baltimore, Md., and the New York, N.Y., commercial zone, to Chicago, Ill., and Monroe, Wis.; (2) cheese, not frozen (in mixed loads with meat), from Philadelphia, Pa., Boston, Mass., Baltimore, Md., the New York, N.Y. commercial zone to Chicago, Ill.; (3) sliced meat and sausage, not frozen, from Chicago, Ill., and Monroe, Wis., to points in Maryland, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, the District of Columbia, and points in Pennsylvania on and east of U.S. Highway 15; and

(4) Cheese, not frozen (in mixed loads with meat), from Chicago, Ill., to points in Maryland, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, the District of Columbia and points in Pennsylvania on and east of U.S. Highway 15. Restricted: (a) When moving from Philadelphia, Pa., Boston, Mass., Baltimore, Md., and New York, N.Y., to shipments having an immediately prior movement by water; (b) when moving from or to Chicago, Ill., to shipments moving from or to the warehousing, processing, and manufacturing facilities of J. S. Hoffman Co., at Chicago, Ill.; and (c) when moving from or to Monroe, Wis., to shipments moving from or to the warehousing, processing

and manufacturing facilities of J. S. Hoffman Co., Triangle Cheese Corp. and Green County Prepak Co. at Monroe, Wis.; and (2) in MC 119619 (Sub-No. 5) 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 cheese, not frozen (in mixed loads with meat), sliced meat, canned meat, and sausage, not frozen, between Moonachie, N.J., on the one hand, and, on the other Chicago, Ill., and Monroe, Wis. Restricted: (a) When moving from or to Chicago, Ill., or Moonachie, N.J., to shipments moving from or to the facilities of J. S. Hoffman Co., at Chicago or Moonachie; and (b) when moving from or to Monroe, Wis., to shipments moving to or from the facilities of J. S. Hoffman Co., Triangle Cheese Corp., or Green County Prepak Co. at Monroe, Wis., (3) that in both embraced proceedings, that applicant is fit, willing, and able properly to perform the proposed service, and to conform to the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the applications as published may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, corrected notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of certificates in these proceedings will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 121382 (Sub-No. 2) (Republication), filed August 4, 1967, published FEDERAL REGISTER issue of December 28, 1967, and republished this issue. Applicant: C. R. VON ARX and L. R. VON ARX, a partnership, doing business as RIVERVIEW TRANSPORTATION CO., Lone Redwood Road, Post Office Box 2365, Santa Rosa, Calif. Applicant's representative: Edward J. Hegarty, 100 Bush Street, San Francisco, Calif. 94104. By application filed August 4, 1967, as amended, 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 (1) *lumber and forest products* (excluding wood chips) in shipments of 20,000 pounds or more, between points in Monterey, San Benito, Fresno, Santa Cruz, Santa Clara, Stanislaus, Merced, Madera, San Mateo, San Francisco, Alameda, Contra Costa, San Joaquin, Marin, Solano, Sacramento, Sonoma, Napa, Yolo, Sutter, Placer, Lake, Colusa, Yuba, Mendocino, Glenn, Butte, Tehama, Humboldt, Trinity, and Shasta Counties, Calif., and (2) *buildings assembled and buildings in sections mounted on wheeled undercarriages with hitch-ball connectors* and parts and materials required

for the erection of such buildings, when such parts and materials move on the same vehicle as the building, from the plantsite of Speedspace Corp., located approximately 8 miles from Santa Rosa, Sonoma County, Calif., to points in Idaho, Montana, Nevada, Arizona, Oregon, Utah, Washington, Colorado, and Wyoming.

An order of the Commission, Operating Rights Board, dated April 30, 1968, and served May 31, 1968, finds that the present and future public convenience and necessity require operation by applicants, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of lumber and forest products (except wood chips) between points in Monterey, San Benito, Fresno, Santa Cruz, Santa Clara, Stanislaus, Merced, Madera, San Mateo, San Francisco, Alameda, Contra Costa, San Joaquin, Marin, Salano, Sacramento, Sonoma, Napa, Yolo, Sutter, Placer, Lake, Colusa, Yuba, Mendocino, Glenn, Butte, Tehama, Humboldt, Trinity, and Shasta Counties, Calif., and (2) buildings, assembled and partially assembled (except buildings and buildings in sections, mounted on wheeled undercarriages equipped with hitch-ball connectors) and parts and materials required for the erection of such buildings, when such parts and materials move on the same vehicle as the building, from the plantsite of Speedspace Corp., approximately 8 miles from Santa Rosa, Sonoma County, Calif., to points in Idaho, Montana, Nevada, Arizona, Oregon, Utah, Washington, Colorado, and Wyoming; that applicants are 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. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding, will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 129577 (Republication) filed November 13, 1967, published FEDERAL REGISTER issue of December 21, 1967, and republished this issue. Applicant: FRANCIS KAY TRUST AND BONNIE KAY TRUST, a copartnership, doing business as BONNIE C. TRUCKING CO., STANLEY B. KORENGOLD, TRUSTEE, 3171 Fifth Street SE., Minneapolis, Minn. 55401. Applicant's representative: Stanley B. Korengold, 810 Title Insurance Building, Minneapolis, Minn. 55401. By application filed November 13, 1967, as amended, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a

contract carrier by motor vehicle, over irregular routes, of potatoes, processed and unprocessed, and shortening, between points in Wisconsin, under contract with Processed Potatoes, Inc., and Northern Star, Inc. A report of the Commission, Review Board No. 2, decided June 12, 1968, and served June 18, 1968, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of shortening, in containers, and potatoes, from the joint plantsite of Northern Star, Inc., and Processed Potatoes, Inc., at Minneapolis, Minn., to points in Wisconsin, under a continuing contract or contracts with Northern Star, Inc., and Processed Potatoes, Inc., will be consistent with the public interest and the national transportation policy; that applicants are 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. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITIONS

No. MC 84665 (Notice of Filing of Petition for Modification of Certificate to Eliminate Commodity Restriction in Certificates Issued to MILLER TRANSPORT CO., INC., in No. MC 84664 and subs), filed May 17, 1968. Petitioner: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Petitioner's representatives: David G. MacDonald and James W. Lawson, 1000 16th Street NW., Washington, D.C. 20036. Petitioner states that pursuant to the findings in MC-F-9848, the operating rights held by Miller Transport Co., Inc., in certificate MC 84665 were authorized to be merged into those of petitioner subject to certain conditions, including the concurrent cancellation of certain contract carrier authority held by Miller in MC 76430 and subs thereunder. Petitioner further states that in permitting Miller to hold both contract and common carrier authority, the Commission effected compliance with the principle of section 210 of the Act (a) by inserting special commodity exceptions in the general commodity description in the certificate, (b) by providing in the certificate that "no service is authorized from the plantsites and warehouse facilities of The Proctor & Gamble Manufacturing Co. at Port Ivory and Clifton (Staten Island), N.Y., and Kearny and Newark, N.J., and Baltimore, Md.", and (c) by

reserving jurisdiction "to impose such terms, conditions, or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of section 210 of the Act." The usual commodity restriction incorporated in the Miller common carrier certificate to avoid duplication of the contract carrier authority is:

"* * * except soap, soap products, lard substitute or compounds, cooking oil, glycerin, coconut-oil and coconut-oil products, stearine, dentifrices, facial preparations, shampoo, with or without advertising matter and premiums, acids, alum, insecticides in containers, soda products, in containers, shampoo other than liquid, dentifrices, facial preparations, and soda products, in bulk, * * *

Petitioner further states that control of Miller was consummated by National and the Miller certificate was transferred to it on April 16, 1968, pursuant to authority granted in Docket No. MC-F-9848 on February 7, 1968, as subsequently modified, and the adoption notice of National with respect to the certificate of Miller in MC-84665 has become effective although the rights have not yet been reissued in the name of National. National is entitled to operate under those operating rights and those rights are to be unified with rights otherwise held by National and to be embraced in a certificate to be issued to National under MC 2860 (Sub-No. 27), with duplication eliminated. Cancellation of the permit was effective by the terms of the order on April 16, 1968, and with the cancellation of the contract carrier authority in No. MC 76430 incident to consummation of the transaction authorized in No. MC-F-9848, the commodity exclusions and plantsites and warehouses facilities limitation are no longer necessary to prevent dual operations. Petitioner requests that the commodity description in the certificate of Miller Transport Co., Inc., in No. MC 84665, to the extent that, with duplications eliminated, it is to be incorporated into the certificate to be issued to National Freight, Inc., be made to conform to the standard general commodity authority description as follows: "General commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading." Any person or persons desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 128569 (Notice of Filing of Petition To Amend Permit To Reflect a Change in Location of a Plantsite), filed June 3, 1968. Petitioner: ORBITAL TRANSPORT, INC., 2647 Karen Street, Bellmore, N.Y. 11710. Petitioner's representative: William D. Truab, 10 East 40th Street, New York, N.Y. 10016. Petitioner presently holds a permit in No. MC 128569 issued June 20, 1967, authorizing

operations as a contract carrier, over irregular routes, in the transportation of: Plastic boxes, loose, set up, not packaged, and show, display, and advertising materials and equipment used in connection therewith, between the plantsite of the Tedruth Plastics Corp., in Oyster Bay Township, N.Y., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia, restricted to a transportation service to be performed under a continuing contract, or contracts, with Tedruth Plastics Corp. By the instant petition petitioner states it now seeks to have its permit amended by the elimination therefrom of the present plantsite location at Oyster Bay Township, N.Y., and the substitution in place thereof the new plantsite location at Howell Township, N.J., so that it might perform the identical, restricted service it is presently conducting for its sole shipper at the New Jersey place when the customer commences operations there. In all other respects the authority now contained in permit MC-128659 would be the same, restricted to a service solely for Tedruth Plastics Corp., Petitioner's only customer. Any person or persons desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

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-9943. (Amendment) (ENCINAL TERMINALS—Control—SHIP-PERS EXPRESS CO.; SHIPPERS EXPRESS CO.—Purchase—ENCINAL TERMINALS), published in the November 22, 1967, issue of the FEDERAL REGISTER, on page 16076. By amendment filed June 17, 1968, Applicants seek to add ALASKA PACKERS ASSOCIATION, INC., 215 Fremont Street, San Francisco, Calif. 94119, as a party joining the application for authority for ENCINAL TERMINALS to control SHIPPERS EXPRESS COMPANY.

No. MC-F-10136. (Second correction) (GORDONS TRANSPORTS, INC.—Purchase (Portion)—EUGENE PIKOVSKY; GORDON TRANSPORTS, INC.—Control and Merger—HYMAN MOTOR SERVICE CO.), published in the May 29, 1968, and correction June 12, 1968, issues of the FEDERAL REGISTER, on pages 7846 and 8629. This second corrected notice is to include attorney for HYMAN MOTOR SERVICE CO. Vendor's attorney: B. W. LaTourette, Jr., 1850 Railway Exchange Building, 611 Olive Street,

St. Louis, Mo. 63101. NOTE: This Corrected Notice Will Not Alter the Due Date for Filing Protest.

No. MC-F-10158. Authority sought for control by TRANSCO, INC., 14201 Prospect Avenue, Dearborn, Mich. 48121, of MARIS TRANSPORT LIMITED, Box 158, Oakville, Ontario, Canada, and for acquisition by DONALD C. HAYDEN, also of Dearborn, Mich., of control of MARIS TRANSPORT LIMITED, through the acquisition by TRANSCO, INC. Applicants' attorney: Walter N. Bleneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Operating rights sought to be controlled: Automobiles, trucks and buses, parts and accessories thereof moving at the same time with the vehicles of which they are a part and on which they are to be installed, in initial and secondary movements, in driveway and truckaway service, as a common carrier, over irregular routes, between the ports of entry on the United States-Canada boundary line, located in New York on the Niagara River, on the one hand, and, on the other, Buffalo, N.Y., with restriction; automobiles, trucks, and buses, as described in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, in initial and secondary movements, in driveway and truckaway service, and parts and accessories thereof, moving at the same time and with the vehicles of which they are a part and on which they are to be installed, and farm tractors, moving in mixed loads with automobiles and trucks, and parts and accessories thereof moving at the same time and with the tractors of which they are a part and on which they are to be installed, between the port of entry on the United States-Canada boundary line located at Detroit, Mich., on the one hand, and, on the other, Dearborn and Wayne, Mich. (but not including the commercial zones thereof as defined by the Commission), with restriction; and automobiles, trucks, and buses, as described in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, in initial and secondary movements, in driveway and truckaway service, and farm type tractors moving in mixed loads with automobiles and trucks, from ports of entry on the United States-Canada boundary line located in Michigan and New York, to points in Michigan, Indiana, Ohio, Pennsylvania, New York, Vermont, and New Hampshire, with restriction. TRANSCO, INC., holds no authority from this Commission. However, its controlling stockholder controls E. & L. TRANSPORT COMPANY, 14201 Prospect Avenue, Post Office Box 299, Dearborn, Mich. 48126, which is authorized to operate as a common carrier in all points in the United States (except Alaska and Hawaii). Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10159. Authority sought for purchase by RED STAR EXPRESS LINES OF AUBURN, INCORPORATED, doing business as RED STAR EXPRESS LINES, 24-50 Wright Avenue, Auburn, N.Y. 13021, of the operating rights of CHAMPS EXPRESS, INCORPORATED, 386 State Street Extension, Fairfield,

Conn. 06430, and for acquisition by JOHN BISGROVE, 264 East Genesee Street, Auburn, N.Y., of control of such rights through the purchase. Applicants' attorney: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005. (In MC-F-8143, RED STAR EXPRESS LINES OF AUBURN, INC., was granted control of CHAMPS EXPRESS, INC., through purchase of capital stock, pursuant to decision and order, by Division 3, March 25, 1964. The period within which to exercise this authority, and temporary authority may continue, has been extended several times and presently is further extended to expire December 6, 1968. The order in MC-F-8143 also embraced the grant of the authority in No. MC-120106 Sub 1, to CHAMPS EXPRESS, INC., and provides for the issuance of a certificate of public convenience and necessity when consummated.) Operating rights sought to be transferred: In pending Docket No. MC-120106 Sub 1, seeking a certificate of public convenience and necessity, covering the transportation of general commodities, except household goods, and commodities requiring the use of dump trucks, tank trucks, or special equipment, as a common carrier, over irregular routes, between Bridgeport, Conn., on the one hand, and, on the other, points in Connecticut, except points in Fairfield County, Conn. Vendee is authorized to operate as a common carrier in New York, Pennsylvania, Connecticut, New Jersey, Vermont, Massachusetts, and Rhode Island. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10162. Authority sought for purchase by DANDIGNAC TRUCKING SERVICE, INC., 2110 85th Street, North Bergen, N.J. 07047, of the operating rights and certain property of VICTOR MAZZA AND ROSANNA MAZZA, doing business as DANDIGNAC TRUCKING SERVICE, 1684 Richmond Terrace, Staten Island, N.Y., and for acquisition by A-P-A TRANSPORT CORP., also of North Bergen, N.J., of control of such rights and property through the purchase. Applicants' attorney and representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038, and Herbert Ginzburg, 36 Richmond Terrace, Staten Island, N.Y. Operating rights sought to be transferred: *Pipe and pipe fittings*, as a common carrier, over irregular routes, from certain specified points in New Jersey, to certain specified points in New York; *cotton softener and bleach*, and *muriates and chlorates of potassium*, from New York, N.Y., to certain specified points in New Jersey; *ingredients* used in the manufacture of brewery products, from points on Staten Island, N.Y., to certain specified points in New Jersey, Pennsylvania, and Bridgeport and New Haven, Conn.; *heavy machinery*, and *structural steel* used in connection therewith, between New York, N.Y., and certain specified points in Pennsylvania, those in New Jersey, and certain specified points in New York; and *storage tanks*, capacity of 5,000 gallons or over, between New York, N.Y., and points

in Fairfield County, Conn., certain specified points in Pennsylvania, those in New Jersey, and certain specified points in New York. DANDIGNAC TRUCKING SERVICE, INC., holds no authority from this Commission. However, its controlling stockholder A-P-A TRANSPORT CORP., 2110 85th Street, North Bergen, N.J. 07047, is authorized to operate as a common carrier in New Jersey, New York, Connecticut, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10163. Authority sought for purchase by JOHNSTON'S FUEL LINERS, INC., 808 Birch Street, Post Office Box 100, Newcastle, Wyo. 82701, of a portion of the operating rights of INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113, and for acquisition by ELTON JOHNSTON, Wheatland, Wyo., and C. WILSON BURNETTE, 120 Fifth Avenue, Newcastle, Wyo., of control of such rights through the purchase. Applicants' attorneys: Stockton and Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Operating rights sought to be transferred: *Cement*, as a common carrier, over irregular routes, from Rapid City, S. Dak., to points in that part of North Dakota east of a line beginning at the North Dakota-South Dakota State line and extending along U.S. Highway 281 to junction North Dakota Highway 57, thence along North Dakota Highway 57 to junction North Dakota Highway 20, and thence along North Dakota Highway 20 to the United States-Canada boundary line; and *cement*, in bulk, in hopper-type vehicles, from Rapid City, S. Dak., and points within 10 miles thereof, to points in Montana, Wyoming, and Nebraska. Vendee is authorized to operate as a common carrier in Wyoming, Nebraska, South Dakota, North Dakota, Utah, Idaho, Arizona, New Mexico, Oregon, Colorado, Montana, Florida, Wisconsin, Illinois, Maine, Minnesota, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Oklahoma, Texas, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-10164. Authority sought for purchase by BEAUFORT TRANSFER COMPANY, Post Office Box 102, Gerald, Mo. 63037, of the operating rights of ST. LOUIS, WASHINGTON, UNION EXPRESS, INC., 308 Burnside Street, Washington, Mo. 63090, and for acquisition by OLIN R. FLOTTMANN, JOHN MEYER, ROY FLOTTMANN, and LEO FLOTTMANN, all also of Gerald, Mo., of control of such rights through the purchase. Applicants' attorney: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C. 20005. Operating rights sought to be transferred: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a common carrier, over regular routes, between St. Louis, Mo., and Washington, Mo., serving all intermediate points, and the off-

route points of Villa Ridge, Mo., and East St. Louis, Ill. Vendee is authorized to operate as a common carrier in Missouri, Illinois, Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Texas, Wisconsin, Georgia, Minnesota, Colorado, and Ohio. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10165. Authority sought for control by THE CONNECTICUT COMPANY, 53 Vernon Street, Hartford, Conn., of THE ADLEY CORPORATION, doing business as ADLEY EXPRESS COMPANY, 900 Chapel Street, New Haven, Conn. 06510, and for acquisition by E. CLAYTON GENGRAS, 1000 Asylum Avenue, Hartford, Conn., of control of THE ADLEY CORPORATION, doing business as ADLEY EXPRESS COMPANY, through the acquisition by THE CONNECTICUT COMPANY. Applicants' attorneys and representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. 06103, Howard T. Gillis, 900 Chapel Street, New Haven, Conn., and John S. Murtha, 97 Elm Street, Hartford, Conn. Operating rights sought to be controlled: *General commodities*, with certain specified exceptions, and numerous other specified commodities, as a common carrier, over regular and irregular routes, from, to, and between specified points in the States of Massachusetts, Pennsylvania, Connecticut, New York, New Jersey, Virginia, Maryland, Delaware, North Carolina, Vermont, New Hampshire, Maine, Florida, and the District of Columbia, serving various intermediate and off-route points, as more specifically described in Docket No. MC-2542 and sub-numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety, thereof. THE CONNECTICUT COMPANY is authorized to operate as a common carrier in Connecticut, New York, New Jersey, Pennsylvania, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, Delaware, Maryland, Virginia, and the District of Columbia. Application has not been filed for temporary authority under Section 210a(b). NOTE: THE COLONY COMPANY presently controls THE ADLEY CORPORATION, doing business as ADLEY EXPRESS COMPANY, pursuant to order in MC-F-9821, by Review Board No. 5, granted December 18, 1967, and consummated February 27, 1968.

No. MC-F-10166. Authority sought for purchase by FLEET TRANSPORT COMPANY, INC., 934 44th Avenue North, Nashville, Tenn. 37209, of a portion of the operating rights of WHARTON TRANSPORT CORPORATION, 1498 Channel Avenue, Memphis, Tenn. 38106, and for acquisition by FLEET MANAGEMENT CO., and, in turn by CALVIN HOUGHAND and J. G. PAGE, JR., all also of Nashville, Tenn., of control of such rights through the purchase. Applicants' attorneys: R. J. Reynolds, Jr., 604 Healey Building, Atlanta, Ga. 30303, and James N. Clay III, 2700 Sterick

Building, Memphis, Tenn. 38103. Operating rights sought to be transferred: *Petroleum and petroleum products*, in bulk, in tank vehicles, as described in appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, as a *common carrier*, over irregular routes, from the site of the pipeline terminal of the Oklahoma-Mississippi River Products Line, Inc., at or near West Memphis, Ark., to points in Tennessee on or west of that portion of the Tennessee River extending from the Kentucky-Tennessee State line near Fort Donelson National Military Park and Cemetery to the Tennessee-Alabama State line near Shiloh National Military Park and Cemetery. Vendee is authorized to operate as a *common carrier* in Georgia, Tennessee, Arkansas, North Carolina, Florida, South Carolina, Louisiana, Mississippi, Illinois, Kentucky, Indiana, Ohio, West Virginia, Texas, Virginia, Michigan, New York, Delaware, Maryland, Pennsylvania, Arkansas, Oklahoma, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10160. Authority sought for consolidation into CONTINENTAL TRAILWAYS, INC., 315 Continental Avenue, Dallas, Tex. 75207, of the operating rights and property of TRANSCONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas, Tex. 75207, and for acquisition by TRANSCONTINENTAL BUS SYSTEM, INC., also of Dallas, Tex., of control of such rights and property through the transaction. Applicants' attorneys: Carl B. Callaway, Warren A. Goff, and D. Paul Stafford, all of 315 Continental Avenue, Dallas, Tex. 75207. Operating rights sought to be consolidated: Passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Illinois, Missouri, Kansas, California, Texas, Oklahoma, New Mexico, Utah, Arizona, Colorado, Nebraska, Arkansas, Indiana, Iowa, Louisiana, and Arizona, serving various intermediate points, over numerous alternate routes for operating convenience only, as more specifically described in Docket No. MC-109780 and sub-numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety thereof. Application has not been filed for temporary authority under section 210a(b). Note: See also MC-F-10161 (CONTINENTAL TRAILWAYS, INC.—Control—AMERICAN BUSLINES, INC., ET AL.), published in this same issue. Finance Docket No. 25153 is simultaneously filed.

No. MC-F-10161. Authority sought for control by CONTINENTAL TRAILWAYS, INC., 315 Continental Avenue, Dallas, Tex. 75207, of (1) AMERICAN BUSLINES, INC., 1501 South Central, Los Angeles, Calif. 90021, (2) ARKAN-

SAS MOTOR COACHES LIMITED, INC., 315 Continental Avenue, Dallas, Tex. 75207, (3) BAYSHORE BUS LINES, INC., 425 Bolton Avenue, Alexandria, La. 87101, (4) CAROLINA SCENIC STAGES, 417 West Fifth Street, Charlotte, North Carolina 28201, (5) COASTAL STAGES CORPORATION, 417 West Fifth Street, Charlotte, N.C. 28201, (6) CONTINENTAL ATLANTIC LINES, INC., a non-carrier, 448 Pine Street, Macon, Ga. 31201, (7) CONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas, Tex. 75207, (8) CONTINENTAL CRESCENT LINES, INC., 425 Bolton Avenue, Alexandria, La. 87101, (9) CONTINENTAL PACIFIC LINES, doing business as CONTINENTAL PACIFIC TRAILWAYS, 1501 South Central Avenue, Los Angeles, Calif. 90021, (10) CONTINENTAL PANHANDLE LINES, INC., 400 Monroe Street, Amarillo, Tex. 79201, (11) CONTINENTAL SOUTHERN LINES, INC., 425 Bolton Avenue, Alexandria, La. 87101, (12) CONTINENTAL TENNESSEE LINES, INC., 418 Fifth Avenue, South, Nashville, Tenn. 37203, (13) DENVER-COLORADO SPRINGS-PUEBLO MOTOR WAY, INC., 2450 Curtis Street, Denver, Colo. 80205, (14) DENVER-SALT LAKE-PACIFIC STAGES, INC., 2450 Curtis Street, Denver, Colo. 80205, (15) EAGLE CHARTER SERVICE, a noncarrier, 417 West Fifth Street, Charlotte, N.C. 28201, (16) FORT BRAGG COACH COMPANY, INC., 417 West Fifth Street, Charlotte, N.C. 28201, (17) GEORGIA-FLORIDA COACHES, INC., 417 West Fifth Street, Charlotte, N.C. 28201, (18) GIBSON LINES, 1501 South Central, Los Angeles, Calif. 90021, (19) JOHNSON COUNTY SUBURBAN LINES, INC., Main and Markham Streets, Little Rock, Ark. 72201.

(20) GREY LINE OF CHARLESTON, INC., an non-carrier, 417 West Fifth Street, Charlotte, N.C. 28201, (21) MIDWEST BUSLINES, INC., Main and Markham Streets, Little Rock, Ark. 72201, (22) MUSCATINE, DAVENPORT AND CLINTON BUS COMPANY, 1805 Leavenworth Street, Omaha, Nebr. 68102, (23) QUEEN CITY COACH COMPANY, 417 West Fifth Street, Charlotte, N.C. 28201, (24) RANDOLPH FIELD BUS COMPANY, INC., 315 Continental Avenue, Dallas, Tex. 75207, (25) SAFEWAY TRAILS, INC., 1200 Eye Street NW., Washington, D.C. 20005, (26) SMOKY MOUNTAIN STAGES, INCORPORATED, 417 West Fifth Street, Charlotte, N.C. 28201, (27) SOUTHEASTERN MOTOR LINES, INC., 417 West Fifth Street, Charlotte, N.C. 28201, (28) TENNESSEE TRAILWAYS, INC., 710 Sevier Avenue, Knoxville, Tenn. 37902, (29) TRAILWAYS OF NEW ENGLAND, INC., 1200 Eye Street NW., Washington, D.C. 20005, (30) UNION BUS LINES, INC., 1102 East St. Francis Street, Brownsville, Tex. 78520, (31) VALLEY TRANSIT LINES, INC., 2450 Curtis Street, Denver, Colo. 80205, (32) VIRGINIA STAGE LINES, INCORPORATED, 114 Fourth Street SE., Charlottesville, Va. 22902, and (33) WINTER GARDEN BUS LINE, INC., 1102 East St. Francis Street, Browns-

ville, Tex. 78520; and for acquisition by TRANSCONTINENTAL BUS SYSTEM, INC., also of Dallas, Tex., of control of above-named carriers through the acquisition by CONTINENTAL TRAILWAYS, INC. Applicants' attorneys: Carl B. Callaway, D. Paul Stafford, and Warren A. Goff, all of 315 Continental Avenue, Dallas, Tex. 75207. Operating rights sought to be controlled:

(1) Passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of New York, Pennsylvania, Ohio, Indiana, New Jersey, California, Arizona, Missouri, Oklahoma, Texas, New Mexico, Maryland, Michigan, Illinois, Colorado, Nebraska, Wyoming, Utah, Iowa, South Dakota, and the District of Columbia, with certain restrictions, serving various intermediate and off-route points, as more specifically described in Docket No. MC-2890 and sub-numbers thereunder; (2) passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Tennessee, Texas, and Arkansas, serving various intermediate points, as more specifically described in Docket No. MC-50026 and sub-numbers thereunder; (3) passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the State of Texas, serving all intermediate points, as more specifically described in Docket No. MC-11929; (4) passengers and their baggage, and express, mail, and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of North Carolina, Georgia, and South Carolina, with certain restrictions, serving various intermediate points, as more specifically described in Docket No. MC-109598 and sub-numbers thereunder; (5) passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the State of South Carolina, serving various intermediate points, as more specifically described in Docket No. MC-110595 Sub 4 and sub-numbers thereunder.

(7) Passengers and their baggage, and express, mail, and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Colorado, Utah, Texas, New Mexico, Louisiana, Oklahoma, and Arkansas, with certain restrictions, serving various intermediate points, over two alternate routes for operating convenience only, as more specifically described in Docket No. MC-107586 and sub-numbers thereunder; (8) passengers and their baggage, and express, mail, and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified

points in the States of Georgia, Alabama, and Tennessee, with restriction, serving various intermediate points, over one alternate route for operating convenience only, as more specifically described in Docket No. MC-114271 and sub-numbers thereunder; (9) passengers and their baggage, and express and newspapers, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of California, Washington, and Oregon, serving various intermediate points, over two alternate routes for operating convenience only, as more specifically described in Docket No. MC-89037 and sub-numbers thereunder; (10) passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Texas and Oklahoma, serving various intermediate points, as more specifically described in Docket No. MC-8742 and sub-numbers thereunder;

(11) Passengers and their baggage, and newspapers, express, and mail in the same vehicle with passengers or in a separate vehicle, as a *common carrier*, over regular and irregular routes, from, to, and between specified points in the United States (including Alaska but excluding Hawaii), with certain restrictions, serving various intermediate points, as more specifically described in Docket No. MC-29957 and sub-numbers thereunder; (12) passengers and their baggage, and express and newspapers, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Tennessee, Kentucky, and Mississippi, with certain restrictions, serving various intermediate points, as more specifically described in Docket No. MC-55312; and Class D poisons for the U.S. Government (Atomic Energy Commission) and moving on Government bills of lading, as a *contract carrier*, over irregular routes, between Oak Ridge, Tenn., and Kevil, Ky.; (13) passengers and their baggage, and of express and newspapers, in the same vehicle with passengers, as a *broker*, at Denver, Colorado Springs, and Pueblo, Colo., between points in the United States; and passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Colorado, Montana, Wyoming, and South Dakota, with certain restriction, serving various intermediate and off-route points, over two alternate routes for operating convenience only, as more specifically described in Docket No. MC-28462 and sub-numbers thereunder.

(14) Passengers and their baggage, and newspapers, mail, and express in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Colorado and Utah, serving various intermediate points, over one alternate route for operating convenience only, as more specifically described in Docket No. MC-1097 and sub-numbers

thereunder; (16) passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, as a *common carrier*, over a regular route, from, to, and between specified points in the State of North Carolina, serving all intermediate points, as more specifically described in Docket No. MC-3604; (17) passengers and their baggage, and newspapers, express, and mail, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Georgia and Florida, serving all intermediate points, as more specifically described in Docket No. MC-102837 and sub-number thereunder; (18) passengers and their baggage, and express in the same vehicle with passengers, as a *common carrier*, over a regular route, from, to, and between specified points in the State of California, serving all intermediate points, as more specifically described in Docket No. MC-57729; (19) passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Missouri and Kansas, serving all intermediate points, as more specifically described in Docket No. MC-126782.

(21) Passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Missouri, Texas, Arkansas, Tennessee, and Louisiana, serving various intermediate points, over one alternate route for operating convenience only, as more specifically described in Docket No. MC-61616 and sub-numbers thereunder; (22) passengers and their baggage, and newspapers, express, and mail in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the State of Iowa, serving all intermediate points, as more specifically described in Docket No. MC-107652; (23) passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Tennessee, North Carolina, South Carolina, and Georgia, serving various intermediate points, as more specifically described in Docket No. MC-61599 and sub-numbers thereunder; (24) passengers and their baggage, as a *common carrier*, over a regular route, from, to, and between specified points in the State of Texas, serving all intermediate points, as more specifically described in Docket No. MC-115515; (25) passengers and their baggage, and express, mail, and newspapers in the same vehicle with passengers, as a *common carrier*, over regular and irregular routes, from, to, and between specified points in the States of New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, and the District of Columbia, with certain restrictions, serving various intermediate points, over one alternate route for operating convenience only, as more specifically de-

scribed in Docket No. MC-84728 and sub-numbers thereunder.

(26) Passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of North Carolina, Tennessee, Georgia, and South Carolina, with certain restriction, serving various intermediate points, as more specifically described in Docket No. MC-61598 and sub-numbers thereunder; (27) passengers and their baggage, and newspapers, mail, and express, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of Georgia, Alabama, and Tennessee, serving all intermediate and one off-route point, as more specifically described in Docket No. MC-86157 and sub-numbers thereunder; (28) passengers and their baggage, and express, newspapers, and mail in the same vehicle with passengers, as a *common carrier*, over regular and irregular routes, from, to, and between specified points in the United States (except Alaska and Hawaii), with certain restriction, over various intermediate points, as more specifically described in Docket No. MC-8500 and sub-number thereunder.

(29) Passengers and their baggage, and of express and newspapers, in the same vehicle with passengers, as a *broker*, at Boston, Lowell, Springfield, Mass., and Hartford and New Haven, Conn., on the one hand, and, on the other, points in the United States, with restriction; and passengers and their baggage, and express, mail, and newspapers, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the States of New York, Massachusetts, Connecticut, New Hampshire, Rhode Island, and Maine, with certain restrictions, serving various intermediate points, over numerous alternate routes for operating convenience only, as more specifically described in Docket No. MC-1940 and sub-numbers thereunder; (30) passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the State of Texas, serving various intermediate points, as more specifically described in Docket No. MC-57298 Sub 4 and sub-number thereunder; (31) passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common carrier*, over a regular route, from, to, and between points in the States of New Mexico and Colorado, serving all intermediate points, as more specifically described in Docket No. MC-37904 Sub 3.

(32) Passengers and their baggage, and express, mail, and newspapers in the same vehicle with passengers, as a *common carrier*, over regular and irregular routes, from, to, and between specified points in the States of Virginia, North Carolina, West Virginia, Kentucky, Ohio, and Maryland, with certain restrictions,

serving various intermediate and off-route points, over numerous alternate routes for operating convenience only, as more specifically described in Docket No. MC-59238 and sub-numbers thereunder; and (33) passengers and their baggage, and express, mail, and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, from, to, and between specified points in the State of Texas, serving all intermediate points, as more specifically described in Docket No. MC-98674 Sub 1. This notice does not purport to be a complete description of all of the operating rights of the carriers involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of the carrier's operating rights, without stating, in full, the entirety, thereof. Application has not been filed for temporary authority under section 210a(b). NOTE: See also MC-F-10160 (CONTINENTAL TRAILWAYS, INC. — Consolidation — TRANSCONTINENTAL BUS SYSTEM, INC.) published in this same issue.

TRANSFER APPLICATIONS UNDER SECTION 212(b) WHICH HAVE BEEN DESIGNATED FOR ORAL HEARING

MC-FC-69673. Authority sought by transferee, NORTH CENTRAL VAN LINES, INC., 2540 North 27th Street, Lincoln, Nebr. 68504, for transfer of the operating rights of transferor, HAWKES TRANSFER & STORAGE CO., INC., 848 South First Street, Pocatello, Idaho 82201. Transferee's and transferor's representative: ROBERT J. GALLAGHER, 66 Central Street, Wellesley, Mass. 02181. Operating rights in certificate No. MC-53693 sought to be transferred: *Household goods* as defined by the Commission, between points in Idaho, on the one hand, and, on the other, points in Montana and Washington.

MC-FC-69688. Authority sought by transferee, NORTH CENTRAL VAN LINES, INC., 2540 North 27th Street, Lincoln, Nebr. 68504, for transfer of a portion of the operating rights of transferor, BERTIE STINSON, doing business as STINSON TRANSFER COMPANY, Kensley, Kans. 67547. Transferee's and transferor's representative: ROBERT J. GALLAGHER, 66 Central Street, Wellesley, Mass. 02181. Portion of operating rights in certificate No. MC-52351 sought to be transferred: *Household goods*, as defined by the Commission, between points in Kansas (except Kensley) on and west of U.S. Highway 81, on the one hand, and, on the other, points in Colorado.

MC-FC-69714. Authority sought by transferee, NORTHERN CENTRAL VAN LINES, INC., 2540 North 27th Street, Lincoln, Nebr. 68504, for transfer of a portion of the operating authority of transferor, ORUAN TJEERDSMA, Avon, S. Dak. 57315. Transferee's and transferor's representative: Robert J. Gallagher, 66 Central Street, Wellesley, Mass. 02181. Portion of operating rights in certificate No. MC-14716 (Sub-No. 3) sought to be transferred: *household goods and emigrant movables*, between Avon, S. Dak., and points in South

Dakota within 20 miles of Avon, on the one hand, and, on the other, points in Nebraska, Iowa, and North Dakota. The above-entitled transfer applications (Nos. MC-FC-69673, MC-FC-69688, and MC-FC-69714) under section 212(b) of the Interstate Commerce Act are to be assigned for oral hearing at a time and place to be fixed for the purpose of determining whether said applications fall within the exemption of section 5(10) of the Act, whether common control of North Central Van Lines, Inc., and Far-Go Van Lines, Inc., has been effectuated in violation of section 5(4) of the Act, whether certain of the operating rights sought to be purchased by transferee are dormant, whether transferee is financially fit to conduct operations under all of said rights, and whether the separate transactions satisfy the Rules and Regulations Governing Transfers of Rights to Operate as a Motor Carrier in Interstate or Foreign Commerce (49 CFR Part 1132). Interested parties have 30 days from the date of this publication in which to file petitions for leave to intervene. Such petitions should state the reason or reasons for the intervention, where the petitioner wishes the hearing held, the number of witnesses it expects to present, and the estimated time required for presentation of its evidence.

MC-FC-69757. Authority sought by transferee, FAR-GO VAN LINES, INC., 2516 Ingleside Road, Norfolk, Va. 23513, for transfer of a portion of the operating rights of transferor, ECONOMY MOVERS, INC., North Platte, Nebr. 69101. Transferee's and transferor's representative: DONALD E. LEONARD, Box 2028, Lincoln, Nebr. 68501 and ROBERT J. GALLAGHER, 66 Central Street, Wellesley, Mass. 02181. Portion of operating rights in certificate No. MC-5227 sought to be transferred: *Household goods*, as defined by the Commission, and *emigrant movables*, between points in Nebraska, on the one hand, and, on the other, points in Colorado, Kansas, and Iowa.

MC-FC-69787. Authority sought by transferee, FAR-GO VAN LINES, INC., 2516 Ingleside Road, Norfolk, Va. 23513, for transfer of a portion of the operating rights of transferor, TRANSPORT VAN LINES, INC., 501 West Sixth Street, Papillion, Nebr. 68046. Transferee's and transferor's representative: ROBERT J. GALLAGHER, 66 Central Street, Wellesley, Mass. 02181. Portion of operating rights in certificate No. MC-126593 sought to be transferred: *Household goods* as defined by the Commission, between Bradshaw, Nebr., and points within 25 miles thereof, on the one hand, and, on the other, points in Iowa and Missouri.

MC-FC-69836. Authority sought by transferee, FAR-GO VAN LINES, INC., 2516 Ingleside Road, Norfolk, Va. 23513, for transfer of a portion of the operating rights of transferor, SUHR TRANSPORT, a corporation, Box 1727, Great Falls, Mont. 59401. Transferee's and transferor's representative: ROBERT J. GALLAGHER, 66 Central Street, Wellesley, Mass. 02181. Portion of operating

rights in certificate No. MC-46313 (Sub-Nos. 1 and 7) sought to be transferred: *Household goods*, as defined by the Commission, between points in Chouteau, Liberty, Hill, and Blaine Counties, Mont., on the one hand, and, on the other, points in California, Colorado, Idaho, Oregon, Utah, Washington, and Wyoming; between points in Montana; between points in Roosevelt, Richland, Wibaux, Fallon, Carter, Powder River, Big Horn, Carbon, Liberty, Hill, Blaine, and Chouteau Counties, Mont., on the one hand, and, on the other, points in Wyoming; and between points in Roosevelt, Richland, Wibaux, Fallon, Carter, Powder River, Big Horn, and Carbon Counties, Mont., on the one hand, and, on the other, points in North Dakota and South Dakota. The above-entitled transfer applications (Nos. MC-FC-69757, MC-FC-69787, and MC-FC-69836) under section 212(b) of the Interstate Commerce Act are to be assigned for oral hearing at a time and place to be fixed for the purpose of determining whether said applications fall within the exemption of section 5(10) of the Act, and, if so whether the transfers satisfy the Rules and Regulations Governing Transfers of Rights to Operate as a Motor Carrier in Interstate or Foreign Commerce (49 CFR Part 1132). Interested parties have 30 days from the date of this publication in which to file petitions for leave to intervene. Such petitions should state the reason or reasons for the intervention, where the petitioner wishes the hearing to be held, the number of witnesses it expects to present, and the estimated time required for presentation of its evidence.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-7569; Filed, June 25, 1968;
8:49 a.m.]

[Notice 164]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 21, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70457. By order of June 18, 1968, the Transfer Board approved the transfer to Pozzi Brothers Transportation, Inc., Kent, Wash., of the

operating rights in certificates Nos. MC-7205, MC-7205 (Sub-No. 2), MC-7205 (Sub-No. 3), and MC-7205 (Sub-No. 4) issued September 12, 1956, October 15, 1956, May 22, 1964, and June 27, 1967, to Ralph Pozzi, Carl A. Pozzi, Clinton D. Pozzi, and Wayne Pozzi, a partnership, doing business as Pozzi Bros. Transportation Co., Kent, Wash., authorizing the transportation, over regular routes of general commodities, with various exceptions, between the following points in the State of Washington: Seattle and Auburn, Tacoma and Earlington, Tacoma and Puyallup, Kent and Renton, Sumner and Renton Junction, Tacoma and Sumner, Tacoma and Kent, Tacoma and Fort Lewis, Enumclaw and Mud Mountain Dam, Enumclaw and Seattle, and Enumclaw and Tacoma, serving certain intermediate and off-route points. Robert E. Ratcliffe, 135 Southwest 153d Street, Seattle, Wash. 98166, attorney for applicants.

No. MC-FC-70502. By order of June 17, 1968, the Transfer Board approved the transfer to Western Transit Co., a corporation, doing business as Western Transit Co. and Town and Country G.M.C., Billings, Mont., of that portion of the operating rights in certificate No. MC-84690 issued December 3, 1963, to Northern Pacific Transport Co., a corporation, St. Paul, Minn., authorizing the transportation of passengers and their baggage, and express, newspapers, and mail in the same vehicle with passengers, between Billings, Mont., and Red Lodge, Mont., serving the intermediate points of Laurel, Mason, Silesia, Joliet, Rockvale, Mount Aqua, Boyd, Selmes, Roberts, and Fox, operating from Billings over U.S. Highway 212 to Red Lodge, and return over the same route. Gene E. House, 1501 Second Avenue North, Post Office Box 1253, Billings, Mont. 59103, representative for applicants.

No. MC-FC-70562. By order of June 19, 1968, the Transfer Board approved the transfer to J. D. Griggs Trucking Co., a corporation, Chicago, Ill., of the certificate of registration No. MC-120185 (Sub-No. 2) issued January 6, 1964, to James D. Griggs, doing business as J. D. Griggs Trucking Co., Chicago, Ill., evidencing the right to engage in transportation in interstate or foreign commerce solely within the State of Illinois, corresponding in scope to the service authorized by certificate of public convenience and necessity No. 6056MC dated December 12, 1956, and reissued October 16, 1962, to reflect change of name only, issued by the Illinois Commerce Commission, and of the certificate of registration in No. MC-121147 (Sub-No. 1) issued December 20, 1963, in the name of E. J. Harrington, doing business as Harrington's Organ Rental & Service, Chicago, Ill., and transferred to James D. Griggs, doing business as J. D. Griggs Trucking Co., Chicago, Ill., December 19, 1967, pursuant to No. MC-FC-70080, evidencing the right to engage in transportation in interstate or foreign commerce solely within the State of Illinois, corresponding in scope to the service

authorized by certificate of public convenience and necessity No. 12584MC issued April 19, 1955, by the Illinois Commerce Commission. Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603, attorney for applicants.

No. MC-FC-70570. By order of June 18, 1968, the Transfer Board approved the transfer to Hartlage Truck Service, Inc., St. Louis, Mo., of the operating rights in certificate No. MC-80434 issued April 20, 1964, to George Hartlage, doing business as Hartlage Truck Service, St. Louis, Mo., authorizing the transportation of general commodities, with the usual exceptions, between points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as defined by the Commission. Austin C. Knetzger, 722 Chestnut Street, St. Louis, Mo. 63101, attorney for applicants.

No. MC-FC-70589. By order of June 19, 1968, the Transfer Board approved the transfer to Joe H. Blattler, Carson, Wash., of permit in No. MC-128645 (Sub-No. 2), issued July 13, 1967, to Joe Blattler, Carson, Wash., authorizing the transportation of veneer lumber, from Carson, Wash., to points in Oregon. Earle V. White, 2400 Southwest Fourth Avenue, Portland, Ore. 97201, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.[F.R. Doc. 68-7570; Filed, June 25, 1968;
8:49 a.m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Antidumping—ATS 643.3-G]

PIG IRON FROM CZECHOSLOVAKIA

Determination of Sales at Less Than Fair Value

On March 28, 1968, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that pig iron from Czechoslovakia is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until April 29, 1968, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

An opportunity was afforded to the attorney for the importer of the Czechoslovakian pig iron to present views, and all interested parties of record were notified.

After consideration of all written submissions and oral argument, I hereby determine that for the reasons stated in the tentative determination pig iron imported from Czechoslovakia is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] JOSEPH M. BOWMAN,
Assistant Secretary of the Treasury.

JUNE 21, 1968.

[F.R. Doc. 68-7650; Filed, June 25, 1968;
8:50 a.m.]

[Antidumping—ATS 643.3-G]

PIG IRON FROM EAST GERMANY

Determination of Sales at Less Than Fair Value

On March 28, 1968, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that pig iron imported from East Germany is being or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until April 29, 1968, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

An opportunity was afforded to the attorney of the importer of the East German pig iron to present views, and all interested parties of record were notified.

After consideration of all written submissions and oral argument, I hereby determine that for the reasons stated in the tentative determination pig iron imported from East Germany is being or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] JOSEPH M. BOWMAN,
Assistant Secretary of the Treasury.

JUNE 21, 1968.

[F.R. Doc. 68-7651; Filed, June 25, 1968;
8:50 a.m.]

[Antidumping—ATS 643.3-G]

PIG IRON FROM ROMANIA

Determination of Sales at Less Than Fair Value

On March 28, 1968, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that pig iron imported from Romania is being or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until April 29, 1968, to make written submissions or requests for an opportunity to present views in

connection with the tentative determination.

An opportunity was afforded to the attorney of the importer of the Romanian pig iron to present views, and all interested parties of record were notified.

After consideration of all written submissions and oral argument, I hereby determine that for the reasons stated in the tentative determination pig iron imported from Romania is being or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] JOSEPH M. BOWMAN,
Assistant Secretary of the Treasury.

JUNE 21, 1968.

[F.R. Doc. 68-7652; Filed, June 25, 1968;
8:50 a.m.]

[Antidumping—ATS 643.3-G]

PIG IRON FROM THE U.S.S.R.

Determination of Sales at Less Than Fair Value

On March 28, 1968, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that pig iron imported from the U.S.S.R. is being, or is likely to be, sold at less than fair

value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until April 29, 1968, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

The attorney for the importer submitted a written request for an opportunity to present views in person in opposition to the tentative determination. The opportunity was afforded to the attorney, and all interested parties of record were notified.

After consideration of all written submissions and oral argument, I hereby determine that for the reasons stated in the tentative determination pig iron imported from the U.S.S.R. is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] JOSEPH M. BOWMAN,
Assistant Secretary of the Treasury.

JUNE 21, 1968.

[F.R. Doc. 68-7653; Filed, June 25, 1968;
8:50 a.m.]

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