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Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Commerce Department
Commodity Exchange Authority
Consumer and Marketing Service
Federal Crop Insurance Corporation
Federal Home Loan Bank Board
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
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Current White House Releases

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS

The *Weekly Compilation of Presidential Documents* began with the issue dated Monday, August 2, 1965. It contains transcripts of the President's news conferences, messages to Congress, public speeches, remarks and statements, and other Presidential material released by the White House up to 5 p.m. of each Friday. This weekly service includes an Index of Contents preceding the text and a Cumulative Index to Prior

Issues at the end. Cumulation of this index terminates at the end of each quarter and begins anew with the following issue. Semiannual and annual indexes are published separately.

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Waiver of Claims for Erroneous Payment of Pay

Correction

In F.R. Doc. 68-15603 appearing at page 20001 in the issue of Tuesday, December 31, 1968, the figure in the fourth line of § 201.4(b) should read "\$500," instead of "\$500,000".

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Soybean Cyst Nematode

QUARANTINE AND REGULATIONS

Pursuant to sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), Notice of Quarantine No. 79 relating to the soybean cyst nematode and regulations supplemental to said quarantine (7 CFR 301.79, 301.79-1, 301.79-2, 301.79-3 through 301.79-10), are hereby revised to read as follows:

QUARANTINE AND REGULATIONS

Sec.	
301.79	Quarantine; restriction on interstate movement of specified regulated articles.
301.79-1	Definitions.
301.79-2	Authorization to designate regulated areas; and articles which are exempt from certification, permit, or other requirements.
301.79-3	Conditions governing the interstate movement of regulated articles from quarantined States.
301.79-4	Issuance and cancellation of certificates and permits.
301.79-5	Compliance agreements; and cancellation thereof.
301.79-6	Assembly and inspection of regulated articles.
301.79-7	Attachment and disposition of certificates or permits.
301.79-8	Inspection and disposal of regulated articles and pests.
301.79-9	Movement of live soybean cyst nematodes.
301.79-10	Nonliability of the Department.

AUTHORITY: The provisions of this subpart issued under secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended, 33 F.R. 15485.

§ 301.79 Quarantine; restriction on interstate movement of specified regulated articles.

(a) *Notice of Quarantine.* Pursuant to the provisions of sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the Secretary of Agriculture has determined, after public hearing, that it is necessary to quarantine the States of Arkansas, Florida, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Tennessee, and Virginia in order to prevent the spread of soybean cyst nematode (*Heterodera glycines* Ichinohe), which causes a dangerous disease of soybeans and certain other plants, not heretofore widely prevalent or distributed within and throughout the United States. Under the authority of said provisions, the Secretary hereby quarantines the States of Florida, Indiana, and Louisiana, and continues to quarantine the other specified States with respect to the interstate movement from the quarantined States of the articles described in paragraph (b) of this section, issues the regulations in this subpart governing such movement, and gives notice of said quarantine and regulations.

(b) *Quarantine restrictions on interstate movement of specified regulated articles.* No common carrier or other person shall move interstate from any quarantined State any of the following articles (defined in § 301.79-1(1) as regulated articles), except in accordance with the conditions prescribed in this subpart:

- (1) Soil, compost, decomposed manure, humus, muck and peat, separately or with other things;
- (2) Plants with roots;
- (3) Grass sod;
- (4) Plant crowns and roots for propagation;
- (5) True bulbs, corms, rhizomes, and tubers of ornamental plants;
- (6) Root crops, except those from which all soil has been removed;
- (7) Peanuts in shells and peanut shells, except boiled or roasted peanuts;
- (8) Soybeans;
- (9) Hay, straw, fodder, and plant litter of any kind;
- (10) Seed cotton;
- (11) Ear corn, except shucked ear corn;
- (12) Used crates, boxes, burlap bags, cotton picking sacks, and other used farm products containers;
- (13) Used farm tools and implements;
- (14) Used mechanized cultivating equipment and used harvesting machinery;
- (15) Used mechanized soil-moving equipment;
- (16) Any other products, articles, or means of conveyance, of any character

whatsoever, not covered by subparagraphs (1) through (15) of this paragraph, when it is determined by an inspector that they present a hazard of spread of soybean cyst nematode, and the person in possession thereof has been so notified.

§ 301.79-1 Definitions.

Terms used in the singular form in this subpart shall be deemed to import the plural, and vice versa, as the case may demand. The following terms, when used in this subpart, shall be construed, respectively, to mean:

(a) *Certificate.* A document issued or authorized to be issued under this subpart by an inspector to allow the interstate movement of regulated articles to any destination.

(b) *Compliance agreement.* A written agreement between a person engaged in growing, handling, or moving regulated articles, and the Plant Pest Control Division, wherein the former agrees to comply with the requirements of this subpart identified in the agreement by the inspector who executes the agreement on behalf of the Division as applicable to the operations of such person.

(c) *Director.* The Director of the Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, or any other officer or employee of said Service to whom authority to act in his stead has been or may hereafter be delegated.

(d) *Infestation.* The presence of the soybean cyst nematode or the existence of circumstances that make it reasonable to believe that soybean cyst nematode is present.

(e) *Inspector.* Any employee of the Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, or other person authorized by the Director to enforce the provisions of the quarantine and regulations in this subpart.

(f) *Interstate.* From any State, territory, or district into or through any other State, territory, or District of the United States (including Puerto Rico).

(g) *Limited permit.* A document issued or authorized to be issued by an inspector to allow the interstate movement of noncertified regulated articles to a specified destination for limited handling, utilization, or processing, or for treatment.

(h) *Mechanized cultivating equipment; mechanized soil-moving equipment.* Mechanized equipment used for cultivating purposes, e.g., turning or disk plows; or for moving or transporting soil, e.g., draglines, bulldozers, road scrapers, and dumptrucks.

(i) *Moved (movement, move).* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved or allowed to

be moved by any means. "Movement" and "move" shall be construed accordingly.

(j) *Person*. Any individual, corporation, company, society, or association, or other organized group of any of the foregoing.

(k) *Regulated area*. Any quarantined State, or any portion thereof, listed as a regulated area in § 301.79-2a or otherwise designated in accordance with § 301.79-2(a).

(l) *Regulated articles*. Any articles described in § 301.79(b).

(m) *Restricted destination permit*. A document issued or authorized to be issued by an inspector to allow the interstate movement of regulated articles not certified under all applicable Federal domestic plant quarantines to a specified destination for other than scientific purposes.

(n) *Scientific permit*. A document issued by the Director to allow the interstate movement of regulated articles for scientific purposes.

(o) *Soil*. That part of the upper layer of earth in which plants can grow.

(p) *Soybean cyst nematode*. The nematode known as the soybean cyst nematode (*Heterodera glycines* Ichinohe), in any stage of development.

(q) *Treatment manual*. The provisions currently contained in the "Manual of Administratively Authorized Procedures to be Used Under the Soybean Cyst Nematode Quarantine" and the "Fumigation Procedures Manual" and any amendments thereto.¹

§ 301.79-2 Authorization to designate regulated areas; and articles which are exempt from certification, permit, or other requirements.

The Director shall publish and amend from time to time as the facts warrant, the following lists:

(a) *List of regulated areas*. The Director shall list as regulated areas in a supplemental regulation designated as § 301.79-2a, the quarantined States, or portions thereof, in which soybean cyst nematode has been found or in which there is reason to believe that soybean cyst nematode is present, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities. Less than an entire quarantined State will be designated as a regulated area only if the Director is of the opinion that:

(1) The State has adopted and is enforcing a quarantine or regulation which imposes restrictions on the intrastate movement of the regulated articles which are substantially the same as those which are imposed with respect to the interstate movement of such articles under this subpart, and

(2) The designation of less than the entire State as a regulated area will otherwise be adequate to prevent the in-

terstate spread of the soybean cyst nematode.

The Director, or an authorized inspector, may temporarily designate any other premises in a quarantined State as a regulated area, in accordance with the criteria specified above for listing regulated areas, by serving written notice thereof on the owner or person in possession of such premises and thereafter the interstate movement of regulated articles from such premises by any person having notice of this designation shall be subject to the applicable provisions of this subpart. As soon as practicable, such premises shall be added to the list in § 301.79-2a if a basis then exists for their designation.

(b) *List of articles which are exempt from certification, permit, or other requirements*. The Director may, in a supplemental regulation designated as § 301.79-2b, list regulated articles which shall be exempt from the certification and permit or other requirements of this subpart under such conditions as he may prescribe, if he finds that facts exist as to the pest risk involved in the movement of such regulated articles which make it safe to so relieve such requirements.

§ 301.79-3 Conditions governing the interstate movement of regulated articles from quarantined States.²

Any regulated articles may be moved interstate from any quarantined State under the following conditions:

(a) From any regulated area, with certificate or permit issued and attached in accordance with §§ 301.79-4 and 301.79-7 if moved from any regulated area into or through any point outside of the regulated areas; or

(b) From any regulated area, without certificate or permit if moved:

(1) Under the provisions of § 301.79-2b which exempt certain articles from certificate and permit requirements; or

(2) From any regulated area in any quarantined State to any contiguous regulated area; or

(3) Through or reshipped from any regulated area if the articles originated outside of the regulated areas and if the point of origin of the articles is clearly indicated, their identity has been maintained and they have been safeguarded against infestation while in the regulated area in a manner satisfactory to the inspector; or

(c) From any area outside the regulated areas, without a certificate or permit if the regulated articles are exempt under the provisions of § 301.79-2b or if the point of origin of such movement is clearly indicated on the articles or shipping document which accompanies the articles, and if the movement is not made through any regulated area.

§ 301.79-4 Issuance and cancellation of certificates and permits.

(a) Certificates may be issued for any regulated articles by an inspector if he

² Requirements under all other applicable Federal domestic plant quarantines must also be met.

determines that they are eligible for certification for movement to any destination under all Federal domestic plant quarantines applicable to such articles and:

(1) Have originated in noninfested premises in a regulated area and have not been exposed to infestation while within the regulated areas; or

(2) Have been treated to destroy infestation in accordance with the treatment manual; or

(3) Have been grown, produced, manufactured, stored, or handled in such a manner that no infestation would be transmitted thereby.

(b) Limited permits may be issued by an inspector to allow interstate movement of regulated articles, not eligible for certification under this subpart, to specified destinations for limited handling, utilization, or processing, or for treatment in accordance with the treatment manual, when upon evaluation of the circumstances involved in each specific case he determines that such movement will not result in the spread of the soybean cyst nematode and requirements of other applicable Federal domestic plant quarantines have been met.

(c) Restricted destination permits may be issued by an inspector to allow the interstate movement (for other than scientific purposes) of regulated articles to any destination permitted under all applicable Federal domestic plant quarantines if such articles are not eligible for certification under all such quarantines but would otherwise qualify for certification under this subpart.

(d) Scientific permits may be issued by the Director to allow the interstate movement of regulated articles for scientific purposes under such conditions as may be prescribed in each specific case by the Director.

(e) Certificate, limited permit, and restricted destination permit forms may be issued by an inspector to any person for use by the latter for subsequent shipments provided such person is operating under a compliance agreement; and any such person may be authorized by an inspector to reproduce such forms on shipping containers or otherwise. Any such person may use the certificate forms, or reproductions of such forms, for the interstate movement of regulated articles from the premises of such person identified in the compliance agreement if such person has made appropriate determinations as specified in paragraph

(a) of this section with respect to such articles. Any such person may use the limited permit forms, or reproductions of such forms, for interstate movement of regulated articles to specified destinations authorized by the inspector in accordance with paragraph (b) of this section. Any such person may use the restricted destination permit forms, or reproductions of such forms, for the interstate movement of regulated articles not eligible for certification under all Federal domestic plant quarantines applicable to such articles, under the conditions specified in paragraph (c) of this section.

¹ Pamphlets containing such provisions are available, upon request from the Director, Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, Hyattsville, Md. 20782, or from an inspector.

(f) Any certificate or permit which has been issued or authorized may be withdrawn by the inspector if he determines that the holder thereof has not complied with any condition for the use of such document imposed by this subpart.

§ 301.79-5 Compliance agreements; and cancellation thereof.

(a) Any person engaged in the business of growing, handling, or moving regulated articles may enter into a compliance agreement to facilitate the movement of such articles under this subpart. Compliance agreement forms may be obtained from the Director or an inspector.

(b) Any compliance agreement may be canceled by the inspector who is supervising its enforcement whenever he finds, after notice and reasonable opportunity to present views has been accorded to the other party thereto, that such other party has failed to comply with the conditions of the agreement.

§ 301.79-6 Assembly and inspection of regulated articles.

Persons (other than those authorized to use certificates, limited permits, or restricted destination permits, or reproductions thereof, under § 301.79-4 (e)) who desire to move interstate regulated articles which must be accompanied by a certificate or permit shall, as far in advance as possible, request an inspector to examine the articles prior to movement. Such articles shall be assembled at such points and in such a manner as the inspector designates to facilitate inspection.

§ 301.79-7 Attachment and disposition of certificates or permits.

(a) If a certificate or permit is required for the interstate movement of regulated articles, the certificate or permit shall be securely attached to the outside of the container in which such articles are moved, except that, where the certificate or permit is attached to the waybill or other shipping document, and the regulated articles are adequately described on the certificate, permit or shipping document, the attachment of the certificate or permit to each container of the articles is not required.

(b) In all cases, certificates or permits shall be furnished by the carrier to the consignee at the destination of the shipment.

§ 301.79-8 Inspection and disposal of regulated articles and pests.

Any properly identified inspector is authorized to stop and inspect, and to seize, destroy, or otherwise dispose of, or require disposal of regulated articles and soybean cyst nematodes as provided in section 10 of the Plant Quarantine Act (7 U.S.C. 164a) and section 105 of the Plant Pest Act (7 U.S.C. 150dd), in accordance with instructions issued by the Director.

§ 301.79-9 Movement of live soybean cyst nematodes.

Regulations requiring a permit for, and otherwise governing the movement of live

soybean cyst nematodes in interstate or foreign commerce are contained in the Federal Plant Pest Regulations in Part 330 of this chapter. Applications for permits for the movement of the pest may be made to the Director.

§ 301.79-10 Nonliability of the Department.

The U.S. Department of Agriculture disclaims liability for any costs incident to inspections or compliance with the provisions of the quarantine and regulations in this subpart, other than for the services of the inspector.

This revision shall become effective upon publication in the FEDERAL REGISTER when it shall supersede the notice of quarantine and regulations effective May 22, 1968.

Pursuant to a notice of hearing and rulemaking published in the FEDERAL REGISTER on March 23, 1968, a public hearing was held in Chicago, Ill., regarding quarantining the States of Florida, Indiana, and Louisiana, on account of the soybean cyst nematode. After due consideration of all relevant material presented at the hearing and responses to the notice, it has been decided to add the States of Florida, Indiana, and Louisiana to the list of States quarantined because of the soybean cyst nematode.

In addition, this revision simplifies and clarifies the soybean cyst nematode quarantine and regulations.

This revision imposes restrictions that are necessary in order to prevent the dissemination of the soybean cyst nematode and should be made effective promptly to accomplish its purpose in the public interest. Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that further notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 3d day of January 1969.

[SEAL] R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 69-288; Filed, Jan. 8, 1969;
8:48 a.m.]

PART 301—DOMESTIC QUARANTINE NOTICES

**Subpart—Soybean Cyst Nematode
REGULATED AREAS**

Under the authority of § 301.79-2 of the Soybean Cyst Nematode Quarantine regulations, 7 CFR 301.79-2, as amended, 34 F.R. 304, a supplemental regulation designating regulated areas is hereby issued to appear in 7 CFR 301.79-2a, as follows:

§ 301.79-2a Regulated areas.

The civil divisions, parts of civil divisions, and premises described below, and

all highways abutting thereon, in the quarantined States, are designated as soybean cyst nematode regulated areas within the meaning of the provisions in this subpart:

ARKANSAS

Arkansas County. The entire county.
Chicot County. Secs. 4, 5, 6, 7, 8, and 9, T. 15 S., R. 1 W.; and secs. 1 and 12, T. 15 S., R. 2 W.

Clay County. The entire county.
Conway County. Sec. 20, T. 6 N., R. 17 W.
Craighead County. The entire county.
Crittenden County. The entire county.
Cross County. The entire county.
Desha County. The entire county.
Greene County. The entire county.
Independence County. All of those portions of Tps. 13 N. and 14 N., Rs. 2 W. and 3 W. lying west of Black River; T. 11 N., R. 4 W.; sec. 1 and the S½, T. 12 N., R. 4 W.; and sec. 14, T. 12 N., R. 5 W.

Jackson County. The entire county.
Jefferson County. That portion of the county lying east of the east line of R. 9 W.
Lawrence County. That portion of the county lying east of the Black River; and secs. 29, 30, 31, 32, and those portions of secs. 28 and 33, west of the Black River in T. 15 N., R. 2 W.; and secs. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 15 N., R. 3 W.

Lee County. The entire county.
Lincoln County. That portion of the county lying east of the east line of R. 7 W.
Lonoke County. Sec. 14, T. 1 N., R. 7 W.; secs. 1 and 2, T. 2 N., R. 7 W.; sec. 31, T. 2 N., R. 8 W.; secs. 2, 7, 10, 11, 12, and 14, T. 1 N., R. 9 W.

Mississippi County. The entire county.
Monroe County. The entire county.
Phillips County. The entire county.
Poinsett County. The entire county.
Pope County. That portion of the county lying east of the east line of R. 19 W., and south of U.S. Highway 64.

Prairie County. Secs. 3 and 12, T. 1 N., R. 5 W.; all of T. 4 N., Rs. 5 W. and 6 W.; sec. 6, T. 2 N., R. 6 W.; and sec. 31, T. 3 N., R. 6 W.; sec. 28, T. 1 S., R. 6 W.

Randolph County. That portion of the county bounded by a line beginning at a point where the Randolph-Clay County line intersects the Missouri State line, thence extending southerly along said county line to its intersection with the Randolph-Greene County line, thence south along said line to its intersection with the Randolph-Lawrence County line, thence west along said line to its intersection with the Black River, thence northeasterly along said river to its intersection with State Highway 90, thence northerly along said highway to its intersection with State Highway 115, thence northerly along said highway to its intersection with State Highway 166, thence northeasterly along said highway to the community of Supply, thence northeast along the county road for 3 miles to its intersection with the west section line of sec. 6, T. 21 N., R. 3 E., thence north along said section line to its intersection with the Missouri State line, thence east along said State line to the point of beginning.

St. Francis County. The entire county.
Woodruff County. The entire county.

FLORIDA

Escambia County. The property of J. E. Cunningham located in the SE¼, sec. 13, T. 3 N., R. 32 W. west of State Road 97.

The property of E. C. Godwin located south and north of State Road 184 and east of State Road 99 at Oak Grove.

The property of C. N. Graham located 0.5 mile south of State Road 164 and west of State Road 99.

The property of J. T. Nicholson located 0.5 mile west of U.S. Highway 29 and 0.5 mile south of State Road 182.

The property of D. R. Rigby located south of State Road 164 and 1 mile west of State Road 99 and Oak Grove.

The property of the St. Regis Paper Co. operated by the West Florida Experiment Station located 0.6 mile southeast of Cantonment in the SE $\frac{1}{4}$, sec. 11, T. 1 N., R. 31 W.

The property of the St. Regis Paper Co. operated by W. R. Weaver located in the SW $\frac{1}{4}$, sec. 18, T. 3 N., R. 31 W., east of State Road 97.

ILLINOIS

Alexander County. Tps. 14, 15, and 16 S., all in R. 1 W.; T. 16 S., R. 2 W.; T. 16 S., R. 3 W.; secs. 1, 12, 13, 24, 25, and 36, T. 14 S., R. 2 W.; secs. 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 15 S., R. 2 W.; secs. 25, 33, 34, 35, and 36, T. 15 S., R. 3 W.; and that portion of the county lying south of T. 16 S., Rs. 1, and 2 W.

Franklin County. The property owned and operated by Byford Pierce and Son located in secs. 11, 12, 13, and 14, T. 5 S., R. 3 E.

The property owned and operated by James Wanstreet, located in sec. 35, T. 5 S., R. 3 E.

Jackson County. The property owned and operated by Lawrence and Herman Dietz, located in secs. 15, and 22, T. 8 S., R. 1 W.

The property owned and operated by Gene O. Endres located in secs. 19 and 30, T. 7 S., R. 1 W.

The property owned and operated by Russell Reiman located in sec. 24, T. 8 S., R. 3 W.

The farm owned by D. Smyser and operated by R. Beckman, located in sec. 9, T. 9 S., R. 5 W.

The farm owned and operated by Robert Whipkey, located in sec. 15, T. 8 S., R. 1 W.

Johnson County. The property owned by Armstrong Cork Co. and operated by William Shirley Ames, located in secs. 18 and 19, T. 12 S., R. 2 E.

The property owned by Gerald Cain and operated by Earl Cain located in secs. 11, 12, 13, and 14, T. 14 S., R. 2 E.

The property owned by H. & D. Duenne and operated by J. B. Terrell located in sec. 6, T. 14 S., R. 3 E.

The property owned and operated by C. Harris located in secs. 5, 6, 7, 8, and 18, T. 14 S., R. 2 E.

The property owned by Jesse H. Lowery and operated by William Shirley Ames, located in sec. 30, T. 12 S., R. 2 E.

The property owned by Mert Lowery and operated by William Shirley Ames, located in sec. 30, T. 12 S., R. 2 E.

The property owned by W. R. Peeler and E. L. Peeler and operated by the Mescher Brothers, located in sec. 33, T. 13 S., R. 2 E. and sec. 4, T. 14 S., R. 2 E.

Massac County. Tps. 16 and 17 S., in R. 6 E.

The property owned by John Dennis and operated by James Robbins, located in secs. 1, 2, and 12, T. 14 S., R. 4 E.

The property owned and operated by Landis Newton, located in sec. 30, T. 14 S., R. 3 E.

The property owned and operated by O. Whitlock, located in sec. 22, T. 14 S., R. 3 E.

The property owned and operated by E. Woods, located in sec. 18, T. 14 S., R. 3 E.

Pope County. Tps. 16 and 17 S., R. 7 E.; secs. 28, 29, 30, 31, 32, 33, and 34, T. 15 S., R. 7 E.; and secs. 25, 26, and 36, T. 15 S., R. 6 E.

The property owned by Perry Buchanan and operated by L. Hemphill, located in secs. 23 and 26, T. 14 S., R. 6 E.

Pulaski County. The entire county.

Union County. The property owned by Armstrong Cork Co. and operated by William Shirley Ames, located in secs. 13 and 24, T. 12 S., R. 1 E.

The property owned by Catherine McKenzie and operated by William Shirley Ames, located in sec. 25, T. 12 S., R. 1 E.

The farm owned by Harvey Weaver and operated by William Shirley Ames, located in sec. 25, T. 12 S., R. 1 E.

INDIANA

Vanderburgh County. The property owned and operated by Louis Carrol, Jr., located in secs. 3, 4, 5, 7, and 8, T. 8 S., R. 11 W.

The property owned by George Crommelin and J. Duggon and operated by Andrew J. Cummings, located in sec. 8, T. 8 S., R. 11 W.

The property owned and operated by Andrew J. Cummings, located in secs. 7, 8, 10, and 15, T. 8 S., R. 11 W.

The property owned and operated by George and Mary Cummings, located in secs. 5, 6, and 8, T. 8 S., R. 11 W.

The property owned by John and Veronica Hendricks and operated by Schnur Brothers, located in sec. 15, T. 8 S., R. 11 W.

The property owned by George L. Hille and operated by Jack Hille, located in secs. 8 and 17, T. 8 S., R. 11 W.

The property owned by Fannie McGregor and operated by Schnur Brothers, located in secs. 10 and 15, T. 8 S., R. 11 W.

The property owned by Elizabeth L. Miller and operated by Schnur Brothers, located in sec. 35, T. 7 S., R. 11 W., and sec. 2, T. 8 S., R. 11 W.

The property owned by Henry and Dortha Roman and operated by Schnur Brothers, located in secs. 8, 9, and 17, T. 8 S., R. 11 W.

The property owned by Elmer and Julia Schnur and operated by Schnur Brothers, located in sec. 9, T. 8 S., R. 11 W.

The property owned by George Schnur and operated by Schnur Brothers, located in secs. 10 and 11, T. 8 S., R. 11 W.

The property owned by Beatrice and William Simmons and Arthur Hodges and operated by Schnur Brothers, located in secs. 10 and 15, T. 8 S., R. 11 W.

The property owned by Harry and Hazel Simmons and operated by Schnur Brothers, located in secs. 10 and 15, T. 8 S., R. 11 W.

The property owned by William W. Simmons and operated by Schnur Brothers, located in sec. 35, T. 7 S., R. 11 W.

The property owned by Nellie Stein and operated by Jack Siebeking, located in secs. 7 and 8, T. 8 S., R. 11 W.

The property owned by Union Township School and operated by Andrew J. Cummings, located in E $\frac{1}{2}$, sec. 16, T. 8 S., R. 11 W.

KENTUCKY

Ballard County. The entire county.

Carlisle County. The entire county.

Davies County. The property owned by the Ellis Estate, known as the Ewing Farm, consisting of 600 acres, operated by Charles W. Schaber, located on River Road approximately 3 miles northwest of Owensboro.

Fulton County. The entire county.

Graves County. That portion of the county west and south of a line beginning at the intersection of the Tennessee-Kentucky State line and State Highway 381, thence extending north along State Highway 381 to its intersection with State Highway 94 at Lynnville, thence west along State Highway 94 to its intersection with State Highway 303, thence north along State Highway 303 to its intersection with U.S. Highway 45 at Mayfield, thence north along U.S. Highway 45 to the McCracken County line.

Henderson County. That portion of the county lying within the boundaries beginning at the Ohio River and U.S. Highway 41, thence extending south and west along U.S. Highway 41 to the intersection of the Henderson corporate limits, thence south and west along the corporate limits to the Ohio

River, thence northeasterly along said river to the point of beginning.

Hickman County. The entire county.

McCracken County. That portion of the county lying west of U.S. Highway 45.

LOUISIANA

Richland Parish. The property of Clay Wilson consisting of 421 acres located in sec. 2, T. 17 N., R. 6 E.

Tensas Parish. The property of Peter B. Hays located in secs. 14, 15, 24, and 34, T. 10 N., R. 11 E.

That property, lying east of the west Mississippi River levee, owned by Louis Pries and Robert Manning in sec. 1, T. 9 N., R. 11 E., and in secs. 16 and 17, T. 10 N., R. 11 E., and that portion of T. 10 N., R. 11 E., consisting of 49.2 acres owned by Louis Pries and Robert Manning.

The property of Robert Manning located in secs. 40, 41, and 47, T. 9 N., R. 10 E.

MISSISSIPPI

Bolivar County. Those portions of secs. 28 and 33, T. 24 N., R. 8 W., lying west of the Mississippi River levee.

The property owned and operated by Carr Planting Co., west of the Mississippi River levee and 1 mile north of Concordia.

The property owned and operated by Paul H. Jones, located in secs. 22, 23, 24, 25, 26, 27, 35, and 36, T. 26 N., R. 7 W.

Claiborne County. The property owned and operated by Wiley H. Hatcher located in secs. 5, 6, and 8, T. 12 N., R. 2 E., and secs. 34, and 35, T. 13 N., R. 2 E.

The property owned by Seaman Brothers, and operated by Thomas R. Seaman located in secs. 21 and 31, T. 12 N., R. 4 E.

Coahoma County. That portion of the county lying west of the east line of R. 5 W., and north of the south line of T. 28 N.

De Soto County. That portion of the county lying west of the east line of R. 9 W., and north of the south line of T. 2 S.

Issaquena County. Secs. 31, 32, and NE $\frac{1}{4}$ of sec. 33, T. 12 N., R. 8 W.; secs. 5, 6, 21, 22, 23, 24, and 25, T. 11 N., R. 9 W.; that portion of sec. 2, T. 12 N., R. 9 W., lying west of the Mississippi River levee; and secs. 3, 4, and 10, T. 12 N., R. 9 W.

Jefferson County. The property owned and operated by Ashland Limited, known as the Ashland Plantation, located along the Mississippi River in Tps. 9 and 10, R. 2 W.

Panola County. The property owned and operated by L. P. Herron located in sec. 6, T. 7 S., R. 7 W., and sec. 36, T. 6 S., R. 8 W.

The property owned and operated by Leon Crigler located in sec. 27, T. 7 S., R. 9 W.

The property owned and operated by Mrs. Otis Fulmer located in sec. 28, T. 7 S., R. 9 W.

The property owned and operated by W. S. Taylor, Jr. located in sec. 32, T. 7 S., R. 9 W.

Quitman County. The property owned and operated by Mahon Brothers located in sec. 3, T. 8 S., R. 10 W.

Tunica County. That portion of the county lying west of the east line of R. 12 W., and north of the south line of T. 4 S.

Washington County. The property owned and operated by F. M. Wigley located in sec. 36, T. 16 N., R. 8 W., sec. 1, T. 15 N., R. 9 W., and secs. 4 and 5, T. 16 N., R. 9 W.

MISSOURI

Bollinger County. That portion of the county lying east and south of a line beginning at the point where the west side of R. 9 E. intersects the Bollinger-Stoddard County line; thence extending due north to where said line intersects the north side of T. 28 N., thence due east to the intersection of the west boundary line of R. 10 E., thence due north to where said line intersects the north boundary line of T. 29 N., thence due

NORTH CAROLINA

east along said line to the Bollinger-Cape Girardeau County line.

Butler County. That portion of the county lying south and east of a line beginning at the point where the north side of T. 22 N. intersects the Ripley-Butler County line, thence extending due east to where said line intersects U.S. Highway 67, thence extending northward to the point where said highway intersects the west line of R. 6 E., thence due north to a point 3 miles north of the north line of T. 24 N., thence due east to the St. Louis and San Francisco Railroad, thence northeastward along said railroad to its intersection with the St. Francis River.

Cape Girardeau County. That portion of the county lying south and east of a line beginning at the point where the north side of T. 29 N. intersects the Bollinger-Cape Girardeau County line, thence extending due east to its junction with State Highway 25, thence northeastward along said highway to its junction with State Highway 74, thence eastward along said highway to a point where it intersects U.S. Highway 61, thence due east along a projected line to the Mississippi River.

The property owned and operated by Mr. Lonnie Watkins, located approximately 0.3 mile due west of the northwest corner of Survey 2227, T. 30 N., R. 11 E.

Lincoln County. The property owned and operated by Hoelscher Brothers consisting of the S½ of Survey No. 1820 lying east of the Lost Creek Diversion Channel in T. 51 N., R. 2 E.

Mississippi County. The entire county.

New Madrid County. The entire county.

Pemiscot County. The entire county.

Ripley County. That portion of the county lying east and south of a line beginning at the point where highway Route E intersects the Missouri-Arkansas State line, thence extending northward along said highway to the point where it intersects the north boundary line of sec. 20, R. 3 E., T. 22 N., thence due east along said line to the point where it intersects highway Route N, thence due north along said highway to the point where it intersects State Highway 142, thence eastward along said highway to the point where it turns due south and intersects the north boundary line of T. 22 N., thence due east along said line to the Ripley-Butler County line.

St. Charles County. Property owned and operated by Erwin Ellenbeck in NW¼, sec. 9, T. 46 N., R. 1 E.

Property of approximately 27 acres owned by Herb Farley located in T. 47 N., R. 8 E., and situated along the north bank of the Missouri River commencing at a point approximately 1,800 feet east of the eastern tip of Cora Island and/or beginning slightly east of Cora Island Chute continuing in an east by south-east direction for approximately 2,300 feet along the north bank of the Missouri River. The mean width of the property is approximately 500 feet measuring generally north to south or more exactly slightly northeast by southwest.

St. Louis County. That portion of the county known as the Columbia Bottoms, bounded by a line beginning at the Missouri River at a point directly north of the north end of Columbia Bottom Road, thence extending down river to its junction with the Mississippi River, thence down the Mississippi River to its junction with Interstate Highway 270, thence westward to the junction of Interstate Highway 270 and Columbia Bottom Road, thence northward along Columbia Bottom Road to its junction with Madison Perry Road, thence due north to the Missouri River.

Scott County. The entire county.

Stoddard County. The entire county.

Beaufort County. The Boyd, John T., farm located on the southwest side of the intersection of State Secondary Road 1003 and State Secondary Road 1932.

The Hollowell, Charlie and Henry, farm located on the northwest side of the intersection of State Secondary Road 1003 and State Secondary Road 1932.

Brunswick County. The McKelthan, V. J. farm located on the southeast side of U.S. Highway 17, and 0.3 mile northeast of the junction of State Secondary Road 1502 and said highway.

The property owned by Alma Medlin and operated by Leo Medlin Estate, located on the southwest side of State Secondary Road 1419 and 1 mile southeast of the Columbus County line.

The property owned and operated by Leo Medlin Estate, located on the southwest side of State Secondary Road 1419 and 1.1 miles southeast of the Columbus County line.

Camden County. The property owned by G. W. Abbott, located on the west side of State Secondary Road 1224 and 0.2 mile north of the junction of said road with State Secondary Road 1217.

The property owned by Criger, Ruth, located on the west side of State Secondary Road 1107 and 0.3 mile south of the junction of said road and State Secondary Road 1115.

The L. T. McCoy farm located on the east side of State Secondary Road 1224, at the junction of said road and State Secondary Road 1234.

The property owned by Mrs. Etta Mae McPherson located on the east side of State Secondary Road 1224 and 0.5 mile north of the junction of said road and State Secondary Road 1217.

The J. E. McPherson Trust Farm located at the end of a field road 1 mile south of State Secondary Road 1239, said field road junctioning with State Secondary Road 1239, 1 mile east of the junction of said road and State Secondary Road 1224.

The Mrs. R. W. McPherson farm located on the southeast side of the junction of State Highway 343 and State Secondary Road 1132.

The property owned by Pearce, Lane, located on both sides of State Secondary Road 1235 at the junction of said road and State Secondary Road 1224.

The Mrs. Emma Pugh farm located on both sides of State Secondary Road 1127 and 0.5 mile west of the junction of said road and State Highway 343.

The property owned by the Roberts Brothers located on both sides of State Secondary Road 1118 and 0.3 mile northeast of the junction of said road and State Secondary Road 1119.

The Mrs. Ruth Rothrock farm located on the north side of the junction of State Highway 343 and State Secondary Road 1132.

The Frank Sawyer farm located on the north side of State Secondary Road 1225 and at the junction of said road with State Secondary Road 1224.

The Dr. J. B. Sawyer farm located on the northwest side of State Secondary Road 1115 and 0.1 mile northeast of the junction of said road with State Secondary Road 1107.

The Mack Sawyer farm located on both sides of State Secondary Road 1225 and at the junction of said road with State Secondary Road 1217.

The Stevens, Grady, farm located on the west side of State Secondary Road 1114 and 0.4 mile north of the junction of said road and State Highway 343.

The Trotman, C. R., farm located on the south side of State Secondary Road 1235 and 0.2 mile east of the junction of said road and State Secondary Road 1224.

The White, W. K., farm located on the northwest side of State Secondary Road 1235 at the east end of said road.

Carteret County. The Austin Brothers farm located on the west side of State Highway 101 and 1.5 miles north of the junction of said highway and State Secondary Road 1169.

The Neal R. Campen farm located on the east side of State Highway 101 and 1 mile northwest of the junction of said highway and U.S. Highway 70.

The Neal R. Campen farm located on the east side of State Highway 101 and the south side of State Secondary Road 1163.

The G. C. Courtney farm located on the west side of State Highway 101 and 1 mile north of the junction of said highway and State Secondary Road 1169.

The Dudley, Marvin, farm located on the north side of State Secondary Road 1164 and the west side of State Secondary Road 1165.

The Gibbs, Sam, farm located on both sides of U.S. Highway 70 and 0.8 mile northeast of the junction of said highway and State Highway 101.

The Gillikin, Alton, farm located on both sides of State Secondary Road 1325 and 0.4 mile south of the intersection of said road and U.S. Highway 70.

The Gillikin, Hugh, farm located on the west side of State Secondary Road 1332 and 1.5 miles south of the junction of said road and U.S. Highway 70.

The Gillikin, Ruth, farm located on the west side of State Secondary Road 1332 and 1.4 miles south of the junction of said road and U.S. Highway 70.

The Brady Golden farm located on the north side of U.S. Highway 70 and 0.1 mile west of Ward Creek.

The Golden, Heber, farm located on the south side of U.S. Highway 70 and 0.7 mile west of Ward Creek.

The Graham, Preston, farm located on the northeast side of State Secondary Road 1154 and 0.3 mile southeast of the junction of said road and State Secondary Road 1155.

The International Paper Co. farm located on the south side of State Secondary Road 1154 and 0.5 mile west of Black Creek.

The Lawrence, Gordon, farm located on the east side of State Secondary Road 1332 and 1.5 miles south of the junction of said road and U.S. Highway 70.

The Lawrence, Ruhamah, farm located on Ward Creek at the end of State Secondary Road 1329.

The Oglesby, John T., farm located on both sides of State Secondary Road 1179 and the west side of State Secondary Road 1176.

The Pake, Justin, farm located on the east side of State Secondary Road 1155 and 1 mile south of the junction of said road and State Highway 101.

The Sprinkle, L. D., farm located on the east side of State Highway 101 and 1.5 miles north of the junction of said highway and State Secondary Road 1169.

The Williams, Walter, farm located on the east side of State Secondary Road 1155 and 1.2 miles south of the junction of said road and State Highway 101.

The Wright, Mrs. K. W., farm located on both sides of State Highway 101 and at the junction of said highway and State Secondary Road 1169.

The Wright, Mrs. K. W., farm located on both sides of State Secondary Road 1165 and at the junction of said road and State Secondary Road 1168.

The Wright, Vincent, farm located on the east side of State Highway 101 and 1 mile south of the junction of said highway and State Secondary Road 1163.

Chowan County. That portion of the county bounded by a line beginning at the junction of the Chowan-Perquimans-Gates County

line, thence extending south along Chowan-Perquimans County line to its intersection with State Secondary Road 1305, thence west along said road to its junction with State Secondary Road 1231, thence west along said road to its junction with Chowan River, thence northwest along said river shore line to its intersection with Chowan-Gates County line, thence in a northeasterly direction along said county line to the point of beginning.

The Twine, W. A., farm located on the east side of State Secondary Road 1303 and 0.2 mile south of the junction of said road with State Secondary Road 1314.

The Wood, John Gilliam, farm located at the southeast end of State Secondary Road 1110.

Carver County. The Becton, Macon, farm located on the east side of State Secondary Road 1700 and 0.2 mile south of the junction of said road and State Secondary Road 1706.

The Cox, H. L., farm located on both sides of State Highway 55 and 0.1 mile northwest of the junction of said highway and State Secondary Road 1245.

The Forns, Abbie, farm located on both sides of State Secondary Road 1643 and 0.2 mile southeast of the intersection of said road and State Secondary Road 1476.

The George, Eva, farm located on the north side of State Secondary Road 1712 and 1 mile northeast of the junction of said road and State Secondary Road 1715.

The Nelson, Alex, farm located on the southeast side of State Secondary Road 1611 and 0.2 mile northeast of the junction of said road and State Secondary Road 1613.

The Paul, Larry, farm located on the northwest side of State Secondary Road 1700 and 0.8 mile northeast of the junction of said road and State Secondary Road 1701.

The Taylor, E. C., farm located on the east side of Clubfoot Creek and the end of State Secondary Road 1706.

The Temple, R. G., farm located on the west side of Clubfoot Creek and the end of State Secondary Road 1711.

Currituck County. That portion of the county bounded by a line beginning at the intersection of the east shore of North Landing River and North Carolina-Virginia State line, thence extending in an easterly direction along said State line to its intersection with the east shore of Knotts Island, thence south along said shore line to Currituck Sound, thence west along said sound shore line to North Landing River, including that portion known as MacKay Island, thence north along said river shore line to the point of beginning.

The Brown, Charles, farm located on both sides of State Highway 168 and 0.3 mile northeast of the junction of said highway and State Secondary Road 1210.

The Ferebee, W. J. B., farm located on the northeast side of State Highway 168 and 0.5 mile northwest of the junction of said highway and State Secondary Road 1203.

The Gregory, P. P., farm located on the east side of State Secondary Road 1147 and 0.4 mile north of Indian Creek.

The Leary, C. C., farm located on the west side of State Secondary Road 1148 and 0.6 mile northwest of the intersection of said road and U.S. Highway 158.

The Leary, W. F., farm located on the west side of State Secondary Road 1148 and 0.4 mile northwest of the intersection of said road and U.S. Highway 158.

The Meigs, W. W., farm located on both sides of State Highway 34 and 0.7 mile northwest of the junction of said highway and State Secondary Road 1247.

The Pell, Herman, farm located on the southwest side of State Secondary Road 1148 and 1 mile southeast of the junction of State Secondary Roads 1148 and 1200 with U.S. Highway 158.

The Roberts, Walter, farm located on the west side of State Secondary Road 1148 and 1.1 miles southeast of the junction of said road and U.S. Highway 158.

The Roberts, Wilbert, farm located on the northeast side of State Secondary Road 1148 and 0.5 mile northwest of the junction of said road and U.S. Highway 158.

The Sawyer, H. R., farm located on the north side of State Secondary Road 1148 and 1.2 miles southeast of the junction of said road and U.S. Highway 158.

Edgecombe County. The Upper Coastal Plain Research Station located on both sides of State Secondary Road 1224 at its junction with State Secondary Road 1208.

Gates County. The entire county.

Johnston County. That area bounded by a line beginning at a point where the Sampson-Johnston County line intersects State Secondary Road 1005, thence extending northeast along said road to its intersection with State Highway 50, thence northwest along said road to its junction with State Secondary Road 1171, thence north along said road to its intersection with State Secondary Road 1143, thence east along said road to its junction with State Secondary Road 1159, thence northeast along said road to its intersection with Hannah Creek, thence east along said creek to its intersection with State Secondary Road 1162, thence northeast along said road to its junction with State Secondary Road 1161, thence east along said road to its junction with State Highway 96, thence south along said highway to its intersection with State Secondary Road 1153, thence east along said road to its junction with State Secondary Road 1179, thence east along said road to its junction with State Secondary Road 1009, thence south along said road to its junction with State Secondary Road 1197, thence southeast along said road to its junction with State Secondary Road 1008, thence west along said road to its junction with State Secondary Road 1196, thence east along said road to its intersection with the Johnston-Wayne County line, thence southwest along said county line to its junction with the Sampson-Johnston County line, thence southwest and then northwest along said county line to the point of beginning.

The Allen, M. L., farm located on the west side of State Secondary Road 1201 and 3.1 miles southwest of its junction with State Secondary Road 1007.

The Beasley, Willie W., farm located on the north side of State Secondary Road 1106 at its junction with State Highway 242.

The Benson, Clifton, farm located on the east side of State Secondary Road 1342 and 0.5 mile south of the junction of said road and State Secondary Road 1341.

The Edwards, Albert, farm located on the north side of State Secondary Road 1007 and 0.2 mile east of its junction with State Secondary Road 2528.

The Edwards, D. A., farm located on the southeast side of State Secondary Road 2542 and 0.6 mile south of its junction with State Secondary Road 1007.

The Fish, Turner, farm located on the east side of State Secondary Road 1332 at its junction with State Secondary Road 1334.

The Gregory, Myrtle W., farm located on the south side of State Secondary Road 1351 and 0.7 mile southeast of its junction with State Secondary Road 1166.

The Johnson, S. B., farm located on both sides of State Secondary Road 1008 and 1.3 miles northeast of the junction of said road and State Secondary Road 1197.

The Lassiter, C. R., farm located on the north side of State Secondary Road 1308 and 0.9 mile west of the junction of said road and State Secondary Road 1162.

The Lassiter, Garnett, farm located on the southeast side of State Secondary Road 1334

and 0.3 mile southwest of the junction of said road and State Secondary Road 1335.

The Massengill, Raymond, farm located on the northeast side of State Secondary Road 1009 and 0.4 mile southeast of the junction of said road and State Secondary Road 1179.

The Massey, M. R., farm located on the west side of State Secondary Road 2372 and 0.2 mile south of its junction with State Secondary Road 2540.

The Mundin, W. C., farm located on the west side of State Secondary Road 1166 at its junction with State Secondary Road 1350.

The Oliver, W. B., farm located on the south side of State Secondary Road 2320 and 0.3 mile east of the junction of said road and State Secondary Road 2364.

The Peacock, Sherrill E., farm located on the north side of State Secondary Road 1158 and 0.3 mile east of its intersection with State Secondary Road 1171.

The Peedin, S. B., farm located on the northwest side of State Secondary Road 2141 at its junction with U.S. Highway 70.

The Pope, Harold, farm located on the north side of State Highway 210 and 0.4 mile west of the junction of said road and U.S. Highway 70.

The Raynor, A. D., farm located on both sides of State Secondary Road 1106 and 0.7 mile east of its junction with State Highway 242.

The Royal, Joe N., farm located on the north side of State Secondary Road 1199 and 1.5 miles west of the junction of said road and State Secondary Road 1008.

The Smith, D. R., farm located on both sides of State Secondary Road 1007 and 0.5 mile west of the junction of said road and State Secondary Road 2530.

The Smith, Roger, farm located on the south side of State Secondary Road 1007 and 0.1 mile west of its junction with State Secondary Road 2526.

The Wallace, Dixon, farm located on the north side of State Secondary Road 1162 and 0.2 mile west of the junction of said road and State Secondary Road 1343.

The Young, E. G., farm located on the west side of State Secondary Road 1105 and 0.3 mile south of its junction with State Highway 50.

Jones County. The Bynum, W. C., farm located on the south side of State Secondary Road 1116 and 1 mile west of the junction of said road and State Secondary Road 1115.

The Griffin, W. V., farm located at the junction of State Secondary Roads 1340 and 1341 and on all sides of both roads.

New Hanover County. That portion of the county bounded by a line beginning at a point where the ACL Railroad Bridge crosses the Northeast Cape Fear River and extending south along said railroad to State Highway 132, thence extending southeast along said highway to Smith Creek, thence west along said creek to the Northeast Cape Fear River, thence in a northwesterly and then easterly direction along said river to the Atlantic Coast Line Railroad Bridge, the point of beginning, excluding all of New Hanover County Airport.

The Canady, Mrs. C. F., farm located on the north side of State Secondary Road 1403 and 1.5 miles east of its junction with State Secondary Road 1407, said junction being 0.5 mile east of U.S. Highway 17.

The Covil, J. H., farm located on the north side of State Secondary Road 1403 and 0.2 mile east of its junction with State Secondary Road 1407, said junction being 0.5 mile east of U.S. Highway 17.

The Horrell, H. H., farm located on the north side of State Secondary Road 1335 and 0.1 mile east of its intersection with State Highway 132.

The property owned and operated by Johnson, H. C., located on the northeast side of State Secondary Road 1327 and 0.6 mile

northwest of its junction with U.S. Highway 17.

The Johnson, H. C., farm located on the northeast side of State Secondary Road 1327 and 0.2 mile northwest of its junction with U.S. Highway 17.

The Johnson, H. C., farm located on the south side of State Secondary Road 1403 and 1.7 miles east of its junction with State Secondary Road 1407, said junction being 0.5 mile east of U.S. Highway 17.

The property owned and operated by Leeuwenburg, Mrs. John C., located on the northwest side of U.S. Highway 17 and 0.3 mile southwest of the junction of said highway and State Secondary Road 1327.

The property owned and operated by Murray, J. D., located at the end of State Secondary Road 1322 and 2.2 miles from its intersection with State Highway 132.

The Robinson, Paul V., farm located on the west side of State Secondary Road 1402, 1 mile south of the junction of said road and State Secondary Road 1400.

The property owned and operated by Trask, Alex, located on the north side of State Secondary Road 1323 and east of State Highway 132 at the intersection of these two roads.

The Turner, William E., farm located on the north side of U.S. Highway 17 and 0.5 mile west of the intersection of said highway and State Highway 132.

The Yopp, J. A., farm located on the south side of State Secondary Road 1322 and 1.2 miles east of its intersection with State Highway 132.

Onslow County. The Collins, Leroy, farm located on the southeast side of State Secondary Road 1331, and 0.5 mile east of its junction with State Secondary Road 1333.

The Day, N. E., farm located on the north side of State Secondary Road 1331, and 0.7 mile east of its junction with State Secondary Road 1333.

The Pollock, E. R., farm located on the north side of State Secondary Road 1331, and 0.1 mile west of its junction with State Secondary Road 1333.

The Rowe, Len, farm located on the northeast side of State Secondary Road 1331, and 1.2 miles southeast of its junction with State Secondary Road 1333.

Pamlico County. The Harris, Mary, farm located at the north end of State Secondary Road 1312.

The Jordan, Coley W., farm located on the southeast side of State Secondary Road 1317 and the southwest side of State Secondary Road 1349.

Pasquotank County. The entire county.

Pender County. That area bounded by a line beginning at a point where Long Creek junctions with the Northeast Cape Fear River, thence extending northwest along said creek to its junction with Rileys Creek, thence northeast along said creek to its intersection with State Secondary Road 1409, thence north along said road to its junction with State Secondary Road 1400, thence northeast along said road to its junction with State Highway 53, thence northeast along said highway to its junction with State Secondary Road 1509, thence east along said road to its intersection with Burgaw Creek, thence southeast along said creek to its junction with the Northeast Cape Fear River, thence south along said river to its intersection with State Highway 210, thence northeast and then southeast along said highway to its junction with State Secondary Road 1002, thence southwest along said road to its intersection with Island Creek, thence northeast and then northwest along said creek to its junction with the Northeast Cape Fear River, thence west along said river to the point of beginning.

The Boryk, M. A., farm located on the west side of State Secondary Road 1400 and 0.2 mile south of the Burgaw city limits.

The Cartwright, Jessie J., farm located on both sides of State Secondary Road 1345 and 0.2 mile southeast of the junction of said road and State Secondary Road 1347.

The Humphry, Melton, farm located on the southeast side of State Secondary Road 1520 and 1.0 mile northeast of the junction of said road and State Secondary Road 1522.

The Lucus, D. N., farm located on both sides of State Secondary Road 1121 and 0.6 mile east of the intersection of said road and State Secondary Road 1120.

The MS & M Lumber Co., farm located on the northeast side of State Highway 210 and 4.5 miles northwest of the junction of said road and State Secondary Road 1002.

The Oosterwyk, John, farm located 0.8 mile southeast of U.S. Highway 17 and 1.3 miles northeast of Hampstead.

The Walker, H. C., farm located on the south side of State Highway 210 and the east side of State Secondary Road 1115.

Perquimans County. That portion of the county bounded by a line beginning at the junction of the Perquimans-Gates-Pasquotank County line, thence extending southeast along Perquimans-Pasquotank County line to its intersection with State Secondary Road 1223, thence along said road to its junction with State Secondary Road 1214, thence northwest along said road to its junction with State Secondary Road 1213, thence west along said road to its junction with State Secondary Road 1200, thence south along said road to its junction with State Highway 37, thence west along said highway to its junction with State Secondary Road 1118, thence west along said road to its intersection with Perquimans-Chowan County line, thence north along said county line to its junction with Perquimans-Gates County line, thence northeast along said county line to the point of beginning.

The Stokely, J. R., farm located on the northeast side of State Secondary Road 1329 and 0.3 mile northwest of the junction of said road with State Secondary Road 1334.

Sampson County. The Allen, Newett, farm located 0.2 mile southeast of State Secondary Road 1642, and 0.7 mile northeast of the junction of said road with State Highway 55.

The Barefoot, P. T., farm located on the west side of State Secondary Road 1746 and 0.1 mile south of its junction with State Secondary Road 1819.

The Bass, Braston, farm located on both sides of State Secondary Road 1805 at its junction with State Secondary Road 1703.

The Blackman, L. A., farm located on the west side of State Secondary Road 1643 and 0.2 mile south of its junction with State Highway 55.

The Butler, Quinton, farm located on both sides of State Secondary Road 1006 and 0.2 mile southeast of its junction with State Secondary Road 1338.

The Denning, C. L., farm located on both sides of State Secondary Road 1705 and 0.3 mile south of its junction with U.S. Highway 13.

The Draughton, Joel, farm located on the east side of State Secondary Road 1635 at its junction with State Highway 55.

The Elmore, Edward, farm located on the east side of State Secondary Road 1607 at its junction with U.S. Highway 421.

The Ezzel, James, farm located on the east side of U.S. Highway 421 and 0.3 mile south of its junction with State Secondary Road 1128.

The Faircloth, J. K., farm located on the south side of State Secondary Road 1322 and 0.3 mile south of the intersection of said road and State Secondary Road 1233.

The Godwin, A. P., farm located on the west side of State Secondary Road 1636 and 0.3 mile north of its intersection with State Secondary Road 1635.

The Godwin, J. Leon, farm located on the southwest side of State Secondary Road 1623 at its junction with State Secondary Road 1005.

The Godwin, Leo, farm located on the east side of State Secondary Road 1607 and 0.2 mile south of its junction with State Secondary Road 1650.

The Godwin, Mrs. May J., farm located on the north side of State Highway 55 and 0.2 mile west of its intersection with State Secondary Road 1005.

The Herring, Mrs. James, farm located on the east side of State Secondary Road 1128 and 0.3 mile south of its junction with U.S. Highway 421.

The Howard, Clifford, farm located on the east side of State Secondary Road 1330 and 0.2 mile south of the junction of said road and State Secondary Road 1413.

The Jackson, H. M., farm located on the east side of State Secondary Road 1456 and 0.6 mile south of its junction with State Secondary Road 1459.

The Jones, Clarence, farm located on the east side of State Secondary Road 1808 and 0.4 mile north of its junction with State Secondary Road 1805.

The Matthis, Laura, farm located on the northeast side of State Secondary Road 1006 and 0.2 mile southeast of its junction with State Secondary Road 1338.

The McLamb, Charles H., farm located on both sides of State Secondary Road 1456 and 0.3 mile northwest of its junction with State Secondary Road 1338.

The McLamb, Judson, farm located at the intersection of State Secondary Roads 1456 and 1338.

The McLamb, W. A., farm located on the southwest side of State Secondary Road 1006 and 0.4 mile southeast of its junction with State Secondary Road 1338.

The Raelfield, James, farm located on both sides of State Secondary Road 1631 at said road's junction with State Secondary Road 1622.

The Saunders, Clemmie, farm located on the west side of State Highway 242 and 0.4 mile north of Piney Green.

The Smith, Mabel, farm located on the northwest side of State Secondary Road 1705 and 0.8 mile southwest of its junction with U.S. Highway 13.

The Smith, Wayne, farm located on the south side of State Secondary Road 1606 and 0.3 mile west of its junction with State Secondary Road 1607.

The Stevenson, Mamie, farm located on the north side of State Secondary Road 1622 and 0.5 mile west of the junction of said road and State Secondary Road 1005.

The Stewart, Della, farm located on the west side of State Secondary Road 1809 and 0.4 mile south of its intersection with State Secondary Road 1805.

The Stone, Hawley, farm located on the southwest side of U.S. Highway 421 and 0.6 mile southeast of its junction with State Secondary Road 1607.

The Tew, David, farm located on the northwest side at the junction of State Secondary Roads 1466 and 1467.

The Tew, Ottilis, farm located on both sides of State Secondary Road 1456 and 0.3 mile south of its junction with State Secondary Road 1459.

The Turlington, E. T., farm located on the south side of State Secondary Road 1322 and 0.5 mile east of its junction with State Secondary Road 1305.

The Turlington, James, farm located on the south side of State Secondary Road 1233 and 1 mile west of its intersection with State Secondary Road 1322.

The Underwood, Kenneth, farm located on the northwest side of State Secondary Road 1409 at its junction with State Secondary Road 1408.

The West, M. D., farm located on the south side of State Secondary Road 1620 and 0.4 mile east of its intersection with State Secondary Road 1636.

The Westbrook, B. H., farm located on the east side of State Secondary Road 1701 and 0.5 mile north of its junction with State Secondary Road 1702.

The Westbrook, Bernice, farm located on the west side of State Secondary Road 1636 and 0.6 mile south of the junction of said road and State Highway 55.

The Westbrook, Bruce, farm located on the east side of State Secondary Road 1641 at its junction with State Highway 55.

The White, Lyman, farm located on the southeast side of State Secondary Road 1409 and 0.2 mile northeast of the junction of said road and State Secondary Road 1408.

The Wiggins, Clarence, farm located on the south side of State Secondary Road 1746 and 0.3 mile west of its intersection with U.S. Highway 701.

The Williamson, F. E., farm located on the north side of State Secondary Road 1240 and 0.5 mile northwest of its intersection with State Highway 24.

The Williamson, F. E., farm located on the west side of State Secondary Road 1233 and 0.3 mile south of its intersection with State Highway 24.

The Wooten, J. M., farm located on the west side of State Secondary Road 1807 at its junction with State Secondary Road 1636.

Tyrrell County. The Basnight, J. A., farm located on the southeast side of the junction of State Secondary Road 1209 and State Secondary Road 1223.

The Cahoon, Herman, farm located on the northwest side of the junction of State Secondary Road 1310 and State Secondary Road 1314.

The Combs, F. T., farm located on the east side of State Secondary Road 1310 and 1 mile north of the junction of said road and State Secondary Road 1309.

The Cooper, Derwood, farm located on both sides of State Secondary Road 1311 and 0.3 mile west of the junction of said road with State Secondary Road 1310.

The Cooper, Derwood, farm located on the north side of State Secondary Road 1310 and 0.2 mile east of the junction of said road with State Secondary Road 1313.

The Hollis, W. A., farm located on the south side of State Secondary Road 1209 and 1.2 miles southeast of the junction of said road with State Secondary Road 1223.

The Howett, W. A., farm located on the south side of State Secondary Road 1209 and 1 mile southeast of the junction of said road with State Secondary Road 1223.

The Liverman, G. L., farm located on the east side of State Secondary Road 1310 and 0.9 mile north of the junction of said road and State Secondary Road 1309.

The Liverman, Horace, farm located on the southwest side of the junction of State Secondary Road 1310 and State Secondary Road 1312.

The Selby, G. W., farm located on the north side of State Secondary Road 1320 and 0.3 mile east of the junction of said road and State Secondary Road 1315.

The Williams, Sherman, farm located on the southwest side of the junction of State Secondary Road 1310 and State Secondary Road 1313.

Washington County. The Beasley, J. G., farm located on the southwest side of State Highway 99 and 0.9 mile northwest of the intersection of said highway and State Secondary Road 1127.

Wayne County. The property owned by Best, Mrs. Myrtle, and operated by Altman, Mr. C. L., located on the southwest side of State Secondary Road 1205, 0.1 mile southeast of the Wayne-Johnston County line.

The Jenette, W. A., farm located on the northeast corner of intersection of State Secondary Roads 1105 and 1203.

The McCarther, N. P., farm located on the east side of State Secondary Road 1353 and at its junction with State Secondary Road 1351.

The Pennington, Milford, farm located on the north side of State Secondary Road 1008 and 0.3 mile west of the junction of said road and State Secondary Road 1212.

The Smith, Diet, farm located on the south side of State Secondary Road 1002 and 0.1 mile west of the intersection of said road and State Secondary Road 1333.

The Tadlock, Arnold, farm located 3 miles west of Grantham on the north side of State Secondary Road 1207 and 0.2 mile east of the intersection of said road and State Secondary Road 1105.

The Tadlock, Ezra, farm located 3 miles west of Grantham on the north side of State Secondary Road 1207 and 0.2 mile east of the intersection of said road and State Secondary Road 1105.

The Tadlock, Lonnie, farm located on the north side of State Secondary Road 1207, and 0.2 mile east of the intersection of said road and State Secondary Road 1105.

The Thornton, F. B., farm located on the west side of State Secondary Road 1200 and 0.7 mile south of the Johnston-Wayne County line.

The Thornton, Kirby, farm located on the east side of State Secondary Road 1200 and 0.5 mile south of the Johnston-Wayne County line.

TENNESSEE

Benton County. All of Civil District 8.

Carroll County. That portion of the county lying north and west of U.S. Highway 79.

The farm owned by Presley, John W., known as the Presley Farm, consisting of 406 acres located in Civil District 5, on U.S. Highway 70A, 1.7 miles east of McLemoresville.

Chester County. That portion of the county lying west of the drainage canal of the South Fork of the Forked Deer River; and that portion of the county lying south of State Highway 100, and east of State Highway 22A.

Crockett County. The entire county.

Dyer County. The entire county.

Fayette County. The entire county.

Gibson County. The entire county.

Hardeman County. That portion of Civil District 8, lying north of State Highway 100.

The farm owned by Johnson, Joe, known as the Johnson Farm, consisting of 300 acres located 1 1/4 miles southwest of the intersection of U.S. Highway 64 and the Silerton Road in Civil District 7.

The farm owned and operated by Newman, Guy, consisting of 77 acres located 1 mile south of U.S. Highway 64 on State Road 8081 in Civil District 7, known as the Newman Farm.

The farm owned by Potter, Cecil, known as the Old Sane Place, consisting of 100 acres in Civil District 6, 1 mile southeast of Hebron.

Hardin County. That portion of the county lying west of State Highway 104, and north of State Highway 69.

Haywood County. The entire county.

Henderson County. That portion of the county lying south of State Highway 100, and west of State Highway 104.

Henry County. That portion of Civil District 10, lying south of U.S. Highway 79, and east of the road from Oak Grove, south through Elkhorn to the Holly Fork Drainage Canal (known as Rural Road 8093 from Elkhorn to the Canal); and all of Civil District 14; and that portion of the county lying west of State Highway 69 and Rural Road 8092.

Humphreys County. That portion of Civil District 2 enclosed by the Tennessee River, Duck River, Briar Creek, and Stribbling Branch.

Lake County. The entire county.

Lauderdale County. The entire county.

Madison County. That portion of the county lying west of a line beginning at the intersection of the Illinois Central Railroad and the Madison-Gibson County line, thence extending south along the Illinois Central Railroad to its intersection with the South Fork of the Forked Deer River, in the city of Jackson, thence southeast along the South Fork of the Forked Deer River to the Madison-Chester County line.

The farm owned and operated by Taylor, J. T., known as the Taylor Brothers farm, consisting of 120 acres located in Civil District 9, 6 miles east of Jackson on Rural Road 8059.

McNairy County. The farm owned and operated by Gilbert, Mrs. Daphne, consisting of 215 acres located 2 miles southwest of the intersection of U.S. Highway 45 and State Road 8120 at Bethel Springs, in Civil District 11, known as the Gilbert Farm.

The farm owned by Williams, Troy, consisting of 46 acres located 2.1 miles southwest of the intersection of U.S. Highway 45 and State Road 8120 at Bethel Springs, in Civil District 11, known as the Williams Farm.

The farm owned and operated by Gardner, Orvil, consisting of 340 acres in Civil District 4, 2 miles north, northeast of Gravel Hill on unmarked Rural Road.

The farm owned by Robinson, Vernon, consisting of 1,000 acres in Civil District 2, 1 mile west of Rose Creek on both sides of U.S. Highway 64.

Obion County. The entire county.

Shelby County. The entire county.

Tipton County. The entire county.

Weakley County. The entire county.

VIRGINIA

Chesapeake City. That portion of the city bounded by a line beginning where the Nansemond County and city of Chesapeake boundaries intersect with Hampton Roads, thence extending east along the southern shore of Hampton Roads to its junction with the Elizabeth River, thence south along the Elizabeth River to its junction with the western branch of the Elizabeth River, thence southwest along the western branch of the Elizabeth River to its intersection with State Road 191, thence southeast along State Road 191 to its intersection with U.S. Highway 58, thence along an imaginary line due west to the Nansemond County-city of Chesapeake boundary, thence north along said boundary to the point of beginning.

The property owned by H. W., I. W., and Etheridge, James M., located on the south side of State Road 190, 0.1 mile east of the junction of State Roads 190 and 818.

The property owned by Foster, Johnnie B., located on the south side of State Road 610 at the junction of State Roads 610 and 686.

The property owned by Foster, Nannie Burgess, Life Estate, located on the south side of State Road 610, 0.3 mile west of the junction of State Roads 609 and 610.

The property owned by Killian, Nettie Pritchard, located on the north side of State Road 190, 0.2 mile east of the junction of State Roads 190 and 700.

The property owned by Murden, H. T., located on the west side of State Road 168, 0.4 mile south of the intersection of State Roads 168 and 614.

The property owned by Arthur N. and Alice Kerlin Williamson, located on the south side of State Road 190, 0.2 mile northwest of the junction of State Roads 190 and 818.

The property owned by Wood, Charles Holland, located on the south side of State

Road 605, 0.4 mile east of the junction of State Roads 190 and 605.

The property owned by Wood, Charles Holland, located on the south side of State Road 605, 0.6 mile east of the junction of State Roads 190 and 605.

Isle of Wight County. That portion of the county bounded by a line beginning at the intersection of U.S. Highway 58 and State Road 615, thence extending east along U.S. Highway 58 to its junction with State Road 632, thence northeast along State Road 632 to its junction with State Road 612, thence east along State Road 612 to the Isle of Wight-Nansemond County line, thence southwest along said county line to its intersection with State Road 615, thence north along State Road 615 to the point of beginning.

The property owned by Alphin, L. H., Sr., located on the west side of State Road 614, 0.75 mile northwest of the junction of State Road 614 and U.S. Highway 258.

The property owned by Ashby, Grace M., located on the west side of U.S. Highway 17, 0.8 mile south of the junction of U.S. Highway 17 and State Road 32.

The property owned by the Ballard, A. W., Estate, located on the west side of State Road 614, 0.9 mile south of the junction of State Road 614 and U.S. Highway 258.

The property owned by the Ballard, A. W., Estate, located on the west side of State Road 614, 0.1 mile south of the Virginian Railroad right-of-way.

The property owned by Bittle, Claire W., located on the south side of U.S. Highway 58, 0.2 mile southwest of the junction of U.S. Highway 58 and State Road 630.

The property owned by Bracey, James F., Sr., and Bracey, James F., Jr., located on a private road 0.3 mile south of U.S. Highway 58, said private road junctioning with U.S. Highway 58, 1.2 miles east of the junction of U.S. Highways 58 and 258.

The property owned by Bryant, Mary Lee W., located on the east side of U.S. Highway 258, 1 mile south of the intersection of U.S. Highway 258 and State Road 611.

The property owned by DeHart, Frances Sykes, located on the east side of State Road 10, 0.3 mile south of the junction of State Roads 10 and 674.

The property owned by Duck, Alphonso L., located on a private road 0.3 mile south of State Road 648, said private road junctioning with State Road 648 at a point 0.2 mile east of the junction of State Roads 643 and 648.

The property owned by Duck, Alphonso L., Sr., located on the east side of State Road 614, 0.5 mile north of the junction of State Road 614 and U.S. Highway 258.

The property owned by the Eley, Jacob E., Estate, located on the east side of State Road 643 at the junction of State Roads 643 and 603.

The property owned by Fraser, Margaret Ashby Allen, located on the east side of U.S. Highway 17, 0.5 mile south of the intersection of U.S. Highway 17 and State Road 662.

The property owned by Gardner, Thomas A., located on the northeast side of State Road 606, at the junction of State Roads 606 and 690, with a wooded area owned by Thomas A. Gardner on the west side of State Road 690, 0.3 mile south of the junction of 606 and 690.

The property owned by Gibbs, Estelle, located on a private road 0.3 mile west of State Road 10, said private road junctioning with State Road 10 at the junction of State Roads 10 and 32.

The property owned by Gray, Elmon T., and Gray, Horace A., III, located on both sides of U.S. Highway 17, 0.5 mile north of the intersection of U.S. Highways 17 and 258.

The property owned by Alma J. and H. DeWitt Griffin, located on the north side of

State Road 606 at the junction of State Roads 606 and 700.

The property owned by Griffen, J. Causey, located on the southeast side of State Road 696, 0.5 mile northeast of the junction of State Roads 615 and 696.

The property owned by Holland, Ella H., located on both sides of State Road 644 at the intersection of State Roads 644 and 647.

The property owned by the Holland, Joseph H., Estate, located on both sides of State Road 609 at the junction of State Roads 609 and 640.

The property owned by Holland, Wilson S., located on the east side of U.S. Highway 258, 0.3 mile south of the intersection of U.S. Highway 258 and State Road 611.

The property owned by Jenkins, Rufus A., located on the west side of State Road 609, 0.4 mile north of the intersection of State Road 609 and U.S. Highway 258.

The property owned by Johnson, Frank H., located on the east side of State Road 614 and on the north side of State Road 648, at the junction of State Roads 614 and 648.

The property owned by Jordan, W. H., located on the south side of State Road 665 at the junction of State Roads 665 and 695.

The property owned by Lankford, Seth, located at the end of State Road 660, 0.4 mile southeast of the junction of State Roads 620 and 660.

The property owned by Livise, Alice L., located on the east side of U.S. Highway 258, and south of State Road 630 at the southern junction of said highway and road.

The property owned by Munford, Carr H., located on both sides of State Road 635 at the junction of State Roads 635 and 610.

The property owned by Neima, Wilbur R., located on the north side of State Road 644, 0.2 mile east of the intersection of State Roads 644 and 647.

The property owned by Nelson, J. Craig, located at the end of State Road 662, 0.6 mile east of the junction of State Roads 662 and 663.

The property owned by Perry, Wayland A., located on the north side of State Road 630 at the junction of State Roads 630 and 631.

The property owned by Picott, W. T., located on the south side of State Road 611, 0.7 mile east of the intersection of U.S. Highway 258 and State Road 611.

The property owned by Selma H. and Frank E. Pulley, located on the west side of State Road 649, 0.5 mile west of the junction of State Roads 637 and 649.

The property owned by Redd, Harrison A., located on the north side of State Road 636, 0.3 mile east of the intersection of State Road 636 and U.S. Highway 460.

The property owned by Rhodes, Loftin, located on the northwest side of State Road 641, 0.7 mile northeast of the junction of State Roads 641 and 648.

The property owned by Rhodes, Mrs. Vergie C., located on the east side of State Road 612 at the intersection of State Roads 611 and 612.

The property owned by Richards, J. Rosser, located on a private road 0.3 mile east of State Road 660, said private road junctioning with State Road 660 at a point 0.4 mile southeast of the junction of State Roads 620 and 660.

The property owned by Richards, J. Rosser, located on the east side of State Road 660, 0.3 mile southeast of the junction of State Roads 620 and 660.

The property owned by the Thacker, Carey H., Estate, located on the east, west, and south sides of the junction of State Roads 626 and 678.

The property owned by Turner, Lizzie G., located on the west side of U.S. Highway 258, 0.2 mile north of the junction of State Roads 258 and 638.

The property owned by James H. and B. A. Vaughn, located on both sides of State Road 612, 0.5 mile north of the junction of State Roads 612 and 633.

The property owned by Vellines, Livy, located on a private road on the east side of State Road 665, 0.8 mile south of the junction of State Roads 665 and 668.

The property owned by Vellines, Ollie R. (Ray), located on a private road on the east side of State Road 665, 0.6 mile south of the junction of State Roads 665 and 668.

The property owned by Whitley, Elvin H., located on the north side of State Road 611, 0.75 mile west of the intersection of U.S. Highway 258 and State Road 611.

The property owned by Williams, E. C., located on the west side of U.S. Highway 258, 0.7 mile south of the intersection of U.S. Highway 258 and State Road 611.

The property owned by Wilson, Ida B., located on a private road 0.4 mile west of State Road 652, said private road junctioning with State Road 652 at a point 0.3 mile south of the junction of State Roads 652 and 692.

Nansemond County. That portion of the county bounded by a line beginning at the intersection of the Nansemond and Isle of Wight County lines and State Road 612, thence extending southeast on State Road 612 to its intersection with the Seaboard Air Line Railroad tracks, thence east along the Seaboard Air Line Railroad tracks to its intersection with State Road 643, thence south along State Road 643 to its junction with U.S. Highway 58, thence northeast on U.S. Highway 58 to its junction with State Road 646, thence southeast on State Road 646 to its intersection with the Atlantic and Danville Railroad tracks, thence east along the Atlantic and Danville Railroad tracks to its intersection with the Virginia Electric Power Co.'s high tension lines near U.S. Highway 13, thence east along VEPCO's high tension lines to VEPCO's Suffolk Substation on State Road 604, thence along an imaginary line due east to its junction with the Jericho Canal of the Dismal Swamp, thence south along the western edge of the Dismal Swamp to the Virginia-North Carolina State line, thence west along the Virginia-North Carolina State line to the Blackwater River, thence north along the Blackwater River to the Nansemond County-Isle of Wight County line, thence northeast along said line to the point of beginning.

That portion of the county bounded by a line beginning at the point where State Road 125 and the Nansemond River intersect, thence extending north along the eastern shore of the Nansemond River to its junction with Hampton Roads, thence east along the southern shore of Hampton Roads to its intersection with the Nansemond County-city of Chesapeake boundary, thence south along said boundary to its intersection with State Road 337, thence west along State Road 337 to its junction with State Road 125, thence west along State Road 125 to the point of beginning.

The property owned by Aston, W. M., Jr., located on the east side of State Road 608, 0.2 mile north of the junction of State Roads 608 and 644.

The property owned by Ellis, Rachel Duke, located on a private road 0.2 mile north of the junction of said road and State Road 634, said junction being 0.5 mile northwest of the junction of State Roads 634 and 644.

The property known as the Mills E. Godwin, Sr., Estate, owned by Mills E. Godwin, Jr., Leah Otella Godwin, Mildred Elizabeth Godwin Knight, and Mary Lee Godwin Jones Estate, located on the east and west sides of State Road 125 immediately south of the junction of State Roads 620 and 125, and the north side of State Road 620 at the junction of State Roads 620 and 125.

The property owned by the city of Portsmouth, located on the south side of State Road 604, 1 mile southeast of the junction of State Roads 604 and 640.

The property owned by Savage, C. F., located on both sides of State Road 634, 0.4 mile northwest of the junction of State Roads 634 and 644.

The property owned by Smith, Ruth M., located on both sides of State Road 630, 0.7 mile east of the junction of State Roads 628 and 630.

The property owned by Warrington, Frank M., located on both sides of State Road 603, 1.9 miles east of the junction of State Roads 10 and 603.

The property owned by Wilkerson, George P., located on both sides of State Road 628, 0.3 mile east of the junction of State Roads 628 and 692.

The property owned by the Nicholas C. Wright Estate, located on State Road 620, 1.3 miles southeast of the junction of State Roads 620 and 628.

Southampton County. The property owned by Barrett, Harry G., Jr., located on the east and west sides of State Road 673, 0.4 mile west of the junction of State Roads 673 and 708.

The property owned by Barrett, Hugh A., located on the east side of State Road 678, 0.6 mile north of the junction of State Roads 678 and 684.

The property owned by John M. Camp, Jr., Olive Camp Johnson, and Virginia Camp Smith, located on the east side of U.S. Highway 258 at the junction of U.S. Highway 258 and State Road 690.

The property owned by Caroon, Earl N., located on the west side of State Road 678 at the junction of State Roads 678 and 684.

The property owned by James Chesley, Sr., and the Alice Lewis Beale Estate, located on the southeast side of State Road 684 and the northeast side of State Road 680 at the junction of State Roads 680 and 684.

The property owned by Cutler, George T., located on the east side of State Road 663, 0.1 mile north of the junction of State Roads 750 and 663.

The property owned by Everett, B. W., located on the north side of State Road 708 and on the west side of State Road 673, at the junction of State Roads 708 and 673.

The property owned by Everett, C. R., located on the northeast and southwest sides of State Road 678, 0.7 mile southeast of the junction of State Roads 678 and 677.

The property owned by Grant, Herman H., located on the south side of State Road 708, 2 miles west of the junction of State Roads 708 and 673.

The property owned by Greenbrier Farms, Inc., located on the west side of State Road 673, 0.6 mile south of the junction of State Roads 673 and 708.

The property owned by Lawrence, Mrs. Clarys McClenney, located on the west side of State Road 714, 1.5 miles northwest of the junction of State Roads 714 and 189.

The property owned by the Mrs. Lucy C. Myrick Estate, located on the north and south sides of State Road 708, 1.2 miles west of the junction of State Roads 673 and 708.

The property owned by Parker, Sarah O'Berry, located on the south side of State Road 678, 0.8 mile southeast of the junction of State Roads 678 and 673.

The property owned by Mrs. Thelma T. Simmons and the L. W. Simmons Estate, located on the east side of State Road 673, 0.2 mile south of the junction of State Roads 708 and 673.

The property owned by Mrs. Thelma T. Simmons and the L. W. Simmons Estate, located on the east side of State Road 673, 0.4 mile south of the junction of State Roads 708 and 673.

The property owned by Mrs. Thelma T. Simmons and the L. W. Simmons Estate, located on the north side of State Road 673 at the junction of State Roads 673 and 707.

The property owned by John B. Thorpe, Jr., and Rebecca R. Thorpe, located on the south side of State Road 708 and on the west side of State Road 673, at the junction of State Roads 673 and 708.

The property owned by George R. Whitley and Mildred D. Whitley, located on the northeast and southwest side of State Road 673, 0.5 mile north of the junction of State Roads 673 and 677.

The property owned by Worrell, Mrs. Alice, located on the east side of State Road 673 at the junction of State Roads 673 and 708.

Virginia Beach City. That portion of the city known as Knotts Island, situated in Back Bay on the North Carolina-Virginia State line.

The property owned by Ackiss, H. Clay, located on the west side of State Road 615, 1.3 miles south of the junction of State Roads 615 and 623.

The property owned by Barnes, Jessie L., located on both sides of State Road 615, 0.7 mile south of the junction of State Roads 615 and 670.

The property owned by Bright, Marion G., located on the northwest and southeast sides of State Road 777 at the southwest end of State Road 777.

The property owned by Broad Bay Manor, Inc., located on the north and south sides of State Road 690 at the junction of State Roads 615 and 690.

The property owned by the Fannie S. Brock Estate, located on a private road 0.2 mile east of State Road 615, said private road junctioning with State Road 615 at a point 0.2 mile south of the junction of State Roads 615 and 702.

The property owned by John R. and Fannie S. Brock, located on the east side of State Road 615, 0.1 mile south of the junction of State Roads 615 and 702.

The property owned by Brock, Nelson P., located on the east side of State Road 615 at the south junction of State Roads 615 and 627.

The property owned by Alex C. and Virginia S. Brown, located on the southeast side of State Road 190, 0.3 mile southwest of the intersection of State Roads 190 and 604.

The property owned by Clifton, Claudia May, located on the east and west sides of State Road 615, 0.2 mile north of the junction of State Roads 615 and 671.

The property owned by Craft, Roy A., located on the east side of State Road 615, 0.1 mile south of the south junction of State Roads 615 and 627.

The property owned by Cromwell, Starr W., located on the east side of State Road 615, 0.5 mile south of the junction of State Roads 615 and 702.

The property owned by Dey, John Furman, located on the northeast side of State Road 615, 1.1 miles southeast of the junction of State Roads 615 and 753.

The property owned by Christine E. Dixon, Marie Dixon Kight, Mildred Dixon Brinkley, Barbara Dixon Jones, Charles Joseph Dixon, Evelyn Dixon Kemp, Daniel I. Dixon, and Irving Dixon, located on the east and west sides of State Road 615 immediately south of the junction of State Roads 671 and 615.

The property owned by Dudley, Jesse T., located on the north side of State Road 670 at the junction of State Roads 615 and 670.

The property owned by Clyde O. and J. W. Freeman, located on the north side of State Road 621, 0.1 mile east of the junction of State Roads 615 and 621.

The property owned by Grinstead, Ernest F., located on the north and south sides of State Road 669, 0.2 mile west of Black Bay.

The property owned by James and Maude M. Hoggard, located on the east and west sides of State Road 615, and on the northwest and southeast sides of State Road 777, at the junction of State Roads 615 and 777.

The property owned by Lusk, Betty Salmons, located on the south side of State Road 759 at the junction of State Roads 663 and 759.

The property owner by Lusk, Betty Salmons, located on the east side of State Road 663, 0.3 mile southeast of the junction of State Roads 621 and 663.

The property owned by Lynnhaven Building Supply Corp., located on the south side of State Road 639, 0.9 mile west of the junction of State Roads 615 and 639.

The property owned by Henry E. and Alice E. Mosley, located on the east side of State Road 625, 0.1 mile north of the intersection of State Roads 624 and 625.

The property owned by the Ryland J. Murden Estate, located on the west side of State Road 615 and the south side of State Road 627, at the junction of State Roads 615 and 627.

The property owned by Murphy, L. L., located on the west side of State Road 603, 0.4 mile north of the junction of State Roads 603 and 624.

The property owned by Old, Margarette Hones, located on the northeast side of State Road 615, at the junction of State Roads 615 and 690.

The property owned by Old, Viola Edwards, located on a private road 0.3 mile east of State Road 615, said private road junctioning with State Road 615 at a point 0.3 mile north of the intersection of State Roads 615 and 640.

The property owned by N. Gorham Parks, Ann N. B. Parks, Diana Parks Hill, Dorothy D. Parks, and Diana T. Parks, located on the north side of State Road 649, 0.7 mile west of the junction of State Roads 647 and 649.

The property owned by Petree, J. G., located on the east side of State Road 634, 0.7 mile south of the junction of State Roads 634 and 858.

The property owned by Potter, John W., located on the east side of State Road 615, 0.1 mile south of the intersection of State Roads 615 and 640.

The property owned by the Princess Anne County Board of Supervisors, located on the south side of State Road 618 and on the east side of State Road 621, at the junction of State Roads 621 and 618.

The property owned by W. W. and Lucy F. Reaser, located on the southwest side of State Road 627, 1.4 miles northwest of the junction of State Roads 627 and 645.

The property owned by Salmons, A. Lee, located on the west side of State Road 615, 1 mile south of the south junction of State Roads 615 and 623.

The property owned by Smith, John W., located on the east and west sides of State Road 615, 0.2 mile south of the junction of 615 and the Virginia-North Carolina State line.

The property owned by Smith, William Crinshaw, located on the east side of State Road 615, 0.2 mile south of the junction of State Roads 615 and 616.

The property owned by Spence, Nettie F., located on the east side of State Road 615, 1.1 miles south of the south junction of State Roads 615 and 623.

The property owned by Virginia Beach Medical Center Inc., located on the east side of State Road 615, 0.3 mile north of the intersection of State Roads 615 and 640.

The property owned by Walke, Isaac T., Jr., located on the north side of State Road 649, 0.6 mile west of the junction of State Roads 647 and 649.

The property owned by Wallace, W. G., located on the west side of State Road 190, 0.4

mile southwest of the intersection of State Roads 190 and 603.

The property owned by Whitehurst, Grayson M., Jr., located on the east and west sides of State Road 615, 0.4 mile north of the intersection of State Roads 615 and 640.

The property owned by Grayson M. Whitehurst, Jr., located on the east side of State Road 615, 0.1 mile north of the intersection of State Roads 615 and 640.

The property owned by Widgeen, Leroy R., located on the east and west sides of State Road 615, 0.2 mile south of the junction of State Roads 630 and 615.

The property owned by Williams, Frank Tullie, located on the east side of State Road 631 and on the north side of State Road 619, at the junction of State Roads 621 and 619.

The property owned by Williams, Melvin M., located on the east side of State Road 625 and the north side of State Road 627 at the junction of State Roads 627 and 625.

The property owned by Williams, Melvin M., located on the east side of State Road 625 and the south side of State Road 627, at the junction of State Roads 627 and 625.

The property owned by Williams, Melvin M., located on the east side of State Road 625, 0.1 mile north of the junction of State Roads 625 and 627.

The property owned by Williams, Melvin M., located on the east side of State Road 625, 0.2 mile north of the junction of State Roads 625 and 627.

The property owned by Williams, Melvin M., located on the east side of State Road 625, 0.1 mile up a dirt path 0.1 mile north of the junction of State Roads 625 and 627.

The property owned by Williams, Tilford H., located on the east side of State Road 615, 0.4 mile north of the intersection of State Road 615 and the Virginia-North Carolina State line.

(Secs. 8 and 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 1506e; 29 F.R. 16210, as amended; 7 CFR 301.79-2)

This supplemental regulation shall become effective upon publication in the FEDERAL REGISTER when it shall supersede 7 CFR 301.79-2a, effective May 22, 1968.

The Director of the Plant Pest Control Division has determined that infestations of the soybean cyst nematode exist or are likely to exist in the civil divisions, parts of civil divisions, and premises listed above, or that it is necessary to regulate such areas because of their proximity to soybean cyst nematode infestations or their inseparability for quarantine enforcement purposes from soybean cyst nematode infested localities. The Director has determined that each of the quarantined States is enforcing a quarantine or regulation with restrictions on intrastate movement of the regulated articles substantially the same as the restrictions on interstate movement of such articles imposed by the quarantine and regulations in this subpart, and that designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the soybean cyst nematode. Accordingly, such civil divisions, parts of civil divisions and premises listed above, are designated as soybean cyst nematode regulated areas.

The purpose of this revision is to add parts of the following counties or parishes in the previously nonquarantined States: Escambia County in Florida; Vanderburgh County in Indiana; and

Richland and Tensas Parishes in Louisiana.

This revision also adds to the regulated areas in the quarantined States parts of the following previously nonregulated counties: Conway County in Arkansas; Lincoln, St. Charles, and St. Louis Counties in Missouri; Claiborne, Jefferson, Panola, Quitman, and Washington Counties in Mississippi; Beaufort, Edgecombe, Jones, Onslow, Pamlico, and Washington Counties in North Carolina; and Hardin and Henderson Counties in Tennessee. Additional areas are added in some previously regulated counties.

This document imposes restrictions which are necessary in order to prevent the dissemination of the soybean cyst nematode, and should be made effective promptly to accomplish their purposes in the public interest. Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to the foregoing regulation are impracticable and contrary to the public interest and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 3d day of January 1969.

[SEAL] D. R. SHEPHERD,
Director,
Plant Pest Control Division.

[F.R. Doc. 69-287; Filed, Jan. 8, 1969; 8:48 a.m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 27]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1969 and Succeeding Crop Years

CANNING AND FREEZING PEA ENDORSEMENT (APPLICABLE IN ALL STATES EXCEPT MINNESOTA AND WISCONSIN)

Correction

In F.R. Doc. 68-14698 appearing at page 18273 of the issue for Tuesday, December 10, 1968, in section 3 of § 401.17 preceding the entry "Caribou County" as a heading, insert the State "Idaho".

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

SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAM

PART 706—NAVAL STORES CONSERVATION

Subpart G—1969

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AUTHORITY, AVAILABILITY OF FUNDS, APPLICABILITY, AND ADMINISTRATION

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| 706.730 | Authority. |
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AUTHORITY: The provisions of this Subpart G issued under sec. 4, 49 Stat. 164, secs. 7-15, 16(a), and 17, 49 Stat. 1148, as amended; 16 U.S.C. 590d, 590g to 590o, 590p(a), and 590q.

Subpart G—1969

GENERAL PROVISIONS

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|-----------|------------------------------------|
| § 706.701 | Purposes and general requirements. |
|-----------|------------------------------------|

(a) *Purposes.* The purpose of the Naval Stores Conservation Program (hereinafter referred to as "this program") is to restrict turpentine to the more productive timber, to conserve the worked trees, to protect and permit undisturbed growth of the uncapped trees and to conserve the soil, water, and timber resources. Through the 1969 program the Federal Government will share with turpentine farmers the cost of carrying out approved conservation practices in accordance with the provisions of the regulations in this subpart and such

modifications thereof as may hereafter be made. Cost-shares are predicated upon the economic use and conservation of soil and timber resources on turpentine farms, and computed on the faces in the tract or drift where an approved conservation practice is carried out. This program provides cost-sharing for conservation practices only on turpentine farms having tracts or drifts of faces which were installed during, or after, the 1965 season.

(b) *General requirements.* No tract or drift can qualify for cost-sharing under more than one conservation practice other than as provided for under practices specified in §§ 706.715 and 706.716. In each of the practices the faces are to be worked sufficiently to obtain at least one dipping of gum from the current year's working.

§ 706.702 Required performance.

(a) *Approved conservation practices.* Each participating producer shall carry out at least one of the approved conservation practices in every tract or drift of faces operated by him during the 1969 turpentine season. This requirement will not apply if the U.S. Forest Service or State Forest Agency determines that the condition of a particular tract or drift does not warrant carrying out approved conservation practices as a practical or economic matter, in which case the U.S. Forest Service or State Forest Agency may approve face installations made without carrying out a conservation practice. In cases where such approval is given for specific tracts or drifts of the turpentine farm, no cost will be shared for any faces in such tracts or drifts.

(b) *Practice components.* Cost-sharing may be approved under the 1969 program for only the component parts of the practices which are completed during the program year. The producer must complete all the remaining components of the practice in accordance with good forestry practices and all applicable requirements of this program to be eligible for cost-sharing under a subsequent program. Separate rates of cost-sharing have been established for each component part of each practice.

(c) *First year working.* The cost-share for this component is applicable to tracts or drifts having only eligible virgin working faces, i.e., faces installed for the first working during the 1969 season. If faces have been installed contrary to the requirements for eligible faces, the cups and tins for such faces shall be removed within 60 days after the producer is notified by the U.S. Forest Service or State Forest Agency, or the tract or drift will be considered only for qualification for cost-shares under the practice with the next lower rate of payment.

(d) *Second, third, fourth, or fifth year working.* The cost-shares for working of faces for second, third, fourth, or fifth years are applicable under the 1969 program to faces which were installed and met the eligible face requirements during the 1965, 1966, 1967, or 1968 season. Such cost-shares may also be allowed to new participating producers

working tracts or drifts which had some undersized trees from which cups have been removed by the time of first elevation. New faces installed in 1969 and those installed in 1969 or prior years contrary to the requirements for eligible faces will disqualify the tracts or drifts for cost-sharing, unless the cups and tins on such faces shall be removed within 60 days after the producer is notified by the U.S. Forest Service or State Forest Agency. If such faces are not removed within the 60-day period, there may be withheld or required to be refunded the entire cost-shares for the tract or drift previously paid to the producer who installed the improper faces.

(e) *Practices under §§ 706.709, 706.710, 706.711, 706.712, 706.713, 706.714, 706.715, or 706.717 which require more than 1 year for completion.* Cost-shares may be approved under this program for the completion of a component of a practice only on the condition that the producer agrees in writing to complete the remaining components of the practice according to program provisions and within the time prescribed by the U.S. Forest Service, unless prevented from doing so by reasons beyond his control, or to refund the cost-shares paid to him. The extension of the period for completion of the components shall not constitute a commitment to approve cost-shares therefor under a subsequent program. Approval of cost-sharing for other practices under a subsequent program may also be denied until the remaining components are completed.

§ 706.703 Double-headed nails requirement.

Use of double-headed nails is required in the elevation of all cups and tins.

§ 706.704 Fire protection.

Each producer shall during the 1969 turpentine season cooperate with any existing cooperative fire control system serving the general area where his turpentine farm is located, unless he is otherwise following approved forest fire protection on his turpentine farm.

§ 706.705 Bark-bar requirement.

No back face shall be worked on any tree unless a live bark-bar on each side of the back face is provided and maintained throughout the 1969 turpentine season, the total of the two bark-bars being not less than 7 inches in width, measured horizontally along the bark surface at the narrowest point: *Provided, however,* That the restriction with respect to the width of the bark-bar shall not apply to any tree which has on it two or more old faces, including any back face installed prior to 1969. Faces having bark-bars totaling less than 7 inches shall not be worked in a manner that will result in leaving bark-bars less than those of former workings measured at the narrowest point.

§ 706.706 Inspection assistance.

Each producer shall assist representatives of the U.S. Forest Service or State Forest Agency in the administration of this program by:

(a) Giving them free access to his turpentine farm or farms;

(b) Counting all faces and reporting separately thereon by tracts and drifts to the local inspector;

(c) Furnishing information on burned areas, cutting operations, and interest in other turpentine farms as requested;

(d) Furnishing competent labor to assist the local inspector in counting faces;

(e) Submitting an application for payment of Federal cost-shares (Form 3200-3) and other prescribed forms;

(f) Notifying the U.S. Forest Service or State Forest Agency promptly of any change in ownership, control, or number of faces worked; and

(g) Otherwise facilitating the work of the local inspector in checking compliance with the terms and conditions of this program.

CONSERVATION PRACTICES AND RATES OF FEDERAL COST-SHARES

§ 706.709 Practice 1: Working only 9-inch d.b.h. or larger trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on 9 inch d.b.h. or larger trees over a period of 2 to 5 years.

(b) *Eligible faces.* Trees in which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 9 inches d.b.h. and only one face on trees less than 14 inches d.b.h.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of 9-inch d.b.h. or larger trees; 2 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 1 cent per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the trees; one-half cent per face. This component is not applicable where § 706.715 is used.

§ 706.710 Practice 2: Working only 10-inch d.b.h. or larger trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on 10-inch d.b.h. or larger trees over a period of 2 to 5 years.

(b) *Eligible faces.* Trees on which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 10 inches d.b.h. and only one face on trees less than 14 inches d.b.h.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and the rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of 10-inch d.b.h. or larger trees; 6 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 5 cents per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the tree; one-half cent per face. This component is not applicable where § 706.715 is used.

§ 706.711 Practice 3: Working only 11-inch d.b.h. or larger trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on 11-inch d.b.h. or larger trees over a period of 2 to 5 years.

(b) *Eligible faces.* Trees on which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 11 inches d.b.h. and only one face on trees less than 14 inches d.b.h.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of 11-inch d.b.h. or larger trees; 7 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 5 cents per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the tree; one-half cent per face. This component is not applicable where § 706.715 is used.

§ 706.712 Practice 4: Working only 12-inch d.b.h. or larger trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on 12-inch d.b.h. or larger trees over a period of 2 to 5 years.

(b) *Eligible faces.* Trees on which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 12 inches d.b.h. and only one face on trees less than 14 inches d.b.h.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of 12-inch d.b.h. or larger trees; 8 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 5 cents per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the tree; one-half cent per face. This component is not applicable where § 706.715 is used.

§ 706.713 Practice 5: Restricting turpentining to previously worked trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins over a period of 2 to 5 years only on trees having a previously worked face.

(b) *Eligible faces.* Trees on which faces are installed shall be selected in a

manner that will result in having no faces on round trees.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of faces on previously worked trees; 9 cents per face.

(2) Working of faces for second, third, fourth, or fifth year; 5 cent. per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the tree; one half cent per face. This component is not applicable where § 706.715 is used.

§ 706.714 Practice 6: Working only selectively marked trees.

(a) *Description of practice.* This practice consists of installing and working faces and raising the cups and tins on selectively marked trees over a period of 2 to 5 years.

(b) *Eligible faces.* Only trees 9 inches or more d.b.h. which should be removed to improve the timber stand may be cupped and there shall be only one face on trees less than 14 inches d.b.h. Cupping shall be limited to trees selectively marked in advance in accord with good, approved timber management practices to insure production of larger diameter class timber or to provide other stand improvement measures as approved by the U.S. Forest Service: *Provided*, That the number of remaining uncupped trees per acre shall average at least the minimum number per acre specified by the U.S. Forest Service in its Minimum Stocking Guide issued June 4, 1956, as amended, and be well distributed over the area.

(c) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof shall be as follows:

(1) Initial installation and first year working of selectively marked trees; 9 cents per face. If faces have been installed contrary to the requirements for eligible faces, the area will be considered only for qualification for cost-shares under one of the diameter cupping practices, specified in § 706.709, § 706.710, § 706.711, or § 706.712.

(2) Working of faces for second, third, fourth, or fifth year; 5 cents per face.

(3) Initial use of double-headed nails in the initial installation or in the raising of cups and tins to conserve the worked portion of the tree; one-half cent per face. This component is not applicable where § 706.715 is used.

§ 706.715 Practice 7: Initial use of spiral gutters or Varn aprons and double-headed nails.

(a) *Purpose.* The purpose of this practice is to minimize damage to the tree in installing faces for the virgin year or in the first elevation and to conserve the worked portion of the tree.

(b) *Description of practice:* This practice consists of using spiral gutters or Varn aprons attached with double-headed nails when cups and tins are ini-

tially installed on the face or when cups and tins are elevated for the first time.

(c) *Eligible faces:* Faces on trees installed to meet the requirements of §§ 706.709, 706.710, 706.711, 706.712, 706.713, 706.714, and 706.717 may qualify for this practice, the cost-share for which is in addition to the aforesaid sections.

(d) *Rate of cost-sharing:* The rate of cost-sharing for this practice is 2 cents per face.

(e) This practice is limited to tracts or drifts having only virgin working faces, i.e., faces installed for the first working during the 1969 season or faces upon which the cups and tins are elevated for the first time during the 1969 season. On accepting cost-sharing for this practice the producer agrees to use the spiral gutter or Varn apron and double-headed nails to attach the tins in all subsequent raisings and attachment of tins to the face.

(f) Cups and tins shall be installed in a manner that will minimize the loss of gum and restrict amount of damage to the tree. Spiral gutters or Varn aprons shall be used and the tins shall be attached to the tree with double-headed nails. In smoothing the tree and seating the cup for virgin installation, exposure of wood shall be limited to areas on the tree having burls, ridges, or other deformities.

§ 706.716 Practice 8: Removal of cups and tins from faces on small trees.

(a) *Purpose.* The purpose of this practice is to encourage producers who have not participated in the 1967 or 1968 programs to discontinue working small unproductive trees, to promote improved naval stores and forestry practices, and to improve productivity of the woodland.

(b) *Description of practice.* This practice consists of removing the cups and tins and discontinuing the working of small unproductive timber and meeting all other requirements for participation in this program.

(c) *Eligible faces.* All faces installed for the first working in 1969 on trees under 9 inches d.b.h. and all but one face on trees between 9 and 14 inches d.b.h. having two or more faces shall be eligible. Working of faces shall be discontinued and cups and tins removed by tracts or drifts within 60 days after the producer is notified by the U.S. Forest Service or State Forest Agency to meet the eligible face requirements of § 706.709. Only producers who did not participate in the 1967 or 1968 programs are eligible for cost-sharing under this practice.

(d) *Rate of cost-sharing.* The rate of cost-sharing for this practice is 8 cents per face. (The cost-share is applicable to faces discontinued by removal of cups and tins to permit the tract or drift to meet the eligible face requirements of § 706.709.)

§ 706.717 Practice 9: Pilot plant tests of new methods and equipment.

(a) *Purpose.* The purpose of this practice is to conduct controlled demonstrations or experiments to test values of management practices, new methods and equipment for gum production.

(b) *Description of practice.* This practice consists of carrying out practical demonstrations or tests of management practices, new methods or equipment according to requirements of the U.S. Forest Service.

(c) *Eligible faces.* Only faces or check trees in selected tracts used in controlled demonstrations or tests carried out in accordance with provisions prescribed by the U.S. Forest Service are eligible for cost-sharing.

(d) *Components of practice and rates of cost-sharing.* Components of the practice and rates of cost-sharing thereof are as follows:

(1) Eight cents per face for faces meeting the requirements of § 706.709.

(2) Eleven cents per face for faces meeting the requirements of §§ 706.710, 706.711, 706.712, 706.713, and 706.714.

GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING

§ 706.718 Increase in small Federal cost-shares.

The total of the payment computed for any producer with respect to his turpentine farm under the Naval Stores Conservation Program and the cost-share computed for him on the same farm under the Agricultural Conservation Program for practices other than practice F-4 (§ 701.94) shall be increased as follows: (a) Any Federal cost-sharing amounting to 71 cents or less shall be increased to \$1; (b) any Federal cost-sharing amounting to more than 71 cents but less than \$1 shall be increased by 40 percent; (c) any Federal cost-sharing amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of cost-shares computed:	Increase in cost-shares
\$1.00 to \$1.99	\$0.40
\$2.00 to \$2.99	.80
\$3.00 to \$3.99	1.20
\$4.00 to \$4.99	1.60
\$5.00 to \$5.99	2.00
\$6.00 to \$6.99	2.40
\$7.00 to \$7.99	2.80
\$8.00 to \$8.99	3.20
\$9.00 to \$9.99	3.60
\$10.00 to \$10.99	4.00
\$11.00 to \$11.99	4.40
\$12.00 to \$12.99	4.80
\$13.00 to \$13.99	5.20
\$14.00 to \$14.99	5.60
\$15.00 to \$15.99	6.00
\$16.00 to \$16.99	6.40
\$17.00 to \$17.99	6.80
\$18.00 to \$18.99	7.20
\$19.00 to \$19.99	7.60
\$20.00 to \$20.99	8.00
\$21.00 to \$21.99	8.20
\$22.00 to \$22.99	8.40
\$23.00 to \$23.99	8.60
\$24.00 to \$24.99	8.80
\$25.00 to \$25.99	9.00
\$26.00 to \$26.99	9.20
\$27.00 to \$27.99	9.40
\$28.00 to \$28.99	9.60
\$29.00 to \$29.99	9.80
\$30.00 to \$30.99	10.00
\$31.00 to \$31.99	10.20
\$32.00 to \$32.99	10.40
\$33.00 to \$33.99	10.60
\$34.00 to \$34.99	10.80
\$35.00 to \$35.99	11.00
\$36.00 to \$36.99	11.20
\$37.00 to \$37.99	11.40

Amount of cost-shares computed:	Increase in cost-shares
\$38.00 to \$38.99	11.60
\$39.00 to \$39.99	11.80
\$40.00 to \$40.99	12.00
\$41.00 to \$41.99	12.10
\$42.00 to \$42.99	12.20
\$43.00 to \$43.99	12.30
\$44.00 to \$44.99	12.40
\$45.00 to \$45.99	12.50
\$46.00 to \$46.99	12.60
\$47.00 to \$47.99	12.70
\$48.00 to \$48.99	12.80
\$49.00 to \$49.99	12.90
\$50.00 to \$50.99	13.00
\$51.00 to \$51.99	13.10
\$52.00 to \$52.99	13.20
\$53.00 to \$53.99	13.30
\$54.00 to \$54.99	13.40
\$55.00 to \$55.99	13.50
\$56.00 to \$56.99	13.60
\$57.00 to \$57.99	13.70
\$58.00 to \$58.99	13.80
\$59.00 to \$59.99	13.90
\$60.00 to \$185.99	14.00
\$186.00 to \$199.99	(1)
\$200.00 and over	(2)

¹ Increase to \$200.

² No increase.

§ 706.719 Maintenance of practices.

The sharing of costs by the Federal Government for performance of approved practices included in this program will be subject to the condition that the producer with whom the costs are shared will maintain such practices in accordance with good forestry practices as long as the timber remains under his control. There may be withheld or required to be refunded all cost-shares under this program or previous programs on tracts or drifts in which failure to maintain any or all practices occurs, except as modified by this section or § 706.702(d). The producer shall not be expected to maintain and complete the practice when prevented by destruction of the timber by fire, weather, insects, diseases, or other conditions beyond his control. Measures which will be considered as failure to maintain practices in accordance with good forestry practices shall include, but are not restricted to the following:

(a) The cutting contrary to good forestry practices of turpentine trees in tracts or drifts (including current non-working areas) on which costs have been or would be shared under this or the 1965, 1966, 1967, or 1968 program. There may be withheld or required to be refunded the amount previously paid for each face for which costs were shared in 1965, 1966, 1967, 1968, or 1969 in the tracts or drifts in which such cutting occurs. Conformity to the following rules shall be considered good cutting practice:

(1) When turpentine trees are cut for thinnings at least the minimum number of trees per acre specified in the Minimum Stocking Guide issued by the U.S. Forest Service June 4, 1956, as amended, shall be left uncut and undamaged and well distributed over the cutting area.

(2) When turpentine trees are cut in a harvest cutting, at least 400 turpentine trees per acre shall be left uncut and undamaged and well distributed over the cutting area, or a minimum of the following number or combination of numbers

of thrifty turpentine seed trees per acre: 9 inches or over d.b.h.—8 trees, 8 inches d.b.h.—9 trees, or 7 inches d.b.h.—12 trees, shall be left uncut and undamaged, or if clearcut, artificial planting of at least 500 trees per acre will be accomplished prior to April 1, 1972.

(b) Raising cups and tins without double-headed nails. There may be withheld or required to be refunded all of the cost-shares earned under this or previous programs on the tracts or drifts in which such improper raising occurs.

(c) Picking up additional faces after the first year's working will disqualify the tract or drift for any further cost-sharing, unless the hardware is removed to limit the working to one age class of faces. Such removal must be accomplished within 60 days of notification by the U.S. Forest Service or State Forest Agency.

(d) Failure to meet bark-bar requirement. There may be withheld or required to be refunded all or any part of cost-shares earned under this program on the tracts or drifts in which such improper chipping occurs.

(e) The burning by the producer on any tract or drift of his turpentine farm which will destroy natural reforestation on land which is not fully stocked with turpentine trees or which will result in damage to established turpentine tree reproduction. There may be withheld or required to be refunded all or any part of cost-shares earned under this program on the tracts or drifts in which such improper burning occurs.

(f) The installation of new faces on round trees less than 9 inches d.b.h. or more than one face on round trees between 9 and 14 inches d.b.h. in tracts or drifts having working faces installed during or prior to the 1964 turpentine season. There may be withheld or required to be refunded 2 cents per face for each working face installed during or prior to 1964 in the tracts or drifts in which such installation occurs.

§ 706.720 Practices defeating purposes of programs.

If the U.S. Forest Service or State Forest Agency find that any producer has adopted or participated in any practice which tends to defeat the purposes of this program or previous programs, it may withhold or require to be refunded all or any part of any cost-share which has been or otherwise would be made to such producer under this program, except as modified by § 706.702(d) or § 706.719.

§ 706.721 Federal cost-shares not subject to claims.

Any Federal cost-share, or portion thereof, due any person shall be determined and allowed without regard to questions of title under State law; without deduction of claims for advances (except as provided in § 706.722 and except for indebtedness to the United States subject to set-off under order issued by the Secretary (Part 13 of this title)) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

§ 706.722 Assignments.

Any producer who may be entitled to any Federal cost-share under the 1969 program may assign his right thereto, in whole or in part, in accordance with the regulations governing the assignment of payments, Part 709 of this chapter, as amended.

§ 706.723 Death, incompetency, or disappearance of producer.

In case of the death, incompetency, or disappearance of any producer, the cost-share due him shall be paid to his successor, as determined in accordance with the regulations in Part 707 of this chapter, as amended.

§ 706.724 Maximum Federal cost-share limitation.

For practices other than practice F-4 (§ 701.94), the total of all Federal cost-shares under this program and the 1969 Agricultural Conservation Program to any person with respect to farms, ranching units, and turpentine places in the United States, Puerto Rico, and the Virgin Islands for approved practices which are not carried out under pooling agreements shall not exceed the sum of \$2,500, and for all approved practices, including those carried out under pooling agreements, shall not exceed the sum of \$10,000. The rules for applying the maximum Federal cost-share limitation contained in the regulations governing the Agricultural Conservation Program, Part 701 of this chapter, shall be applicable to this program.

§ 706.725 Evasion.

All or any part of any Federal cost-share which has been or otherwise would be made to any producer participating in this program may be withheld or required to be refunded if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means which was designed to evade the provisions of § 706.724.

APPLICATION FOR PAYMENT OF FEDERAL COST-SHARES

§ 706.726 Persons eligible to file application for payment of Federal cost-shares.

An application for payment of Federal cost-shares may be filed by any producer who contributed to the performance of any approved Naval Stores Conservation practice and is working faces for the production of gum naval stores, during the 1969 turpentine season, which were installed during or after the 1965 season. If it is determined that two or more producers contributed to carrying out the practice the Federal cost-shares shall be divided among such producers in the proportion which the Program Supervisor determines they contributed to carrying out the practice. In making this determination, the Program Supervisor shall take into consideration the value of the labor, equipment, or material contributed by each person

toward the carrying out of each practice on a particular acreage, and shall assume that each contributed equally unless it is established to the satisfaction of the Program Supervisor that their respective contributions thereto were not in equal proportion. The furnishing of land, trees, or the right to use water will not be considered as a contribution to the carrying out of any practice.

§ 706.727 Time and manner of filing applications and required information.

Payment of Federal cost-shares will be made only when a report of performance is submitted to the U.S. Forest Service or State Forest Agency on or before December 31, 1969, on the prescribed Form (3200-3) Application for Payment. Payment of Federal cost-shares may be withheld from any producer who fails to file any form or furnish any information required with respect to any turpentine farm which is being operated by him.

§ 706.728 Appeals.

Any producer may, within 15 days after notice thereof is forwarded to or made available to him, request the Southeastern Area Director in writing to review the recommendation or determination of the Program Supervisor in any matter affecting the right to or the amount of his Federal cost-shares with respect to the producer's turpentine farm. The Southeastern Area Director shall notify the producer of his decision in writing within 60 days after the submission of the appeal. If the producer is dissatisfied with the decision of the Southeastern Area Director he may, within 15 days after the decision is forwarded to or made available to him, request the Chief of the U.S. Forest Service to review the case and render his decision, which shall be final.

DEFINITIONS

§ 706.729 Definitions.

(a) *Gum naval stores.* Crude gum (oleoresin), gum turpentine and gum rosin produced from living trees.

(b) *Producer or turpentine farmer.* Any person, firm, partnership, corporation, or other business enterprise doing business as a single legal entity, producing gum naval stores from turpentine trees controlled through fee ownership, cash lease, percentage lease, share lease, or other form of control.

(c) *Turpentine tree.* Any tree of either of the two species, longleaf pine (*Pinus palustris*) or slash pine (*Pinus elliotii* Engelm).

(d) *Turpentine farm.* This includes (1) land growing turpentine trees, owned or leased by a producer in one general locality, which are currently being worked for gum naval stores, herein referred to as a working area; and (2) all commercially valuable or potentially valuable forest land, owned by a producer on which turpentine trees are growing and which are not being currently worked for gum naval stores, herein referred to as a nonworking area.

(e) *Tract.* A portion of a working area having a continuous stand of trees sup-

porting faces of one age class or intermingled age classes.

(f) *Drift.* A portion or subdivision of a tract set apart for convenience of operation or administration.

(g) *Turpentine season.* The entire calendar year, or, if a farm is operated less than the full calendar year, that period within the calendar year during which a producer is operating his turpentine farm for the production of gum naval stores.

(h) *Face.* The whole wound or aggregate of streaks made by chipping, streaking, or pulling the live tree to stimulate the flow of crude gum (oleoresin), herein referred to as gum.

(i) *Cup.* A container made of metal, clay, or other material hung on or below the face to accumulate the flow of gum.

(j) *Tins.* The gutters or aprons, made of sheet metal or other material, used to conduct the gum from a face into a cup.

(k) *D.b.h.* Diameter breast height; i.e., diameter of tree measured $4\frac{1}{2}$ feet from the ground.

(l) *Round tree.* Any tree which has not been faced or scarred.

(m) *Scarred tree.* A tree having an idle face not over 36 inches in vertical measurement from the shoulder of the first streak to the shoulder of the last streak.

(n) *Worked-out face.* An idle face which is 60 inches or more in vertical measurement between the shoulder of the first streak and the shoulder of the last streak, or dry face.

(o) *Back face.* A face placed on a tree having a previously worked face.

(p) *Spiral gutter.* A curved gutter that follows a spiral path around the tree.

(q) *Varn apron.* A curved two-piece adjustable apron with tacking flange.

(r) *Double-headed nail.* A nail with two heads meeting minimum specifications as follows: The overall length shall be $1\frac{3}{4}$ inches; distance between heads a minimum of one-fourth inch; its wire gauge no smaller than 13; the driving head shall be of the flat "Common Nail" type with diameter between five thirty-seconds and one-fourth inches and diameter of clinching head one-fourth inch. (Double-headed nails specially designed for naval stores use are produced commercially by several manufacturers. Experience has shown that the use of double-headed nails meeting these specifications is satisfactory and meets the requirements for any type of installation and easy removal from the trees.)

(s) *Virgin streak.* The first chipping of the tree following initial installation of the face.

(t) *Hardware.* All gutters, aprons, or metal strips of any kind whatsoever together with nails used to support same and nails used to support cups for the collection of raw gum resin.

(u) *State Forest Agency.* State Forester or comparable State official who has entered into a cooperative agreement with the U.S. Forest Service to provide technical assistance in carrying out this program.

**AUTHORITY, AVAILABILITY OF FUNDS,
APPLICABILITY, AND ADMINISTRATION**

§ 706.730 Authority.

This program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 15, 16(a), and 17, of the Soil Conservation and Domestic Allotment Act, as amended.

§ 706.731 Availability of funds.

(a) The provisions of this program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the paying of the Federal cost-shares herein provided for is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such Federal cost-shares will necessarily be within the limits finally determined by such appropriation and by the extent of participation in this program.

(b) The funds provided for this program will not be available for the payment of applications filed after December 31, 1970.

(c) If the total estimated cost-shares under the Naval Stores Conservation Program exceed the total funds available for cost-sharing, such cost-shares will be reduced equitably.

§ 706.732 Applicability.

(a) The provisions of this program are not applicable to any turpentine operations within the public domain of the United States, including the lands and timber owned by the United States which were acquired or reserved for conservation purposes, or which are to be retained permanently under Government ownership (such lands include, but are not limited to lands owned by the United States which are administered by the U.S. Forest Service of the Department of Agriculture or by the U.S. Fish and Wildlife Service of the Department of the Interior).

(b) This program is applicable to:

(1) Turpentine farms on privately owned lands;

(2) Lands owned by a State or political subdivision or agency thereof; or

(3) Lands owned by corporations which are either partly or wholly owned by the United States provided such lands are temporarily under such government or corporation ownership and are not acquired or reserved for conservation purposes. (These include lands administered by the Farmers Home Administration, the Federal Farm Mortgage Corporation, a Production Credit Association, or the U.S. Department of Defense, and lands administered by any other agency complying with all of the foregoing provisions for eligibility.)

§ 706.733 Administration.

The U.S. Forest Service shall have charge of the administration of this program and is hereby authorized to prepare and to issue such bulletins, instructions, and forms, and to make such determinations, as may be required to administer this program pursuant to the provisions

of the regulations in this subpart and the field work shall be administered by the U.S. Forest Service through the office of the Southeastern Area Director, U.S. Forest Service, 50 Seventh Street NE., Atlanta, Ga. 30323. Information concerning this program may be secured from the U.S. Forest Service, 509 North Patterson Street, Valdosta, Ga. 31601, its representatives or from State Forest Agency offices in Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas.

Done at Washington, D.C., this 2d day of January 1969.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 69-288; Filed, Jan. 8, 1969;
8:48 a.m.]

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

[Navel Orange Reg. 164]

**PART 907—NAVEL ORANGES
GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA**

Limitation of Handling

§ 907.464 Navel Orange Regulation 164.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit

information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 7, 1969.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period January 10, 1969, through January 16, 1969, are hereby fixed as follows:

- (i) District 1: 720,000 cartons;
- (ii) District 2: 117,000 cartons;
- (iii) District 3: 63,000 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: January 8, 1969.

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

[F.R. Doc. 69-372; Filed, Jan. 8, 1969;
11:21 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

**SUBCHAPTER A—GENERAL
[No. 22, 486]**

PART 509—RULES OF PRACTICE AND PROCEDURE

Adjudications Under Administrative Procedure Act; Hearings

JANUARY 3, 1969.

Resolved that for the purpose of implementing paragraph (a) (2) (D) of section 408 of the National Housing Act (12 U.S.C. 1730a(a) (2) (D)), as amended by Public Law 90-255, February 14, 1968, which provides that opportunity for hearing shall be allowed prior to a determination that a person exercises a controlling interest over an institution or company, Part 509 is amended by the revision of § 509.1(e) and the amendment of § 509.8 (a), (b), and (d) by the addition of a reference to the hearing provision in Part 583 of this Title to read as follows, effective January 9, 1969:

§ 509.1 Scope of regulations.

This part prescribes rules of practice and procedure applicable to adjudicative proceedings as to which hearings are provided by the following statutory provisions:

(a) Hearings under paragraph (2) (D) of subsection (a) of section 408 of the National Housing Act, as amended (12 U.S.C. 1730(a)(2)(D)), to determine whether any person directly or indirectly exercises a controlling influence over the management or policies of an insured institution or any other company.

§ 509.7 Subpenas.

(d) *Attendance of witnesses.* The attendance of witnesses and the production of documents pursuant to a subpoena, issued in connection with a hearing provided for in Parts 550, 565, 566, or in § 583.26 of this chapter, may be required from any place in any State or in any territory at any designated place where the hearing is being conducted. Witnesses subpoenaed in any proceeding under this part shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States.

§ 509.8 Depositions.

(a) *Upon order of the presiding officer.* In connection with any hearing provided for in Parts 550, 565, 566, or in § 583.26 of this chapter, the presiding officer, by subpoena or subpoena duces tecum, may order evidence to be taken by oral deposition at any stage of any proceeding. Such deposition may be taken before the presiding officer or before any person designated by the presiding officer and have power to administer oaths. Unless notice is waived, no such deposition shall be taken except after at least 5 days notice to each of the parties to the proceeding.

(b) *Application and order to take oral deposition.* Any party desiring to take the oral deposition of a witness, in connection with any hearing provided for in Parts 550, 565, 566, or in § 583.26 of this chapter, shall make application in writing to the presiding officer or, in the event he is unavailable, to the Board, setting forth the reasons why such deposition should be taken, the name and post office address of the witness, the matters concerning which the witness is expected to testify, the relevancy thereof, and the time when, the place where, and the name and post office address of the person before whom it is desired the deposition be taken. A copy of such application shall be served upon every other party to the proceeding by the party making such application. Upon a showing that (1) the proposed witness will be unable to attend or may be prevented from attending the hearing because of age, sickness or infirmity, or will otherwise be unavailable at the hearing, (2) his testimony will be relevant, and (3) the taking of the deposition will not result in any undue burden to any other party or in undue delay of the proceeding, the presiding officer or the

Board may, in his or its discretion, by subpoena or subpoena duces tecum order the oral deposition to be taken. Such subpoena will name the witness whose deposition is to be taken and specify the time when, the place where and the person (hereinafter in this section referred to as "the officer") before whom the witness is to testify but such time and place, and the officer, may or may not be the same as those named in the application. Notice of the issuance of such subpoena shall be served upon each of the parties a reasonable time, and in no event less than 5 days, in advance of the time fixed for the taking of the deposition.

(Public Law 90-255, 12 U.S.C. 1730a)

Resolved further that, since the foregoing amendment applies to rules of procedure and practice it may be adopted without prior publication and notice of formal public rule making proceedings.

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 69-267; Filed, Jan. 8, 1969;
8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 8649]

PART 13—PROHIBITED TRADE PRACTICES

Federated Wholesalers Service, et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*: 13.15-260 *Retailer as wholesaler, jobber, factory distributor*; § 13.155 *Prices*: 13.155-80 *Retail as cost, wholesale, discounted, etc.* Subpart—Misrepresenting oneself and goods—*Business status, advantages or connections*: § 13.1550 *Retailer as wholesaler, jobber, or factory distributor*; *Misrepresenting oneself and goods—Prices*: § 13.1820 *Retail as cost, wholesale, etc., or discounted*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 USC 45) [Modified order to cease and desist, Federated Nationwide Wholesalers Service, Garydean Corp., trading under Federated Wholesalers Service, etc., Lynbrook, N.Y., Docket 8649, Dec. 4, 1968]

In the Matter of Federated Nationwide Wholesalers Service, Garydean Corp., a Corporation Trading Under the Names Federated Wholesalers Service, Nationwide Wholesalers Service, and Nationwide-Federated Wholesalers Service, Jay Norris Corp., a Corporation, and Joel Jacobs and Mortimer Williams, Individually and as Officers of Said Corporations

Order modifying an earlier order dated June 16, 1967, 32 F.R. 10840, which

charged a Lynbrook, N.Y., mail order catalog merchandiser with deceptive pricing and other misrepresentations, by removing, pursuant to a decision of the Court of Appeals, Second Circuit, 398 F. 2d 253, a proviso shifting the burden of proof from the second paragraph of the order, rewording paragraph which uses "wholesale" and "low wholesale prices," and deleting the paragraph dealing with representations as to savings available to purchasers.

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

Now, therefore, it is hereby ordered, That the aforesaid order of the Commission to cease and desist be, and it hereby is, modified in accordance with the said final decree of the court of appeals to read as follows:

It is further ordered, That Federated Nationwide Wholesalers Service, Garydean Corp., a corporation, trading under the names Federated Wholesalers Service, Nationwide Wholesalers Service, and Nationwide-Federated Wholesalers Service or under any other name or names, Jay Norris Corp., a corporation, and their officers, and Joel Jacobs and Mortimer Williams, individually and as officers of each of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of electric fry pans, electric broilers, clock-radios, electric can openers, jewelry, clothing, dinnerware, or any other articles of merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication in any advertising, including all advertising circulars, lists of wholesalers, or catalogs distributed by Federated Nationwide Wholesalers Service, Garydean Corp., or otherwise representing directly or by implication that an article of merchandise is being offered for sale at the lowest wholesale price unless the article is being offered for sale at the lowest price paid by retailers for such merchandise to any source of supply.

2. Representing, directly or by implication, in any advertising, including all advertising circulars, lists of wholesalers, or catalogs distributed by Federated Nationwide Wholesalers Service, Garydean Corp., or otherwise representing, directly or by implication that respondents are wholesalers, or that they sell articles of merchandise at wholesale prices or at low wholesale prices, unless at the times such representations are made, they in fact:

(a) Make a substantial and significant number of sales to retailers in the ordinary course of business, and

(b) The prices represented to be wholesale or low wholesale prices, do not exceed the prices usually and customarily paid by retailers for such merchandise to any source of supply, when purchased in the quantity offered for sale by respondents.

It is further ordered, That respondents shall, within sixty (60) days after serv-

ice upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist set forth herein.

Issued: December 4, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-257; Filed, Jan. 8, 1969;
8:46 a.m.]

[Docket No. C-1462]

PART 13—PROHIBITED TRADE PRACTICES

Furs by William Greenberg, Inc.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*; § 13.1053-35 *Fur Products Labeling Act*. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*; § 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements*; § 13.1212-30 *Fur Products Labeling Act*; § 13.1325 *Source or origin*; § 13.1325-70 *Place*; § 13.1325-70(g) *Imported product or parts as domestic*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Furs by William Greenberg, Inc., New York, N.Y., Docket C-1462, Dec. 6, 1968]

In the Matter of Furs By William Greenberg, Inc., a Corporation, and William Greenberg, Individually and as an Officer of Said Corporation

Consent order requiring a New York City manufacturing furrier to cease misbranding and falsely invoicing its fur products, and issuing false guaranties that its fur products were not misbranded, falsely invoiced or advertised.

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

It is ordered, That respondents Furs By William Greenberg, Inc., a corporation, and its officers, and William Greenberg, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation, or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

1. Failing to affix a label to such fur product showing in words and in figures plainly legible all of the information re-

quired to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Falsely or deceptively labeling or otherwise falsely or deceptively identifying such fur product as to the country of origin of furs contained in such fur product.

B. Falsely or deceptively invoicing any fur product by:

1. Failing to furnish an invoice as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Failing to set forth the term "natural" as part of the information required to be disclosed on an invoice under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

It is further ordered, That respondents Furs By William Greenberg, Inc., a corporation, and its officers, and William Greenberg, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any fur product is not misbranded, falsely invoiced, or falsely advertised when the respondents have reason to believe that such fur product may be introduced, sold, transported, or distributed in commerce.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

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

Issued: December 6, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-258; Filed, Jan. 8, 1969;
8:46 a.m.]

[Docket No. C-1460]

PART 13—PROHIBITED TRADE PRACTICES

Loomtogs, Inc., and Sports Editions, Inc.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*; § 13.30-75 *Textile Fiber Products Identification Act*; § 13.73 *Formal regulatory and statutory requirements*; § 13.73-90 *Textile Fiber Products Identification Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*; § 13.1185-80 *Textile Fiber Products Identification Act*; § 13.1212 *Formal regulatory and statutory requirements*; § 13.1212-80 *Textile*

Fiber Products Identification Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*; § 13.1845-70 *Textile Fiber Products Identification Act*; § 13.1852 *Formal regulatory and statutory requirements*; § 13.1852-70 *Textile Fiber Products Identification Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Loomtogs, Inc., et al., New York, N.Y., Docket C-1460, Dec. 6, 1968]

Consent order requiring two New York City sportswear manufacturers to cease misbranding and falsely advertising their textile fiber products.

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

It is ordered, That respondents Loomtogs, Inc., a corporation, and its officers, Sports Editions, Inc., a corporation, and its officers, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale in commerce, or the importation into the United States of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product, which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Failing to affix labels to such textile fiber products showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

2. Failing to affix labels to samples, swatches or specimens of textile fiber products used to promote or effect the sale of such textile fiber products showing in words and figures plainly legible all the information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Falsely and deceptively advertising textile fiber products by:

1. Making any representation, directly or by implication, as to the fiber content of any textile fiber product in any written advertisement which is used to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of such textile fiber product, unless the same information required to be shown on the stamp, tag, label or other means of identification under sections 4(b)(1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, except that the percent-

ages of the fibers present in the textile fiber product need not be stated.

2. Using a fiber trademark in advertisements without a full disclosure of the required content information in at least one instance in the said advertisement.

3. Using a fiber trademark in advertising textile fiber products containing more than one fiber without such fiber trademark appearing in the required fiber content information in immediate proximity and conjunction with the generic name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

4. Using a fiber trademark in advertising textile fiber products containing only one fiber without such fiber trademark appearing at least once in the advertisement, in immediate proximity and conjunction with the generic name of the fiber, in plainly legible and conspicuous type.

It is further ordered, That the respondent corporations shall forthwith distribute a copy of this order to each of their operating divisions.

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

Issued: December 6, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[P.R. Doc. 69-259; Filed, Jan. 8, 1969;
8:46 a.m.]

[Docket No. C-1461]

PART 13—PROHIBITED TRADE PRACTICES

Samuel Starobin, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*: 13.1053-90 Wool Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: 13.1845-80 Wool Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Samuel Starobin, Inc., et al., New York, N.Y., Docket C-1461, Dec. 6, 1968]

In the Matter of Samuel Starobin, Inc., a Corporation, and Samuel Starobin and Martin W. Lyons, Individually and as Officers of the Aforesaid Corporation

Consent order requiring a New York City manufacturer of coats to cease mis-

branding and falsely guaranteeing its wool products.

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

It is ordered, That respondents Samuel Starobin, Inc., a corporation, and its officers, and Samuel Starobin and Martin W. Lyons, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment, or shipment, in commerce, of wool products as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

3. Failing to set forth required information on labels attached to wool products consisting of two or more sections of different fiber content, in such a manner as to show the fiber content of each section in all instances where such marking is necessary to avoid deception.

4. Failing to set forth separately and distinctly as part of the required information on the stamp, tag, label or other mark of identification of wool products the fiber content of interlings.

It is further ordered, That respondents Samuel Starobin, Inc., a corporation, and its officers, and Samuel Starobin and Martin W. Lyons, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any wool product is not misbranded, when the respondents have reason to believe that such wool product may be introduced, sold, transported or distributed in commerce.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

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

Issued: December 6, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[P.R. Doc. 69-260; Filed, Jan. 8, 1969;
8:46 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 140—ORGANIZATION, FUNCTIONS, AND PROCEDURES OF THE COMMODITY EXCHANGE AUTHORITY

Miscellaneous Amendments

The Statement of Organization, Functions, and Procedures of the Commodity Exchange Authority, published at 32 F.R. 9648, July 4, 1967, is hereby amended as follows:

(1) By revising § 140.1(c) (1) to read as follows:

(1) *Registration and Audit Division.* Analyzes applications of commodity exchanges for designation as contract markets to determine whether such applicants meet statutory requirements for such designation, and recommends approval or disapproval; develops and administers a program for registration of floor brokers to determine whether applicants meet statutory requirements, including fitness; develops and administers a program for determining whether applicants for registration as futures commission merchants meet statutory requirements for such registration, including financial and fitness requirements; and conducts audits of futures commission merchants to assure proper segregation of customers' margins and accruing equities, including property deposited to secure customers' contracts and trades, and to determine compliance with the other recordkeeping requirements of the Commodity Exchange Act and regulations.

(2) By deleting the period at the end of § 140.1(c) (2) and adding the following after it: "and contract market enforcement of rules relating to contract terms and other trading requirements."

(3) By inserting the following in § 140.1(c) (3) between the second clause (ending with "traders;") and the third clause (beginning with "evaluates"): "reviews, and enforces speculative limits on, daily trading and positions of large traders."

(4) By inserting the following in the last clause of § 140.1(c) (3) between the word "reports" and the phrase "for administrative use": "on futures, trading."

(5) By deleting from § 140.2 the address of the New York Regional Office, and substituting the following new address for it: "Room 2101, 61 Broadway, New York, N.Y. 10006."

(6) By deleting from § 140.3(a) the period at the end of the third sentence (ending with "Authority"), and adding the following after it: "at scheduled costs."

(7) By deleting "7 U.S.C. 1-17a" where it appears in §§ 140.4(b) and 140.10(a), and substituting the follow-

ing for it in both such places: "7 U.S.C. 1 et seq."

(8) By adding the following after the word "eggs" in the second sentence of § 140.10(a) (beginning with "These commodities are"): "(including shell eggs, frozen whole eggs, frozen plain egg whites, and frozen plain egg yolks)," and deleting from the same sentence the phrase "and soybean meal" and the period after it, and substituting the following for it: "soybean meal, livestock (including live cattle and live hogs), livestock products (including frozen pork bellies, frozen skinned hams, steer carcass beef, and hides), and frozen concentrated orange juice."

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

Issued: January 3, 1969.

ALEX C. CALDWELL,
Administrator,
Commodity Exchange Authority.

[F.R. Doc. 69-289; Filed, Jan. 8, 1969;
8:49 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Admin- istration, Department of Health, Education, and Welfare

[Regs. No. 4, further amended]

PART 404—FEDERAL RETIREMENT, SURVIVORS, AND DISABILITY IN- SURANCE (1950-)

Subpart D—Old-Age, Disability, De- pendents' and Survivors' Insurance Benefits; Period of Disability

AGREEMENT, COURT ORDER, AND SUBSTAN- TIAL CONTRIBUTIONS DEFINED

Correction

In F.R. Doc. 68-15887 appearing at page 20037 in the issue of Tuesday, December 31, 1968, in § 404.351(a) change the word "section" to "sections" in the third line and the word "by" to "be" in the 17th line.

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER C—AGE DISCRIMINATION IN EMPLOYMENT

PART 860—INTERPRETATIONS

Miscellaneous Amendments

Pursuant to the Age Discrimination in Employment Act of 1967 (81 Stat. 602; 29 U.S.C. 620) and Secretary's Orders No. 10-68 (33 F.R. 9729) and No. 11-68 (33 F.R. 9690), 29 CFR Part 860 is hereby amended by revising § 860.110, and by adding new §§ 860.20, 860.75, 860.104, 860.106, and 860.120 to read as set forth below.

As these are interpretive rules and are not substantive, the provisions of 5 U.S.C. 553 concerning notice of proposed rule making, public participation there-in, and delayed effectiveness of substantive rules, do not apply. I do not believe such procedure and delay will serve a useful purpose here. Accordingly, these rules shall be effective immediately.

1. The revised § 860.110 reads as follows:

§ 860.110 Involuntary retirement before age 65.

Section 4(f)(2) of the Act provides that "It shall not be unlawful for an employer, employment agency, or labor organization . . . to observe the terms of . . . any bona fide employee benefit plan such as a retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this Act, except that no such employee benefit plan shall excuse the failure to hire any individual . . ." Thus, the Act authorizes involuntary retirement irrespective of age, provided that such retirement is pursuant to the terms of a retirement or pension plan meeting the requirements of section 4(f)(2). This exception does not apply to the involuntary retirement before 65 of employees who are not participants in the employer's retirement or pension program. It should be noted that section 5 of the Act directs the Secretary of Labor to undertake an appropriate study of institutional and other arrangements giving rise to involuntary retirement, and report his findings and any appropriate legislative recommendations to the President and to Congress.

2. The new § 860.20 reads as follows:

§ 860.20 Geographical scope of coverage.

The prohibitions in section 4 of the Act are considered to apply only to performance of the described discriminatory acts in places over which the United States has sovereignty, territorial jurisdiction, or legislative control. These include principally the geographical areas set forth in the definition of the term "State" in section 11(d). There, the term State is defined to include "a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act." Activities within such geographical areas which are discriminatory against protected individuals or employees are within the scope of the Act even though the activities are related to employment outside of such geographical areas.

3. The new § 860.75 reads as follows:

§ 860.75 Wage rate reduction prohibited.

Section 4(a)(3) of the Act provides that where an age-based wage differential is paid in violation of the statute, the employer cannot correct the violation by reducing the wage rate of any employee. Thus, for example, in a situation where it has been determined that

an employer has violated the Act by paying a 62-year-old employee a prohibited wage differential of 50 cents an hour less than he is paying a 30-year-old worker, in order to achieve compliance with the Act he must raise the wage rate of the older employee to equal that of the younger worker. Furthermore, the employer's obligation to comply with the statute cannot be avoided by transferring either the older or the younger employee to other work since the transfer itself would appear discriminatory under the particular facts and circumstances.

4. The new § 860.104 reads as follows:

§ 860.104 Differentiations based on reasonable factors other than age—Additional examples.

(a) *Employment of Social Security recipients.* (1) It is considered discriminatory for an employer to specify that he will hire only persons receiving old age Social Security insurance benefits. Such a specification could result in discrimination against other individuals within the age group covered by the Act willing to work under the wages and other conditions of employment involved, even though those wages and conditions may be peculiarly attractive to Social Security recipients. Similarly, the specification of Social Security recipients cannot be used as a convenient reference to persons of sufficient age to be eligible for old age benefits. Thus, where two persons apply for a job, one age 56, and the other age 62 and receiving Social Security benefits, the employer may not lawfully give preference in hiring to the older individual solely because he is receiving such benefits.

(2) Where a job applicant under age 65 is unwilling to accept the number or schedule of hours required by an employer as a condition for a particular job, because he is receiving Social Security benefits and is limited in the amount of wages he may earn without losing such benefits, failure to employ him would not violate the Act. An employer's condition as to the number or schedule of hours may be "a reasonable factor other than age" on which to base a differentiation.

(b) *Employee testing.* The use of a validated employee test is not, of itself, a violation of the Act when such test is specifically related to the requirements of the job, is fair and reasonable, is administered in good faith and without discrimination on the basis of age, and is properly evaluated. A vital factor in employee testing as it relates to the 40-65 age group protected by the statute is the "test-sophistication" or "test-wisdom" of the individual. Younger persons, due to the tremendous increase in the use of tests in primary and secondary schools in recent years, may generally have had more experience in test-taking than older individuals and, consequently, where an employee test is used as the sole tool or the controlling factor in the employee selection procedure, such younger persons may have an advantage over older applicants who may have had

considerable on-the-job experience but who due to age, are further removed from their schooling. Therefore, situations in which an employee test is used as the sole tool or the controlling factor in the employee selection procedure will be carefully scrutinized to ensure that the test is for a permissible purpose and not for purposes prohibited by the statute.

5. The new § 860.106 reads as follows:
§ 860.106 Bona fide apprenticeship programs.

Age limitations for entry into bona fide apprenticeship programs were not intended to be affected by the Act. Entry into most apprenticeship programs has traditionally been limited to youths under specified ages. This is in recognition of the fact that apprenticeship is an extension of the educational process to prepare young men and women for skilled employment. Accordingly, the prohibitions contained in the Act will not be applied to bona fide apprenticeship programs which meet the standards specified in §§ 521.2 and 521.3 of this chapter.

6. The new § 860.120 reads as follows:
§ 860.120 Costs and benefits under employee benefit plans.

Section 4(f)(2) of the Act provides that it is not unlawful for an employer, employment agency, or labor organization "to observe the terms of * * * any bona fide employee benefit plan such as a retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this Act, except that no such employee benefit plan shall excuse the failure to hire any individual * * *". Thus, an employer is not required to provide older workers who are otherwise protected by the law with the same pension, retirement or insurance benefits as he provides to younger workers, so long as any differential between them is in accordance with the terms of a bona fide benefit plan. For example, an employer may provide lesser amounts of insurance coverage under a group insurance plan to older workers than he does to younger workers, where the plan is not a subterfuge to evade the purpose of the Act. A retirement, pension or insurance plan will be considered in compliance with the statute where the actual amount of payment made, or cost incurred, in behalf of an older worker is equal to that made or incurred in behalf

of a younger worker, even though the older worker may thereby receive a lesser amount of pension or retirement benefits, or insurance coverage.

(81 Stat. 602; 29 U.S.C. 620. Secretary's Order No. 10-68, 33 F.R. 9729; Secretary's Order No. 11-68, 33 F.R. 9690)

Signed at Washington, D.C., this 3d day of January 1969.

CLARENCE T. LUNDQUIST,
Administrator, Wage and Hour
and Public Contracts Divisions.

[F.R. Doc. 69-280; Filed, Jan. 8, 1969;
8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Great Swamp National Wildlife Refuge, N.J.

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

§ 28.28 Special regulations: recreation;
for the individual wildlife refuge
areas.

NEW JERSEY

GREAT SWAMP NATIONAL WILDLIFE REFUGE

Travel by motor vehicle or on foot is permitted on designated routes unless prohibited by posting, for the purpose of nature study, photography, hiking, and sight-seeing, during daylight hours. Pets are allowed if on a leash not over 10 feet in length.

The refuge area, comprising 4,008 acres, is delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass. 02109.

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

Part 28, and are effective through December 31, 1968.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

DECEMBER 30, 1968.

[F.R. Doc. 69-261; Filed, Jan. 8, 1969;
8:46 a.m.]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Moosehorn National Wildlife Refuge, Maine

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

§ 28.28 Special regulations: recreation;
for the individual wildlife refuge
areas.

MAINE

MOOSEHORN NATIONAL WILDLIFE REFUGE

Entry on foot or by motor vehicle on designated travel routes is permitted for the purpose of nature study, photography, hiking, and sight-seeing during daylight hours. In addition, recreational use of snowmobiles on refuge roads is permitted during winter months at all hours. Pets are allowed if on a leash not over 10 feet in length. Fishing and public hunting are permitted under special regulations. All persons shall comply with all local, State, and Federal laws, ordinances, and regulations.

The refuge area, comprising approximately 22,500 acres, is delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1969.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

DECEMBER 27, 1968.

[F.R. Doc. 69-262; Filed, Jan. 8, 1969;
8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and
Conservation Service

[7 CFR Part 724]

TOBACCO

Notice of Determinations To Be Made With Respect to Tobacco Marketing Quotas for the 1969-70, 1970-71, and 1971-72 Marketing Years

Correction

In F.R. Doc. 68-15031 appearing at page 18707 in the issue of Wednesday, December 18, 1968, the following correction should be made. In the second line of the penultimate paragraph of the third column on page 18708, change the word "correct" to read "convert".

missioner, without withdrawing the case from issue.

All persons who desire to submit written arguments, views, objections, recommendations, or suggestions in connection with the proposed revision are invited to do so by forwarding the same to the Commissioner of Patents, Washington, D.C. 20231, on or before February 12, 1969. An oral hearing will not be scheduled.

Dated: January 3, 1969.

EDWARD J. BRENNER,
Commissioner of Patents.

Approved:

JOHN F. KINCAID,
Assistant Secretary for
Science and Technology.

[F.R. Doc. 69-251; Filed, Jan. 8, 1969;
8:45 a.m.]

no Federal association shall make any investment in loans under this section, if the principal amount of its investment in such loans, exclusive of any investment which is or which at the time of its making was otherwise unauthorized, would thereupon exceed 5 percent of its assets. Such loans may be secured, partly secured, or unsecured, and the association may require a co-maker or comakers, insurance, guaranty under a governmental student loan guarantee plan, or other protection against contingencies. The borrower shall certify to the association that the proceeds of the loan are to be used by a full-time student solely for the payment of expenses of college or university education, or expenses of vocational education. For the purpose of this section, the term "college or university education" means education at an institution which provides an educational program for which it awards a bachelor's degree, or provides not less than a 2-year program which is acceptable for full credit toward such a degree, and the term "vocational education" means any course of study or training designed to increase the ability of a person to obtain or advance in employment of any kind.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by February 10, 1969, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 69-282; Filed, Jan. 8, 1969;
8:48 a.m.]

DEPARTMENT OF COMMERCE

Patent Office

[37 CFR Part 1]

RULES OF PRACTICE IN PATENT CASES

Requirements for Amendments to Applications After Allowance

The Patent Office proposes to revise its rules relating to amendments after allowance. The proposed revision is intended to effect the orderly process of preparing applications, on which issue fees have been paid, for the printing thereof.

Therefore, under the authority contained in section 6 of the Act of July 19, 1952 (66 Stat. 792; 35 U.S.C. 6), notice is hereby given that the Patent Office proposes to amend Part 1 of Title 37 of the Code of Federal Regulations as follows:

By revising § 1.312 to read as follows:

§ 1.312 Amendments after allowance.

Amendments after the notice of allowance of an application will not be permitted as a matter of right. However, such amendments may be made if filed not later than the date the issue fee is paid, on the recommendation of the primary examiner, approved by the Com-

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 22,485]

FEDERAL SAVINGS AND LOAN SYSTEM

Educational Loans

JANUARY 3, 1969.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend Part 545 of the rules and regulations for the Federal Savings and Loan System for the purpose of implementing a recent amendment to section 5(e) of the Home Owners' Loan Act of 1933, as amended, contained in Public Law 90-545, 82 Stat. 1026, approved October 16, 1968, to authorize Federal savings and loan associations to invest in loans for the expenses of vocational education. Accordingly, it is proposed to amend § 545.8-1 of said Part 545 (12 CFR 545.8-1) to read as follows:

§ 545.8-1 Educational loans.

Any Federal association is authorized to invest in loans, obligations, and advances of credit (all of which are herein-after referred to in this section as "loans") made for the payment of expenses of college or university education, or expenses of vocational education, but

Notices

FEDERAL POWER COMMISSION

[Docket No. RI69-430 etc.]

MOBIL OIL CORP., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

DECEMBER 31, 1968.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, un-

¹ Does not consolidate for hearing or dispose of the several matters herein.

duly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until

date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention 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 and 1.37(f)) on or before February 15, 1969.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate scheduled No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-430...	Mobil Oil Corp. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	38	13	El Paso Natural Gas Co. (Jicarilla Area, Rio Arriba County, N. Mex.) (San Juan Basin Area).	\$28,894 9,275	12- 5-68	1- 5-69	6- 5-69	\$14.0505 \$12.0433	\$15.0541 \$13.0469	RI67-273.
.....do.....	.....do.....	361	10	El Paso Natural Gas Co. (Gallegos Canyon Field, San Juan County, N. Mex.) (San Juan Basin Area).	378	12- 6-68	1- 6-69	6- 6-69	13.0	\$14.05775	
RI69-431...	Mobil Oil Corp.	314	14	El Paso Natural Gas Co. (acreage in San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	4,670	12- 5-68	1- 5-69	6- 5-69	\$13.0469	\$14.0578	RI67-276.
.....do.....	.....do.....	370	2	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	215	12- 5-68	1- 5-69	6- 5-69	13.0	\$14.0	
.....do.....	.....do.....	166	9	El Paso Natural Gas Co. (Bisti Field, San Juan County, N. Mex.) (San Juan Basin Area).	216	12- 6-68	1- 6-69	6- 6-69	\$14.0505	\$15.0541	RI67-272.
.....do.....	.....do.....	200	7	El Paso Natural Gas Co. (Blanco Field, San Juan County, N. Mex.) (San Juan Basin Area).	115	12- 6-68	1- 6-69	6- 6-69	13.0	\$14.05775	
.....do.....	.....do.....	360	10	El Paso Natural Gas Co. (Angel Peak Field, San Juan County, N. Mex.) (San Juan Basin Area).	402	12- 5-68	1- 5-69	6- 5-69	\$12.0495	\$13.0530	
.....do.....	.....do.....	422	3	El Paso Natural Gas Co. (Fulcher Kutz Field, San Juan County, N. Mex.) (San Juan Basin Area).	567	12- 6-68	1- 6-69	6- 6-69	13.0	\$14.0	
.....do.....	.....do.....	427	8	El Paso Natural Gas Co. (Flora Vista Field, San Juan County, N. Mex.) (San Juan Basin Area).	4,290	12- 6-68	1- 6-69	6- 6-69	13.0	\$15.0619	
RI69-432.	Northern Natural Gas Producing Co., Post Office Box 1774, Houston, Tex. 77001, Attention: Mr. H. H. Beeson, Esq.	25	12	El Paso Natural Gas Co. (Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex.).	207	12- 6-68	1- 6-69	6- 6-69	13.0	\$14.0505	
.....do.....	.....do.....	26	12	El Paso Natural Gas Co. (Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	2,001	12- 5-68	1- 5-69	6- 5-69	\$13.0469	\$14.0505	RI67-168.
.....do.....	.....do.....	27	13	.....do.....	3,682	12- 5-68	1- 5-69	6- 5-69	\$13.0469	\$14.0505	RI67-168.
.....do.....	.....do.....	30	5	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	970	12- 6-68	1- 6-69	6- 6-69	13.0	\$14.0505	
RI69-433..	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001, Attention: R. E. Galbraith, Manager, Natural Gas Division.	287	*3	El Paso Natural Gas Co. (San Juan Basin Field, San Juan County, N. Mex.) (San Juan Basin Area).	238	12- 9-68	1- 9-69	6- 9-69	13.0	\$14.0	

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate scheduled No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
	Continental Oil Co.—Continued	309	1	El Paso Natural Gas Co. Honolulu Mesa Area, Rio Arriba County, N. Mex. (San Juan Basin Area).	\$11,150	12- 9-68	1- 9-69	6- 9-69	13.0	14.0	
	do.	278	4	El Paso Natural Gas Co. (Blanco Field, San Juan County, N. Mex.).	278	12- 5-68	1- 5-69	6- 5-69	12.2295	13.2486	RI64-482.
	do.	259	7	El Paso Natural Gas Co. (Blanco-Pictured Cliffs Field, San Juan and Rio Arriba Counties, N. Mex.).	480	12- 5-68	1- 5-69	6- 5-69	12.2295	13.2486	
	do.	266	2	El Paso Natural Gas Co. (Rincon Unit, Rio Arriba County, N. Mex.).	4	12- 5-68	1- 5-69	6- 5-69	14.2486	15.2677	RI64-484.
	do.	267	2	El Paso Natural Gas Co. (Bisti Area, San Juan County, N. Mex.).	551	12- 5-68	1- 5-69	6- 5-69	14.2486	15.2677	RI64-484.
	do.	273	2	El Paso Natural Gas Co. (Blanco Field, San Juan County, N. Mex.).	174	12- 5-68	1- 5-69	6- 5-69	14.2486	15.2677	RI64-484.
	do.	274	5	El Paso Natural Gas Co. (Pulcher-Kutz and West Kutz Fields, San Juan County, N. Mex.).	4,861	12- 5-68	1- 5-69	6- 5-69	12.2295	13.2486	RI64-482.
	do.	242	6	El Paso Natural Gas Co. (San Juan Basin-Allison Unit-San Juan County, N. Mex., and La Plata County, Colo.).	662	12- 5-68	1- 5-69	6- 5-69	12.0	14.0	
	do.	198	8	El Paso Natural Gas Co. (Northeast Haynes Field, Rio Arriba County, N. Mex.).	7,665	12- 4-68	1- 4-69	6- 4-69	13.2486	14.2677	RI64-394.
	do.	199	7	do.	83	12- 4-68	1- 4-69	6- 4-69	12.2295	13.2486	RI64-386.
	do.	295	1	El Paso Natural Gas Co. (Hi-way Block, San Juan County, N. Mex.).	848 1,337	12- 4-68	1- 4-69	6- 4-69	13.2486 14.2486	14.2677 15.2677	(u) (v)
	do.	296	10	El Paso Natural Gas Co. (Various Fields in Rio Arriba and San Juan Counties, N. Mex.) (San Juan Basin Area).	20,004	12- 9-68	1- 9-69	6- 9-69	13.0	14.0	
	do.	277	6	El Paso Natural Gas Co. (Inerfaud Unit, San Juan County, N. Mex.).	11	12- 5-68	1- 5-69	6- 5-69	14.2486	15.2677	RI64-484.
	do.	208	9	El Paso Natural Gas Co. (Lindrith Area, Rio Arriba County, N. Mex.).	1,274	12- 4-68	1- 4-69	6- 4-69	12.2295	13.2486	(w).
	do.	221	6	El Paso Natural Gas Co. (Ballard-Pictured Cliffs Area, Rio Arriba and San Juan Counties, N. Mex.).	1,707	12- 4-68	1- 4-69	6- 4-69	12.2295	13.2486	RI64-386.
	do.	241	5	El Paso Natural Gas Co. (Northeast Farmington Field (Pictured Cliffs and Mesa Verde Formations) San Juan County, N. Mex.).	5 53	12- 4-68	1- 4-69	6- 4-69	11.0 13.0	13.2486 15.2677	
RI69-434..	Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co., Post Office Box 747, Dallas, Tex. 75221, Attention: Frank Martin.	12	8	El Paso Natural Gas Co. (Artee Pictured Cliffs Field, San Juan County, N. Mex.) (San Juan Basin Area).	435	12- 5-68	1- 5-69	6- 5-69	12.0509	13.2486	
	do.	21	6	do.	108	12- 5-68	1- 5-69	6- 5-69	12.0495	13.2486	
	do.	23	6	do.	34	12- 5-68	1- 5-69	6- 5-69	14.0578	15.2809	RI64-477.
	do.	25	7	do.	438	12- 5-68	1- 5-69	6- 5-69	12.0495	13.2486	
	do.	81	3	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	9,280	12- 5-68	1- 5-69	6- 5-69	13.0	14.0	
	do.	86	6	do.	1,000	12- 5-68	1- 5-69	6- 5-69	13.0	14.0	
	do.	90	2	Southern Union Gathering Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	2,570	12- 5-68	1- 5-69	6- 5-69	13.0	15.2809	
	do.	22	9	El Paso Natural Gas Co. (Basin Dakota and Blanco Mesa Verde Fields, San Juan County, N. Mex.) (San Juan Basin Area).	1,257	12- 5-68	1- 5-69	6- 5-69	14.0536	14.2678	RI64-477.
RI69-435..	D. W. Falls, Inc., 1116 Bank of New Mexico Bldg., Albuquerque, N. Mex. 87101, Attention: Roy L. Cook, agent.	1	2	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).		12- 4-68	1- 4-69	6- 4-69	14.0	14.0	RI64-430.
RI69-436..	John Trenchard, 1329 Floribunda Ave., Burlingame, Calif. 94010.	1	13	Montana Dakota Utilities Co. (Worland, Washakie, and Big Horn Counties, Wyo.).	1,548	12- 5-68	1- 5-69	6- 5-69	13.6154	14.6410	
RI69-437..	Chevron Oil Co., Western Division, Post Office Box 599, Denver, Colo. 80201.	3	7	Mountain Fuel Supply Co. (Birch Creek Area, Sublette County, Wyo.).	23,181	12- 6-68	1- 9-69	6- 9-69	16.0	17.0	RI64-700.

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI60-438..	R. N. Usher and Polly Usher, Box 842, Aztec, N. Mex. 87410, Attention: Bradley H. Keyes, agent.	1	2	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	-----	12-9-68	¹ 1-9-69	6-9-69	14.0	¹ 14.0	(29)
RI60-439..	John L. Morrison et al., Box 842, Aztec, N. Mex. 87410, Attention: Bradley H. Keyes, agent.	1	6	El Paso Natural Gas Co. (Blanco Mesa Verde Field, San Juan County, N. Mex.) (San Juan Basin Area).	-----	12-9-68	¹ 1-9-69	6-9-69	14.0	¹ 14.0	(29)
RI60-440..	Pan American Petroleum Corp. (Operator) et al., Security Life Bldg., Denver, Colo. 80202, Attention: Frank H. Houck, Esq.	346	3	El Paso Natural Gas Co. (Floradine Park Field, Montezuma County, Colo.).	\$27,000	11-22-68	¹ 1-1-69	6-1-69	¹ 15.0	¹ 21.0	
RI60-441..	Marathon Oil Co., 339 South Main St., Findlay, Ohio 43850, Attention: Mr. R. N. Ayars.	26	2	El Paso Natural Gas Co. (Chinle Wash Field, San Juan County, Utah) (Aneth Area).	2,630	12-9-68	¹ 1-9-69	6-9-69	¹ 17.775	¹ 18.775	RI68-226.

¹ The stated effective date is the effective date requested by Respondent.

² Periodic rate increase.

³ Pressure base is 15.025 p.s.i.a.

⁴ Includes partial reimbursement for 0.55 percent New Mexico Emergency School Tax.

⁵ Applies to high pressure gas.

⁶ Applies to low pressure gas.

⁷ Corrected by filing dated Dec. 12, 1968 (filed Dec. 16, 1968).

⁸ Production limited to the Dakota Formation.

⁹ The stated effective date is the first day after expiration of the statutory notice.

¹⁰ Includes partial reimbursement for the full 2.55-percent New Mexico Emergency School Tax.

¹¹ Not applicable to acreage covered by Supplements Nos. 5 and 6.

¹² Includes the 1-cent-per-Mcf minimum guarantee for liquids.

¹³ Tax is computed on the contract price exclusive of the 1-cent-per-Mcf minimum guarantee for liquids.

¹⁴ Does not include 1-cent-per-Mcf minimum guarantee for liquids.

¹⁵ Applicable to all acreage except the acreage covered under Supplement No. 5.

¹⁶ High-pressure gas (price applicable only to the properties covered by the agreement dated May 31, 1967, designated Supplement No. 5).

¹⁷ Effective subject to refund in Docket No. RI68-125 as to acreage covered under Supplement No. 5.

¹⁸ Effective subject to refund in Docket No. RI64-489 (rate proceeding under Sinclair Oil Corp. Rate Schedule No. 289).

¹⁹ Effective subject to refund in Docket No. RI64-30, and subject to refund conditions in Docket No. C102-365 as to Supplements Nos. 5 through 8.

²⁰ Pictured Cliffs gas.

²¹ Mesa Verde gas.

²² Includes partial reimbursement for 0.55-percent increase in New Mexico Emergency School Tax and 0.015-percent increase in New Mexico Conservation Tax.

²³ Initial rate.

²⁴ Does not include 1-cent-per-Mcf minimum guarantee for liquids. Therefore net change in rate due only to difference in tax reimbursement.

²⁵ Rate to be reduced 1-cent-per-Mcf for gas delivered at 250 p.s.i.g.

²⁶ Does not include 1-cent-per-Mcf minimum guarantee for liquids; therefore no net change in rate.

²⁷ Rate effective subject to refund in Docket No. RI64-507 includes 1-cent-per-Mcf minimum guarantee for liquids.

²⁸ Rate effective subject to refund in Docket No. RI64-509 includes 1-cent-per-Mcf minimum guarantee for liquids.

²⁹ Rate increase from settlement rate to current contract rate.

³⁰ Settlement rate per Pan American's company-wide settlement in Dockets Nos. G-9279 et al.

³¹ Includes 0.075-cent-per-Mcf partial reimbursement for 0.10-cent-per-Mcf increase in Utah Conservation tax which was effective July 1, 1967.

³² Includes amount from acreage in La Plata County, Colo., which is suspended for 1 day in separate order.

Continental Oil Co. (Continental), Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co., R. N. Usher and Polly Usher (Usher), John L. Morrison et al. (Morrison), and D. W. Falls, Inc. (Falls), request that their proposed rate increases be permitted to become effective on January 1, 1969. John Trenchard requests a retroactive effective date of November 1, 1968, for his proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

The proposed periodic rate increase filed by Marathon Oil Co. (Marathon) is for a sale to El Paso Natural Gas Co. from the Aneth Area of Utah where no formal guideline prices have been announced by the Commission for the Aneth Area. Since the proposed rate exceeds the 18.7 cents per Mcf rate for a similar sale in the Aneth Area which is now under suspension, we conclude that Marathon's proposed rate should be suspended for 5 months from January 9, 1969, the proposed effective date.

Eighteen of the proposed rate increases herein reflect partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax. The buyers, El Paso Natural Gas Co. (El Paso) and Southern Union Gathering Co. (Southern Union), in accordance with their policy of protesting tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, are expected to file a protest to these rate increases. El Paso and Southern Union question the right of the producer under the tax reimbursement clause to file a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While they concede that the New Mexico legislation effected a higher rate of at least 0.55 percent, they claim there is controversy as to whether or not the new legislation effected an increased rate in excess of 0.55 percent. In view of the contractual problem presented, we shall provide that the hearings herein with respect to the rate filings containing such tax shall concern themselves with the contractual basis for the rate filings, as well as the

statutory lawfulness of the proposed increased rates and charges.

The basic contracts related to eight of the proposed rate increases herein contain a 1 cent per Mcf minimum guarantee for liquids provision but this 1 cent per Mcf has been excluded from the proposed rate increases. See the Commission's order issued on December 7, 1967, in Docket Nos. RI64-491 et al., Union Texas Petroleum, a division of Allied Chemical Corp. (Operator), et al. Therefore, Continental, Falls, Usher, and Morrison are advised that a notice of change in rate will be required if they intend to collect the 1 cent per Mcf minimum guarantee for liquids in the future.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR Chapter I, Part 2, § 2.56), with the exception of the rate increase filed by Marathon in the Aneth Area for which there is no announced formal ceiling for the area involved, but which is the highest filed rate in the Aneth Area.

[F.R. Doc. 69-175; Filed, Jan. 8, 1969; 8:45 a.m.]

[Dockets Nos. RI69-406]

NORTHERN NATURAL GAS PRODUCING COMPANY, ET AL.

Order Accepting Contract Amendment, Providing for Hearings on and Suspension of Proposed Changes in Rates¹

DECEMBER 31, 1968.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

¹ Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf	
									Rate in effect	Proposed increased rate
RI69-408..	Northern Natural Gas Producing Co. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	3	6	Northern Natural Gas Co. (McKinney Field, Clark Co., Kans.).	\$135	12-6-68	*1-6-69	6-6-69	*15.08	*16.09
RI69-409..	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	221	4	Northern Natural Gas Co. (Perryton Field, Ochiltree County, Texas R.R. District No. 10).	193	12-6-68	*1-6-69	6-6-69	*17.00	*18.601
RI69-410..	W. B. Osborn, Jr. (Operator) et al., Post Office Box 6767, San Antonio, Tex. 78209.	26	3	Panhandle Eastern P/L Co. (North-east Avarad Field, Woods County, Okla., Other area).	9,613	12-5-68	*1-5-69	6-5-69	*15.75	*17.85
RI69-411..	Pan American Petroleum Corp., Post Office Box 1410, Fort Worth, Tex. 76101.	419	10	Arkansas Louisiana Gas Co. (Cameron Field, Le Flore County, Okla., Other area).	1,060	12-6-68	*1-6-69	6-6-69	*15.0	*16.015
			225	2 Northern Natural Gas Co. (South-west Camp Creek Field, Beaver County, Okla., Panhandle area).	6,519	12-2-68	*1-2-69	6-2-69	*16.73	*18.91025
			280	6 Colorado Interstate Gas Co. (Laverne Gas area, Harper County, Okla., Panhandle area).	205	12-2-68	*1-2-69	6-2-69	*17.025	*19.30525
			223	9 Panhandle Eastern P/L Co. (McCane Field, Beaver County, Okla., Panhandle area).	24,000	12-2-68	*1-2-69	6-2-69	*16.0	*18.0
RI69-413..	Pan American Petroleum Corp. (Operator) et al.	330	36	Michigan Wisconsin P/L Co. (Woodward Gas area, Dewey and Major Counties, Okla., Other area and Woodward County, Okla., Panhandle area).	173,145	12-2-68	*1-2-69	6-2-69	*16.5	*19.5
					22,695	12-2-68	*1-2-69	6-2-69	*18.5	*19.5
RI69-419..	John C. Oxley et al., 800-A Enterprise Bldg., Tulsa, Okla. 74103.	1	7	Arkansas Louisiana Gas Co. (Arkoma Basin area, Pittsburg et al. Counties, Okla., Other area).	1,596	12-5-68	*1-5-69	6-5-69	*15.0	*16.015
RI69-425..	E. J. Dunigan, Jr. et al., Post Office Box 261, Pampa, Tex.	2	5	Northern Natural Gas Co. (West	1,090	12-10-68	*1-2-69 (Accepted)	6-2-69	*12.0768	*14.0905
		2	6	Panhandle Field, Gray County, Tex., R.R. District No. 10).		12-2-68	*1-2-69			

* The stated effective date is that proposed by respondent.

* Pressure base is 14.73 p.s.i.a.

* Rate in effect subject to refund in Docket No. RI68-450.

* Subject to downward B.T.U. adjustment.

* Periodic rate increase.

* Rate in effect subject to refund in Docket No. RI68-569.

* The stated effective date is the first day after expiration of the statutory notice.

* Pressure base is 14.65 p.s.i.a.

* Includes base rate of 15 cents plus 0.75 cent upward B.T.U. adjustment before increase and base rate of 17 cents plus 0.55 cent upward B.T.U. adjustment after increase.

* Base rate subject to upward and downward B.T.U. adjustments.

* Filing from initial certificated rate to initial contract rate.

* Subject to deduction by buyer of 0.75 cent for one stage of compression and 1.5 cents for two stages if required.

* Includes 0.015-cent tax reimbursement.

* cc: Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102, Attention: J. P. Hammond, General Attorney.

* Rate provided by company-wide settlement order issued Apr. 13, 1966, in Docket No. G-9279 et al.

* Includes base rate of 15 cents plus 1.73 cents upward B.T.U. adjustment (1,115 B.T.U. gas) before increase and base rate of 17 cents plus 1.90 cents upward B.T.U. adjustment plus 0.01025-cent tax reimbursement after increase.

* Base rate subject to upward and downward B.T.U. adjustment.

* Two step periodic increase plus tax reimbursement.

* Includes base rate of 15 cents plus 2.025 cents upward B.T.U. adjustment (1,135 B.T.U. gas) before increase and base rate of 17 cents plus 2.295 cents upward B.T.U. adjustment plus 0.01025-cent tax reimbursement after increase.

* Applicable to basic contract and Supp. Nos. 1 through 5.

* Two step periodic increase.

* Applicable to acreage added by Supp. No. 6 only.

* Includes 1.5 cents upward B.T.U. adjustment.

* Fractured rate increase.

* Contract amendment.

* Completes filing of Supplement No. 6 which was filed on Dec. 2, 1968.

* Includes 0.015-cent tax reimbursement.

Certain of the Respondents have requested effective dates for which adequate notice was not given. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates and such requests are denied.

We believe that it would be in the public interest to accept for filing the contract amendment filed by E. J. Dunigan, Jr., et al. (designated as Supplement No. 5 to his FPC Gas Rate Schedule No. 2) and to permit it to become effective as of January 2, 1969, the date of expiration of the statutory notice, but not the proposed rate contained therein which is suspended as hereinafter ordered.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission further finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as herein-after order (except for the supplement pertaining to the contract amendment).

The Commission orders:

(A) Supplement No. 5 to E. J. Dunigan, Jr., et al. FPC Gas Rate Schedule No. 2 is accepted for filing and permitted to become effective as of January 2, 1969.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18

CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements (except the supplement set forth in paragraph (A) above).

(C) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention 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 and 1.37(f)) on or before February 17, 1969.

By the Commission.

KENNETH F. PLUMB,
Acting Secretary.

[P.R. Doc. 69-178; Filed, Jan. 8, 1969;
8:45 a.m.]

[Docket No. RI69-374, etc.]

**PAN AMERICAN PETROLEUM CORP.
ET AL.**

**Order Providing for Hearings on and
Suspension of Proposed Changes in
Rates¹**

DECEMBER 30, 1968.

The Respondents named herein have filed proposed increased rates and

¹ Does not consolidate for hearing or dispose of the several matters herein.

charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention 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 and 1.37(f)) on or before February 14, 1969.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-374..	Pan American Petroleum Corp., Security Life Bldg., Denver, Colo. 80202, Attention: Frank H. Houck, Esq.	93	29	El Paso Natural Gas Co. (Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	(?)	11-22-68	*1-1-69	6-1-69	*13.0	**14.2693	
.....do.....	.....do.....	108	14	El Paso Natural Gas Co. (Ignacio Field, La Plata County, Colo.).	\$401	11-22-68	*1-2-69	6-2-69	*14.0074	**15.0098	
.....do.....	.....do.....	193	12	El Paso Natural Gas Co. (South Blanco and Tapacito Pictured Cliff Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	20,104	11-22-68	*1-1-69	6-1-69	*13.0	**15.0619	
.....do.....	.....do.....	195	20	El Paso Natural Gas Co. (Aztec Pictured Cliffs and other Fields, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	35,608	11-22-68	*1-1-69	6-1-69	*12.2295	**13.2486	RI64-533.
.....do.....	.....do.....	222	12	El Paso Natural Gas Co. (Bisti-Gallegos Gallup Fields, San Juan County, N. Mex.) (San Juan Basin Area).	2,287	11-22-68	*1-1-69	6-1-69	*13.0	**15.2869	
.....do.....	.....do.....	233	9	El Paso Natural Gas Co. (Otero Graneros Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	3,526	11-22-68	*1-1-69	6-1-69	*13.0	**16.0660	
.....do.....	.....do.....	236	3	El Paso Natural Gas Co. (East LeBarge Field, Lincoln-Sublette Counties, Wyo.).	(?)	11-22-68	*1-1-69	6-1-69	*14.15.0	**14.17.0	
.....do.....	.....do.....	280	6	El Paso Natural Gas Co. (Chimney Butte Unit, Sublette County, Wyo.).	1,235	11-22-68	*1-1-69	6-1-69	*15.3840	**19.5	
.....do.....	.....do.....	307	32	El Paso Natural Gas Co. (Big Fliny Field, Sublette County, Wyo.).	15,000	11-22-68	*1-1-69	6-1-69	*15.0	**17.0	
.....do.....	.....do.....	319	4	El Paso Natural Gas Co. (Bisti Field, San Juan County, N. Mex.) (San Juan Basin Area).	2	11-22-68	*1-1-69	6-1-69	*13.0	**15.2869	
.....do.....	.....do.....	320	4	El Paso Natural Gas Co. (Pine Lake Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	214	11-22-68	*1-1-69	6-1-69	*12.2295	**13.2486	
.....do.....	.....do.....	370	22	El Paso Natural Gas Co. (South Blanco Pictured Cliffs Field, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	41	11-22-68	*1-1-69	6-1-69	*12.2295	**13.2501	RI66-163.
.....do.....	.....do.....	376	8	El Paso Natural Gas Co. (West Kutz Pictured Cliffs Field, San Juan County, N. Mex.) (San Juan Basin Area).	61	11-22-68	*1-1-69	6-1-69	*12.2295	**13.2501	RI66-157.
.....do.....	.....do.....	377	15	.....do.....	16	11-22-68	*1-1-69	6-1-69	*12.2295	**13.2501	RI66-163.
.....do.....	.....do.....	468	4	Southern Union Gathering Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	7,010	11-25-68	*1-1-69	6-1-69	13.0	**15.0619	
.....do.....	.....do.....	166	6	Mountain Fuel Supply Co., (Middle Mountain Field, Sweetwater County, Wyo.).	3,430	11-25-68	*1-1-69	6-1-69	13.0	**14.0	
.....do.....	.....do.....	281	5	Mountain Fuel Supply Co., (Pioneer Unit Field, Sweetwater County, Wyo.).	1,400	11-25-68	*1-1-69	6-1-69	*13.0	**14.0	
.....do.....	.....do.....	429	2	Montana-Dakota Utilities Co., (Indian Butte Field, Fremont County, Wyo.).	(?)	11-25-68	*1-1-69	6-1-69	15.3840	**16.4096	

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate scheduled No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
	Pan American Petroleum Corp.—Continued	396	4	Southern Union Gathering Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	\$1,500	11-25-68	* 1-1-69	6-1-69	* 13.0	* 15.0	
	.....do.....	467	5	Southern Union Gathering Co. (Axtec Pictured Cliffs Field, San Juan County, N. Mex.) (San Juan Basin Area).	149	11-25-68	* 1-1-69	6-1-69	12.2295	** 13.0536	RI68-198.
	.....do.....	124	12	El Paso Natural Gas Co. (Kutz Pictured Cliffs Field, San Juan County, N. Mex.) (San Juan Basin Area).	2,803	11-25-68	* 1-1-69	6-1-69	* 12.2309	** 13.2801	RI64-532.
RI69-375.	Pan American Petroleum Corp. (Operator) et al.	163	10	El Paso Natural Gas Co. (West Kutz Pictured Cliffs Field, San Juan County, N. Mex.) (San Juan Basin Area).	2,038	11-25-68	* 1-1-69	6-1-69	* 12.2309	** 13.2501	RI64-532.
	.....do.....	363	24	El Paso Natural Gas Co. (Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	410,000	11-25-68	* 1-1-69	6-1-69	* 13.0	** 14.0	
RI69-376.	Caulkins Oil Co. (Operator) et al., 1130 First National Bank Bldg., Denver, Colo. 80202.	10	3	El Paso Natural Gas Co. (Dakota Formation, Rio Arriba County, N. Mex.) (San Juan Basin Area).	7,175	11-21-68	* 1-1-69	6-1-69	* 14.0	** 15.0	RI64-606.
RI69-377.	Caulkins Oil Co. (Operator) Agent for Ernest R. Breach et al.	11	2	.....do.....	825	11-21-68	* 1-1-69	6-1-69	* 14.0	** 15.0	RI66-2.
RI69-378.	Axtec Oil & Gas Co. (Operator) et al., 2009 First National Bank Bldg., Dallas, Tex. 75202, Attention: Quilman B. Davis, Vice President and General Attorney.	27	8	Southern Union Gathering Co. (Mesa Verde Formation, San Juan County, N. Mex.) (San Juan Basin Area).	370	11-25-68	* 1-1-69	6-1-69	14.0	** 15.0	RI64-363.
	.....do.....	28	6	El Paso Natural Gas Co. (Blanco-Mesa Verde and Basin Dakota Pools, San Juan County, N. Mex.) (San Juan Basin Area).	800	11-25-68	* 1-1-69	6-1-69	* 14.0	** 15.0	RI64-363.
	.....do.....	29	8	El Paso Natural Gas Co. (Blanco-Mesa Verde Pool, San Juan County, N. Mex.) (San Juan Basin Area).	2,000	11-25-68	* 1-1-69	6-1-69	* 14.0	** 15.0	RI64-363.
	.....do.....	10	12	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	6,326	11-25-68	* 1-1-69	6-1-69	* 14.0536	** 15.0578	
	.....do.....	25	8	Southern Union Gathering Co. (Mesa Verde Formation, San Juan County, N. Mex.) (San Juan Basin Area).	259	11-25-68	* 1-1-69	6-1-69	14.0	** 15.0	RI64-363.
	.....do.....	26	8	.....do.....	1,050	11-25-68	* 1-1-69	6-1-69	14.0	** 15.0	RI64-363.
RI69-379.	Axtec Oil & Gas Co.	30	3	El Paso Natural Gas Co. (Blanco-Mesa Verde Pool, San Juan County, N. Mex.) (San Juan Basin Area).	362	11-25-68	* 1-1-69	6-1-69	* 14.0536	** 15.0618	RI64-667.
	.....do.....	3	23	El Paso Natural Gas Co. (Mesa Verde Formation, San Juan County, N. Mex.) (San Juan Basin Area).	14,564	11-25-68	* 1-1-69	6-1-69	* 14.0551	** 15.0593	RI64-451.
	.....do.....	4	24	El Paso Natural Gas Co. (Pictured Cliffs Formation, San Juan County, N. Mex.) (San Juan Basin Area).	1,600	11-25-68	* 1-1-69	6-1-69	* 12.0509	** 13.0551	
	.....do.....	5	5	El Paso Natural Gas Co. (Pictured Cliffs Formation, Gallegos-Canyon Unit, San Juan County, N. Mex.) (San Juan Basin Area).	427	11-25-68	* 1-1-69	6-1-69	* 12.0509	** 13.0551	
	.....do.....	12	11	El Paso Natural Gas Co. (West-Kutz-Pictured Cliffs Pool, San Juan County, N. Mex.) (San Juan Basin Area).	21	11-25-68	* 1-1-69	6-1-69	12.0495	** 13.0551	
	.....do.....	14	5	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	2,209	11-25-68	* 1-1-69	6-1-69	* 14.0536	** 15.0578	RI64-451.
	.....do.....	7	35	Southern Union Gathering Co. (Pictured Cliffs Mesa Verde and Dakota Formation, San Juan County, N. Mex.) (San Juan Basin Area).	2,912 74,238 96,312	11-25-68	* 1-1-69	6-1-69	12.0509 14.0503 14.0503	** 13.0551 ** 15.0536 ** 15.0536	RI68-209. RI68-209. RI68-209.
	.....do.....	1	7	El Paso Natural Gas Co. (Mesa Verde Formation, Rio Arriba and San Juan Counties, N. Mex.) (San Juan Basin Area).	13,314	11-25-68	* 1-1-69	6-1-69	* 14.0551	** 15.0503	RI64-451.
	.....do.....	2	6	El Paso Natural Gas Co. (Pictured Cliffs Formation, San Juan County, N. Mex.) (San Juan Basin Area).	1,331	11-25-68	* 1-1-69	6-1-69	* 12.0509	** 13.0551	

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-380..	Humble Oil & Refining Co., Post Office Box 2189, Houston, Tex. 77001, Attention: Mr. H. E. Allen, Natural Gas Management.	146	6	El Paso Natural Gas Co. (Bisti Field, San Juan County, N. Mex.) (San Juan Basin Area).	\$147	11-25-68	*1-1-69	6-1-69	" 14.2730	** 13.0551	
.....do.....	.....do.....	218	4	Mountain Fuel Supply Co. (Dry Piney Unit, Sublette County, Wyo.).	7,912	11-25-68	*1-1-69	6-1-69	16.0	** 17.0	RI68-2.
.....do.....	.....do.....	161	6	El Paso Natural Gas Co. (North Lindrith-Pictured Cliffs Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	28	11-25-68	*1-1-69	6-1-69	" 12.2340	** 13.2635	RI64-385.
RI69-381..	Atlantic Richfield Co., P.O. Box 2819, Dallas, Tex. 75221, Attention: Richard M. Young, Esq.	178	7	El Paso Natural Gas Co. (Aztec et al., Fields, San Juan County, N. Mex.) (San Juan Basin Area).	1,303	11-25-68	*1-1-69	6-1-69	* 13.0	* ** 15.2869	
.....do.....	.....do.....	179	7	El Paso Natural Gas Co. (Aztec and South Blanco Fields, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	6,030	11-26-68	*1-1-69	6-1-69	* 13.0	* ** 15.2869	
.....do.....	.....do.....	281	5	El Paso Natural Gas Co. (Blanco Mesa Verde Field, San Juan County, N. Mex.) (San Juan Basin Area).	19,364	11-14-68	*1-1-69	6-1-69	13.0	** 14.2662	
RI69-382..	J. F. Hickman, Mod-rall, Seymour, Sperling, Roehl & Harris, Public Service Bldg., P.O. Box 2168, Albuquerque, N. Mex., Attention: James E. Sperling, Esq.	2	5	El Paso Natural Gas Co. (South Blanco-Pictured Cliffs Field, San Juan County, N. Mex.) (San Juan Basin Area).	2,048	11-26-68	*1-1-69	6-1-69	" 12.0495	** 13.0536	RI64-097.
RI69-383..	Sinclair Oil Corp., P.O. Box 521, Tulsa, Okla. 74102.	289	4	El Paso Natural Gas Co. (Highway and N. Farmington Fields, San Juan County, N. Mex.) (San Juan Basin Area).	2,867	12-2-68	*1-2-69	6-2-69	" 14.2486	** 15.2510	RI64-489.
.....do.....	.....do.....	333	6	El Paso Natural Gas Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	25,117	12-2-68	*1-2-69	6-2-69	13.0	** 14.0	
.....do.....	.....do.....	363	1	El Paso Natural Gas Co. (Blanco Mesa Verde Field, San Juan County, N. Mex.) (San Juan Basin Area).	137	12-2-68	*1-2-69	6-2-69	13.0	** 14.0	
.....do.....	.....do.....	4	6	El Paso Natural Gas Co. (San Juan Basin, Rio Arriba County, N. Mex.) (San Juan Basin Area).	10,137	12-2-68	*1-2-69	6-2-69	" 14.21883	** 15.25249	RI66-85.
.....do.....	.....do.....	5	5	.....do.....	679	12-2-68	*1-2-69	6-2-69	" 14.21883	** 15.25249	
.....do.....	.....do.....	6	5	El Paso Natural Gas Co. (San Juan Basin Area, San Juan County, N. Mex.) (San Juan Basin Area).	291	12-2-68	*1-2-69	6-2-69	" 14.21883	** 15.25249	
.....do.....	.....do.....	180	5	El Paso Natural Gas Co. (Bisti Field, San Juan County, N. Mex.) (San Juan Basin Area).	244	12-2-68	*1-2-69	6-2-69	" 14.23428	** 15.25102	RI66-86.
.....do.....	.....do.....	272	11	El Paso Natural Gas Co. (San Juan Basin, Rio Arriba and San Juan Counties, N. Mex.) (San Juan Basin Area).	15,867	12-2-68	*1-2-69	6-2-69	" 12.2308	** 13.21883	RI66-86.
.....do.....	.....do.....	276	5	El Paso Natural Gas Co. (Allison Field, San Juan County, N. Mex.) (San Juan Basin Area).	613 306 439	12-2-68	*1-2-69	6-2-69	" 14.2501 " 13.0 " 14.25009	** 15.28526 ** 15.28856 ** 15.28856	RI64-483. RI64-493.
RI69-384..	Amerada Petroleum Corp., Post Office Box 2040, Tulsa, Okla. 74102.	54	5	El Paso Natural Gas Co. (Ignacio Field, La Plata County, Colo.).	2,076	12-2-68	*1-2-69	6-2-69	14.0	** 15.0	RI65-334.
.....do.....	.....do.....	26	4	El Paso Natural Gas Co. (Ignacio Field, La Plata County, Colo.) (San Juan Basin Area).	13	11-29-68	*1-2-69	6-2-69	14.0	** 15.0	RI65-334.
.....do.....	.....do.....	50	13	El Paso Natural Gas Co. (San Juan Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	5,632	11-29-68	*1-1-69	6-1-69	12.2295	** 13.2486	RI68-395.
RI69-385..	Northeast Blanco Development Corp. (Operator) et al., 2020 First National Bldg., Oklahoma City, Okla. 73102, Attention: K. E. McAfee, President.	1	7	El Paso Natural Gas Co. (Blanco Field, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	38,122	11-29-68	*1-1-69	6-1-69	" 14.2486	** 15.2869	RI64-639.
RI69-386..	Southern Union Production Co., Fidelity Union Tower, Dallas, Tex. 75201, Attention: K. J. Kepke, Esq.	21	1	Southern Union Gathering Co. (San Juan Basin Area, San Juan County, N. Mex.) (San Juan Basin Area).	97,279	11-25-68	*1-1-69	6-1-69	13.0	** 15.0	
.....do.....	.....do.....	3	25	Southern Union Gathering Co. (Basin Dakota Pool and Blanco Mesa Verde Pool, San Juan County, N. Mex.) (San Juan Basin Area).	40,911	11-27-68	*1-1-69	6-1-69	" 14.0393	** 15.0630	RI65-287.

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
	Southern Union Production Co.—Continued	15	7	El Paso Natural Gas Co. (acreage in San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	\$10,212	11-27-68	* 1-1-69	6-1-69	13.0	** 14.0	
	do.	7	9	El Paso Natural Gas Co. (San Juan Basin Area, San Juan County, N. Mex.) (San Juan Basin Area).	104	11-29-68	* 1-1-69	6-1-69	14.0601	** 15.0619	RI64-504.
	do.	16	4	El Paso Natural Gas Co. (San Juan Basin Area, La Plata County, Colo.).	501	11-29-68	* 1-1-69	6-1-69	** 13.0	** 14.0	
	do.	1	26	El Paso Natural Gas Co. (San Juan Basin Area, San Juan County, N. Mex. and La Plata County, Colo.) (San Juan Basin Area).	32,429	11-29-68	* 1-1-69	6-1-69	** 14.0617	** 15.0636	RI64-504.
	do.	5	14	El Paso Natural Gas Co. (San Juan Basin Area, San Juan County, N. Mex.) (San Juan Basin Area).	4,683	11-29-68	* 1-1-69	6-1-69	** 14.0601	** 15.0619	RI64-504.
RI69-387..	Union Oil Co. of California (Operator), et al., Union Oil Center, Los Angeles, Calif. 90017, Attention: Mr. C. E. Smith.	80	2	El Paso Natural Gas Co. (Gallegos Canyon Unit, San Juan County, N. Mex.) (San Juan Basin Area).	365	11-27-68	* 1-1-69	6-1-69	13.0	** 14.0	
RI69-388..	Marathon Oil Co., 539 South Main Street, Findlay, Ohio 45840, Attention: R. N. Ayars, Mgr., Natural Gas Contract Department.	90	3	Southern Union Gathering Co. (La Plata River Area (Dakota Formation) San Juan County, N. Mex.) (San Juan Basin Area).	580	11-25-68	* 1-1-69	6-1-69	14.0	** 15.0	RI66-91.
	do.	92	2	Southern Union Gathering Co. (La Plata Area (Federal-Nye No. 1 Well) San Juan County, N. Mex.) (San Juan Basin Area).	742	11-25-68	* 1-1-69	6-1-69	13.0	** 15.0619	
	do.	96	3	El Paso Natural Gas Co. (San Juan Area (Argo No. 1 Well) San Juan County, N. Mex.) (San Juan Basin Area).	19 172	11-25-68 -----	* 1-1-69 -----	6-1-69 -----	** 13.2486 ** 13.0636	** 14.2678 ** 14.2078	RI66-303. RI66-303.
RI69-389..	Skelly Oil Co., Post Office Box 1650, Tulsa, Okla. 74102, Attention: Mr. Richard J. Dent.	129	6	El Paso Natural Gas Co. (Bisti Field and East Bisti Unit, San Juan County, N. Mex.) (San Juan Basin Area).	394	12- 2-68	* 1-2-69	6-2-69	** 14.0678	** 15.0634	RI64-497.
	do.	211	10	El Paso Natural Gas Co. (Ignacio-Blanco Field, La Plata County, Colo.).	572	12- 2-68	* 1-2-69	6-2-69	14.0	* 15.0	
	do.	215	1	El Paso Natural Gas Co. (Ignacio-Blanco Field, La Plata County, Colo.) (Basin-Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	1,182	12- 2-68	* 1-2-69	6-2-69	13.0	** 14.0	
	do.	144	10	El Paso Natural Gas Co. (Gavilan, South Blanco, Ballard, and Artee Fields, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	1,221	12- 2-68	* 1-2-69	6-2-69	** 12.0495	** 13.0551	
	do.	131	6	El Paso Natural Gas Co. (Otero-Gallup Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	2,977	12- 2-68	* 1-2-69	6-2-69	** 12.0495	** 13.0551	
	do.	47	24	El Paso Natural Gas Co. (Fulcher-Kutz, Ballard, Gavilan and South Blanco Fields, San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	13,818	11-29-68	* 1-1-69	6-1-69	12.0511	** 13.0551	
	do.	107	17	El Paso Natural Gas Co. (Ignacio-Blanco and South Blanco Fields, Rio Arriba County, N. Mex., and La Plata County, Colo.) (San Juan Basin Area).	666 2,572 37	11-29-68 ----- -----	* 1-1-69 ----- -----	6-1-69 ----- -----	** 14.0577 ** 12.0495 * 14.0	** 15.0634 ** 13.0551 ** 15.0	RI64-519. RI64-519. RI64-519.
RI69-390..	Amerasia Petroleum Corp., et al.	25	5	El Paso Natural Gas Co. (Ignacio Field, La Plata County, Colo.) (San Juan Basin Area).	20,837	11-29-68	* 1-7-69	6-7-69	14.0	** 15.0	RI65-334.
RI69-391..	American Petrofina Co. of Texas, P.O. Box 2159, Dallas, Tex. 75221, Attention: Walker W. Smith, Esq.	17	5	El Paso Natural Gas Co. (Blanco Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	1,322	11-29-68	* 1-1-69	6-1-69	14.0	** 15.0	RI64-450.
RI69-392..	Northwest Production Corp. (Operator), et al., P.O. Box 1796, El Paso, Tex. 79949, Attention: Walter G. Henderson, Esq.	1	77	El Paso Natural Gas Co. (Various Fields, Rio Arriba and San Juan Counties, N. Mex. and La Plata County, Colo.) (San Juan Basin Area).	2,099 2,000 24,098	11-29-68 ----- -----	* 1-1-69 ----- -----	6-1-69 ----- -----	** 12.0495 * 14.0 14.0578	** 13.0536 ** 15.0 ** 15.0619	RI64-398. RI64-398.
RI69-393..	Piedra Corp., 1115 Bank of New Mexico Bldg., Albuquerque, N. Mex. 87103, Attention: Roy L. Cook, President.	1	5	El Paso Natural Gas Co. (acreage in La Plata and Archuleta Counties, Colo.).	5,150	11-29-68	* 1-1-69	6-1-69	** 14.0	** 15.0	RI64-501.

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-394...	Roy L. Cook, Trustee et al., 1116 Bank of New Mexico Bldg., Albuquerque, N. Mex. 87103.	5	6	Prieda Corp. (acreage in La Plata and Archuleta Counties, Colo.).	\$4,378	11-29-68	* 1-1-69	6-1-69	** 11.90	** 12.75	RI64-500.
RI69-395...	Texaco, Inc. (Operator), et al., Post Office Box 52322, Houston, Tex. 77052, Attention: Mr. R. E. Wright	324	6	Southern Union Gathering Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	40,000	11-25-68	* 1-1-69	6-1-69	13.0	** 15.0	
RI69-396...	Sohio Petroleum Co. (Operator) et al., 979 First National Annex, Oklahoma City, Okla. 73102, Attention: Gas-Gasoline Division.	89	4	Mountain Fuel Supply Co. (Nitchie Gulch Pool, Sweetwater County, Wyo.).	3,500	11-29-68	* 1-1-69	6-1-69	15.0	** 16.0	
RI69-397...	J. Gregory Merriam (Operator) et al., Petroleum Plaza Bldg., Farmington, N. Mex., Attention: Mr. Robert L. Bayless.	2	8	El Paso Natural Gas Co. (Gavilan Pictured Cliffs Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	400	12-2-68	* 1-2-69	6-2-69	** 12.0495	** 13.6536	
RI69-398...	J. Gregory Merriam et al.	5	5	El Paso Natural Gas Co. (Flora Vista Mesa Verde Pool, San Juan County, N. Mex.) (San Juan Basin Area).	2,000	12-2-68	* 1-2-69	6-2-69	13.0	** 14.0	
	.....do.....	6	9	El Paso Natural Gas Co. (Flora Vista Mesa Verde Pool, San Juan County, N. Mex.) (San Juan Basin Area).	2,000	12-2-68	* 1-2-69	6-2-69	13.0	** 14.0	
RI69-399...	H. O. Pool, c/o John C. Akard, 809 El Paso National Bank Bldg., El Paso, Tex. 79901.	2	2	El Paso Natural Gas Co. (Mesa Verde and Dakota Formation, Canyon Largo Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	379	12-2-68	* 1-2-69	6-2-69	** 14.0	** 15.06775	RI64-367.
RI69-400...	Union Texas Petroleum, a Division of Allied Chemical Corp. (Operator), et al., P.O. Box 2120, Houston, Tex. 77001, Attention: Mr. Elliott G. Flowers.	20	8	El Paso Natural Gas Co. (San Juan and Rio Arriba Counties, N. Mex.) (San Juan Basin Area).	1,019 49,100	11-29-68	* 1-1-69	6-1-69	** 12.2308 ** 13.2501	** 13.2501 ** 14.2604	RI64-401. RI64-401.
	Union Texas Petroleum, a Division of Allied Chemical Corp. (Operator), et al.	45	5	Southern Union Gathering Co. (San Juan County, N. Mex.) (San Juan Basin Area).	1,712	11-29-68	* 1-1-69	6-1-69	** 14.2694	** 15.2896	RI64-485.
RI69-401...	Union Texas Petroleum, a Division of Allied Chemical Corp., et al.	53	3	El Paso Natural Gas Co. (Bluff Field, San Juan County, N. Mex.) (San Juan Basin Area).	96	11-29-68	* 1-1-69	6-1-69	** 14.2678	** 15.2869	RI64-503.

* Applicable to gas produced from the Dakota Formation.

** No present production.

† The stated effective date is the effective date requested by Respondent.

‡ Periodic rate increase.

§ Pressure base is 15.025 p.s.i.a.

|| Includes partial reimbursement for full 2.55 percent New Mexico Emergency School Tax and 0.015 percent increase in New Mexico Conservation Tax.

¶ Settlement rate made effective by order issued Apr. 13, 1966, in Dockets Nos. G-9279 et al. Moratorium on increased rates expires Jan. 1, 1969 (may file before Jan. 1, 1969).

‡ Reflects 1 cent per Mcf periodic and 0.0098 cent per Mcf tax reimbursement.

§ Includes partial reimbursement for 0.55 percent increase in New Mexico Emergency School Tax.

|| Includes partial reimbursement for full 2.55 percent New Mexico Emergency School Tax.

‡ Respondent reports that production has ceased.

§ Subject to downward B.t.u. price adjustment for B.t.u. content below 950 B.t.u.'s.

¶ For gas delivered below 860 p.s.i.g.

‡ For gas delivered above 860 p.s.i.g.

§ Price subject to increase of 1 cent per Mcf for gas produced from wells capable of delivering into 860 p.s.i.g. gathering system.

¶ Subject to deduction of 3 cents per Mcf for sour gas.

‡ Increase from settlement rate to contract rate.

§ Includes the 1 cent per Mcf minimum guarantee for liquids.

¶ No tax applied on the 1 cent per Mcf liquid guarantee.

‡ Successor to Acoma Oil Corp. (succession currently being processed).

§ Includes partial reimbursement for 0.55 percent increase in New Mexico Emergency School Tax and 0.015 percent increase in New Mexico Conservation Tax.

¶ Pictured Cliffs gas.

‡ Mesa Verde gas.

§ Dakota gas.

|| Increase from settlement rate to contract rate (and the 1 cent per Mcf minimum guarantee), plus tax reimbursement, due on Jan. 1, 1969.

¶ Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax computed on a total rate of 15 cents inclusive of the 1 cent per Mcf minimum guarantee for liquids.

* Applicable only to gas delivered from Mesa Verde Formation.

** For gas delivered at 250 p.s.i.g.

† The stated effective date is the first day after expiration of the statutory notice.

‡ Includes tax reimbursement on the base rate and the 1-cent minimum guarantee for liquids.

§ Pictured Cliffs Formation.

¶ Tax reimbursement for Federal leases 0.20199 cent per Mcf, total rate 12.20199 cents.

‡ Tax reimbursement for Federal leases 0.25249 cent per Mcf, total rate 13.25249 cents.

§ Mesa Verde Formation.

¶ Tax reimbursement for Federal leases 0.21883 cent per Mcf, total rate 14.21883 cents.

‡ Mesa Verde Formation covered by Supplement No. 5.

§ Southern Union Production Co. is an affiliate of Southern Union Gathering Co.

¶ Initial rate.

‡ Pertains to gas delivered in New Mexico.

§ Includes 1-cent minimum guarantee for liquids which is included in tax reimbursement calculations.

¶ Pertains to gas delivered in Colorado.

‡ Does not include 1 cent per Mcf minimum guarantee for liquids.

§ Rates are not applicable to acreage added by Supplement No. 4.

¶ Pertains to gas delivered at 500 p.s.i.a. in Rio Arriba County, N. Mex.

‡ Pertains to gas delivered at 250 p.s.i.a. in Rio Arriba County, N. Mex.

§ Pertains to gas delivered in La Plata County, Colo.

¶ Filing excludes acreage added by Supplements Nos. 15 and 16.

‡ For gas delivered in New Mexico at 250 p.s.i.g.

§ For gas delivered in Colorado.

¶ For gas delivered in New Mexico at 500 p.s.i.g.

‡ Respondent receives 100 percent of the resale rate to El Paso (15 cents) less 15 percent for gathering the gas.

§ Pertains to gas delivered from the Pictured Cliffs Formation and above.

¶ Pertains to gas delivered from below the Pictured Cliffs Formation.

Sinclair Oil Corp. (Sinclair) requests that its proposed rate increases be permitted to become effective on January 1, 1969. Skelly Oil Co. (Skelly) requests an effective date of January 1, 1969, for the rate increases filed on December 2, 1968. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Sinclair and Skelly's rate filings and such requests are denied.

A number of the increases for sales to El Paso Natural Gas Co. (El Paso) include as part of the proposed rate partial reimbursement based on the full 2.55 percent New Mexico Emergency School Tax. El Paso, the buyer, has protested all prior filings reflecting such tax reimbursement level and is expected to protest the filings herein. El Paso questions the right of the producer under the tax reimbursement clause to file a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increased rate in excess of 0.55 percent. Southern Union Gathering Co. (Southern Union) has filed a protest to two rate increases contained in Supplement Nos. 3 and 5 to Union Texas Petroleum, a division of Allied Chemical Corp.'s FPC Gas Rate Schedule Nos. 53 and 45, respectively, involving the same tax question as in the case of El Paso, mentioned above. In view of the contractual problem presented, we shall provide that the hearings herein with respect to the producers' rate increases containing such tax, shall concern themselves with the contractual basis for the rate filings, as well as the statutory lawfulness of the proposed increased rates and charges.

Piedra Corp. (Piedra) has filed a periodic rate increase from 14 cents to 15 cents per Mcf for a sale to El Paso in La Plata County, Colo. Both the present effective rate and proposed rate include 1 cent per Mcf liquid guarantee for liquids. Piedra owns no gas of its own. It gathers gas it purchases from other producers and resells it to El Paso. Since Piedra's proposed rate exceeds the applicable area ceiling of 13 cents per Mcf, it should be suspended for 5 months from January 1, 1969, the proposed effective date.

Roy L. Cook, Trustee, et al. (Cook), sells gas to Piedra and it has filed for its share of the rate increase filed for by Piedra. Cook's contract provides that Piedra shall pay Cook the price which Piedra receives from El Paso, including payments for liquids, after deducting from such price 15 percent in order to compensate Piedra for gathering and delivering the gas. Cook thus proposes to put into effect an increased rate of 12.75 cents per Mcf (15 cents \times 85 percent = 12.75 cents per Mcf). Consistent with prior Commission action involving rate increases of this type, we conclude that Cook's increased rate should be suspended for 5 months from January 1, 1969, the proposed effective date, since it is dependent upon Piedra's rate increase which is suspended herein for 5 months.

Twenty-three of the increased rates in the San Juan Basin Area include as part of the periodic increased rate the 1 cent per Mcf minimum guarantee for liquids. Since these increases exceed the applicable area ceiling by more than the 1 cent per Mcf liquid guarantee, they should be suspended for 5 months as ordered herein.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general

policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 256).

[F.R. Doc. 69-180; Filed, Jan. 8, 1969; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. R 1958]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 3, 1969.

The Bureau of Reclamation, U.S. Department of the Interior has filed an application, Serial No. R 1958, for the withdrawal of lands described below from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, subject to valid existing rights. The applicant desires the land for enhancement and mitigation of wildlife in connection with the Santa Margarita Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's need, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

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

The lands involved in the application are:

SAN BERNARDINO MERIDIAN, CALIFORNIA

- T. 8 S., R. 3 W.,
Sec. 26, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 33, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 8 S., R. 4 W.,
Sec. 26, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 27, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 1,480 acres in Riverside and San Diego Counties, Calif.

WALTER F. HOLMES,
Assistant Land Office Manager.

[F.R. Doc. 69-263; Filed, Jan. 8, 1969; 8:46 a.m.]

Geological Survey

[No. 99]

NEW MEXICO

Coal Land Classification

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

COAL LANDS

- T. 23 N., R. 8 W.
T. 24 N., R. 8 W.,
Secs. 1 to 25, inclusive;
Sec. 26, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 27, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
Secs. 28 to 32, inclusive;
Sec. 36.
T. 23 N., R. 9 W.
T. 24 N., R. 9 W.
T. 23 N., R. 10 W.
T. 24 N., R. 10 W.
T. 23 N., R. 11 W.
T. 24 N., R. 11 W.

NONCOAL LANDS

- T. 24 N., R. 8 W.,
Sec. 26, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 27, S $\frac{1}{2}$ S $\frac{1}{2}$;
Secs. 33 to 35 inclusive.

The area described aggregates about 184,475 acres of which about 182,035 acres are classified coal lands and about 2,240 acres are classified noncoal lands.

Dated: December 27, 1968.

ARTHUR A. BAKER,
Acting Director.

[F.R. Doc. 69-264; Filed, Jan. 8, 1969; 8:46 a.m.]

[No. 100]

NEW MEXICO

Coal Land Classification

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

COAL LANDS

- T. 24 N., R. 1 W.,
Secs. 1 to 23, inclusive;
Sec. 24, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 26, NW $\frac{1}{4}$;
Sec. 27, N $\frac{1}{2}$;
Secs. 28 to 32, inclusive;
Sec. 33, N $\frac{1}{2}$, SW $\frac{1}{4}$.

T. 25 N., R. 1 W.,
Sec. 7, lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Secs. 17 to 21, inclusive;
Sec. 26, NW $\frac{1}{4}$; S $\frac{1}{2}$;
Secs. 27 to 30, inclusive.
T. 24 N., R. 2 W.
T. 25 N., R. 2 W.,
Sec. 1, SW $\frac{1}{4}$;
Secs. 2 to 11, inclusive;
Sec. 12, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Secs. 13 to 36, inclusive.
T. 26 N., R. 2 W.,
Sec. 7;
Sec. 8, SW $\frac{1}{4}$;
Sec. 16, SW $\frac{1}{4}$;
Secs. 17 to 21, inclusive;
Secs. 27 to 34, inclusive;
Sec. 35, NW $\frac{1}{4}$, S $\frac{1}{2}$.
T. 24 N., R. 3 W.
T. 25 N., R. 3 W.

NONCOAL LANDS

T. 25 N., R. 1 W.,
Secs. 1 to 6, inclusive;
Sec. 7, lots 1 and 2, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$;
Secs. 8 to 16, inclusive;
Secs. 22 to 26, inclusive;
Sec. 26, NE $\frac{1}{4}$.
T. 26 N., R. 1 W., partly unsurveyed.
T. 25 N., R. 2 W.,
Sec. 1, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 12, NE $\frac{1}{4}$.
T. 26 N., R. 2 W.,
Secs. 1 to 6, inclusive;
Sec. 8, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Secs. 9 to 15, inclusive;
Sec. 16, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Secs. 22 to 26, inclusive;
Sec. 35, NE $\frac{1}{4}$;
Sec. 36.

The area described totals about 174,064 acres of which about 125,096 acres are classified coal lands and about 48,968 acres are classified noncoal lands.

Dated: December 27, 1968.

ARTHUR A. BAKER,
Acting Director.

[F.R. Doc. 69-265; Filed, Jan. 8, 1969;
8:46 a.m.]

National Park Service
CAPE COD NATIONAL SEASHORE,
MASS.

Notice of Intention To Negotiate
Concession Contract

Pursuant to the provisions of section 5, of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Edward G. and Nancy A. Benz authorizing them to provide concession facilities and services for the public at Salt Pond Motel, Cape Cod National Seashore, Mass., for a period of 5 years from January 1, 1969, through December 31, 1973.

The foregoing concessioners have performed their obligations under the expiring contract to the satisfaction of the National Park Service and, therefore, pursuant to the Act cited above, are entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, under the Act cited above, the Secretary is also required to consider and evaluate all pro-

posals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days of this notice.

Interested parties should contact the Chief, Division of Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: December 31, 1968.

R. B. MOORE,
Assistant Director,
National Park Service.

[F.R. Doc. 69-266; Filed, Jan. 8, 1969;
8:46 a.m.]

Office of the Secretary

E. CLYDE MCGRAW

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) None.
- (2) Change name of Atchison, Topeka & Santa Fe to Santa Fe Industries. Delete Newport Electric Corp. Delete Texstar Corp.
- (3) None.
- (4) None.

This statement is made as of December 9, 1968.

Dated: December 30, 1968.

E. CLYDE MCGRAW.

[F.R. Doc. 69-268; Filed, Jan. 8, 1969;
8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-232]

PACIFIC FAR EAST LINE, INC.

Notice of Application

Notice is hereby given that Pacific Far East Line, Inc., has applied for operating-differential subsidy for five freightships and a minimum of 30 and a maximum of 36 sailings per annum in addition to the vessels and sailings now authorized on its subsidized Trade Route No. 29, California/Far East service.

Any person, firm, or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c), 46 U.S.C. 1175, of the Merchant Marine Act, 1936, as amended (the "Act"), should, by the close of business on January 22, 1969, notify the Secretary, Maritime Subsidy Board in writing, in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board/Maritime Administration (46 CFR Part 201).

In the event a section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route, or line served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of U.S. registry in such service, route, or line is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: January 7, 1969.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 69-344; Filed, Jan. 8, 1969;
8:49 a.m.]

Office of the Secretary

[Department Order 46]

ASSISTANT SECRETARY FOR ADMINISTRATION

Delegation of Authority Regarding Procurement

The following order was issued by the Secretary of Commerce on December 26, 1968. This material supersedes the material appearing at 29 F.R. 13541 of October 1, 1964; 31 F.R. 8086 of June 8, 1966; 32 F.R. 6063 of April 15, 1967; and 32 F.R. 10825 of July 22, 1967.

SECTION 1. Purpose. This order delegates certain procurement authority, including authority to approve and execute contracts, and otherwise provides for the performance of procurement functions within the Department.

Sec. 2. Delegations of authority. .01 Pursuant to authority vested in the Secretary of Commerce by law, the head of each operating unit listed in Part I of Appendix A, subject to the provisions of this order and applicable laws and regulations, is hereby delegated procurement authority for his unit, including authority to approve and execute:

a. Advertised contracts and accompanying bonds, including annual bid bonds;

b. Any contract which is supplemental to an advertised contract;

c. Negotiated contracts and accompanying bonds, including annual bid bonds; or any contract supplemental thereto (for purposes of this order, a negotiated contract is one entered into without advertising, whether or not it falls within any of the exceptions mentioned in R.S. 3709 (41 U.S.C. 5), and

title III of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 252(c)); and

d. All documents in connection with the placing of advertising in any written medium for any purpose.

.02 The head of an operating unit may redelegate the authority granted herein and may impose such conditions and limitations as he deems necessary.

SEC. 3. *General provisions.* .01 The Assistant Secretary for Administration is hereby authorized and directed to exercise the procurement authority (including authority to approve and execute contracts, and all documents in connection with the placing of advertising in any written medium for any purpose) delegated to him in Department Order 134, either through the Office of Administrative Services or as he otherwise directs, on behalf of the operating units listed in Part II of Appendix A.

.02 The Assistant Secretary for Administration may redelegate to the head of any operating unit listed in Part II of Appendix A authority to procure items and services not deemed practicable of procurement on a centralized basis by the Office of Administrative Services.

.03 Procurement by or under delegation from the Assistant Secretary for Administration, of items and services of a scientific or technical nature for the operating units listed in Part II of Appendix A shall be limited to those items and services requested and approved by the head of the operating unit or his designee(s).

.04 Pursuant to the provisions of title III of the Federal Property and Administrative Services Act of 1949, as amended, negotiated contracts for research and development work requiring an expenditure of more than \$25,000, under section 302(c) (11) of the Act, shall be approved by the Assistant Secretary for Administration.

.05 a. No organizational unit of the Department shall execute any contract, supplement thereto, or significant amendment thereof for management consulting services, nor shall it issue any request for proposals or other form of solicitation for such services, without the prior approval of the Assistant Secretary for Administration, unless the total cost of such services is expected to be less than \$10,000. The Assistant Secretary for Administration shall consult with the Program Secretarial Officer concerned prior to acting on requests for approval of proposed management consulting services.

b. For the purpose of this order, the term "management consulting service" shall include any survey, research study, analysis, or consultation concerned primarily with improving the general management or administrative functions of the Department, or of any of its programs or organizational units.

.06 Contractual documents shall be cleared by the Office of the General Counsel or by the primary operating unit legal staff, where one exists, in accordance with such instructions as may be

issued from time to time by the Office of the General Counsel.

SEC. 4. *Saving provision.*

This order shall be deemed consistent with Department Order 134.

Effective date: December 26, 1968.

DAVID R. BALDWIN,
Assistant Secretary
for Administration.

APPENDIX A

Part I. Operating units delegated procurement authority.

National Bureau of Standards.
Environmental Science Services Administration (except as specified in Part II hereof).
Bureau of the Census (except as specified in Part II hereof).
Maritime Administration (except as specified in Part II hereof).

Part II. Operating units for which the Assistant Secretary for Administration exercises procurement authority.

Office of the Secretary, including all components thereof.
All operating units not enumerated in Part I hereof.

Census Bureau (all procurement up to and including \$2,500).

Maritime Administration (procurement of administrative equipment and supplies for headquarters use).

Environmental Science Services Administration (all procurement and contracts for nontechnical items, items of common use within the Department, and selected items or services of a scientific or technical nature as designated through mutual agreement between the Director of Administration of ESSA and the Director, Office of Administrative Services, Office of the Secretary).

[P.R. Doc. 69-252; Filed, Jan. 8, 1969; 8:45 a.m.]

[Department Order 2-A]

ADMINISTRATOR, ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Delegations and Functions

The following order was issued by the Secretary of Commerce on December 26, 1968. This material supersedes the material appearing at 31 F.R. 10752 of August 12, 1966; 33 F.R. 3444 of February 28, 1968; and 33 F.R. 12588 of September 5, 1968.

SECTION 1. *Purpose.* The purpose of this order is to delegate authority to the Administrator of the Environmental Science Services Administration, hereinafter referred to as the Administrator, and to describe functions of the Environmental Science Services Administration, hereinafter referred to as the Administration.

SEC. 2. *General.* .01 The Administration, established on July 13, 1965, in accordance with the provisions of Reorganization Plan No. 2 of 1965, shall continue as a primary operating unit of the Department of Commerce.

.02 The Administrator, who is appointed by the President by and with the advice of the Senate, is the head of the Administration. The Administrator shall be assisted by the Deputy Administrator of the Environmental Science Services

Administration, hereinafter referred to as the Deputy, who is appointed by the President by and with the advice and consent of the Senate.

.03 The Administrator shall report and be responsible to the Assistant Secretary for Science and Technology.

.04 The Deputy Administrator shall act as the Administrator during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator. In the absence of both the Administrator and Deputy Administrator, an employee of the Administration as designated in writing by the Administrator shall act as the Administrator.

SEC. 3.—*Delegation of Authority.* .01 Pursuant to the authority vested in the Secretary of Commerce by law, including Reorganization Plan No. 4 of 1940, Reorganization Plan No. 5 of 1950, and Reorganization Plan No. 2 of 1965, and subject to such policies and directives as the Secretary of Commerce or the Assistant Secretary for Science and Technology may prescribe, the Administrator is hereby delegated authority to perform the functions vested in or assigned to the Secretary of Commerce under:

a. Title 15, Chapter 9, United States Code (The Weather Bureau);

b. 49 U.S.C. 1463 (Weather Service for Civil Aviation);

c. Provisions relating to weather in Title 49, Chapter 15, United States Code (International Aviation Facilities);

d. Public Law 22 of the 66th Congress, Chapter 26, Act of July 24, 1919 (41 Stat. 234, 270) relating to cooperation with outside sources and disposition of funds received;

e. Title 33, Chapter 17, United States Code (Coast and Geodetic Survey);

f. Title 10, United States Code, sections 1201-1203, 1210(f), 1211(b) (1), and 1401 (Public Law 88-132) relating to the retirement or separation, for physical disability, of commissioned officers of the Administration;

g. Executive Order 11023 of May 28, 1962; sections 1 (a), (b), (c), (f), (g), (h), (i), (j), and (l); section 2(1); section 5; and section 6, relating to the appointment, retirement, separation, and resignation of commissioned officers of the Administration; and the employment of public vessels for carrying out assigned functions;

h. Title 15, Chapter 7, United States Code, pertaining to electromagnetic and sound wave propagation phenomena;

i. Executive Order 10999 of February 16, 1962, sections 1(d) and 6(c), relating to fallout forecasting under the emergency preparedness and national civil defense programs;

j. Sections 3 and 4 of Bureau of the Budget Circular No. A-62 of November 31, 1963, which pertain to the coordination of Federal meteorological services and supporting research;

k. Sections 3b and 4 of Bureau of the Budget Circular No. A-16 of May 6, 1967, pertaining to establishment and maintenance of the National Networks of Geodetic Control, and to the development and execution of a coordinated na-

tional program of geodetic surveys: *Provided, however*, That instructions to other Federal agencies for submission to the Administration of their needs for geodetic surveys or their plans for performing or contracting for such surveys, may be issued only by, or with the prior approval of, the Assistant Secretary for Science and Technology;

l. The President's memorandum of July 5, 1968, issued in accord with Senate Concurrent Resolution 67 of May 29, 1968, furthering participation in and support of the World Weather Program by the United States. The plan to be developed annually for submission to the Congress on the proposed participation by Federal agencies in the Program shall be prepared by the Administrator for transmittal to the President by the Secretary;

m. Public Law 85-934 (72 Stat. 1793; 42 U.S.C. 1891-3), to make grants for the support of basic scientific research; and

n. All other existing or subsequent legislation with respect to meteorology, climatology, hydrology, surveying, cartography, oceanography, terrestrial and space investigations, electromagnetic wave propagation, electromagnetic properties of the atmosphere, telecommunications services, and related activities within the special competence of the Administration.

.02 The Administrator may redelegate his authority to any employee of the Administration subject to such conditions in the exercise of such authority as he may prescribe.

Sec. 4. *Functions.* To insure the safety and welfare of the public, to further the Nation's agriculture, industry, transportation, and communications, and to assist those Federal departments and agencies that are concerned with the national defense, the exploration of outer space, the management of the Nation's mineral and water resources, the protection of the public health against environmental pollution, and the preservation of the Nation's wilderness and recreation areas, the Administration shall perform the following functions:

a. Observe and collect comprehensive data about the state of the oceans and inland waters, of the upper and lower atmosphere, of the space environment, and of the earth;

b. Communicate, correlate, process, and analyze all such environmental data;

c. Provide and disseminate information about the state of the oceans and inland waters, of the upper and lower atmosphere, of the space environment, and of the earth, and predictions of their future states;

d. Prepare and disseminate warnings of all severe hazards of nature to all who may be affected;

e. Provide nautical, aeronautical, and telecommunication charts and related publications and services;

f. Operate and maintain a system for the storage, retrieval, and dissemination of data relating to the state of the oceans and inland waters, of the lower and upper atmosphere, of the space environment, and of the earth;

g. Explore the feasibility of modification and control of environmental phenomena;

h. Coordinate Federal meteorological services and supporting research;

i. Acquire, analyze, and disseminate data and perform basic and applied research on the propagation of electromagnetic waves, on the nature of electromagnetic noise and interference, and on methods for the more efficient use of the electromagnetic spectrum for telecommunications purposes; prepare and issue predictions of electromagnetic wave propagation conditions, and warnings of disturbances in those conditions; and acquire, analyze and disseminate data and perform basic and applied research on the propagation of sound waves to great distances through the atmosphere and other media, and on geophysical interactions between sound waves and other geophysical phenomena;

j. Perform research and development relating to the oceans and inland waters, the lower and upper atmosphere, the space environment, the earth, and the use of the electromagnetic spectrum for telecommunications purposes, as may be necessary or desirable to develop an understanding of the processes and phenomena involved; and research and development relating to the observation, communication, processing, correlation, analysis, dissemination, storage, retrieval, and use of environmental data as may be necessary or desirable to permit the Administration to discharge its responsibilities; and

k. Coordinate national efforts in support of the World Weather Program.

Effective date: December 26, 1968.

DAVID R. BALDWIN,
Assistant Secretary
for Administration.

[F.R. Doc. 69-253; Filed, Jan. 8, 1969;
8:45 a.m.]

[Department Order 89-B]

PATENT OFFICE

Organization and Functions

This material supersedes the material appearing at 32 F.R. 7347 of May 17, 1967; 32 F.R. 13340 of September 21, 1967; and 33 F.R. 17802 of November 28, 1968.

SECTION 1. *Purpose.* The purpose of this order is to prescribe the organization and assignment of functions within the Patent Office.

Sec. 2. *Organization structure.* The principal organization structure and line of authority of the Patent Office shall be as depicted in the attached organization chart.

Sec. 3. *Office of the Commissioner.* The Commissioner determines the policies and directs the programs of the Patent Office and is responsible for the conduct of all activities of the Patent Office. He is principally assisted in these responsibilities by three Assistant Commissioners who shall have the titles and main duties as specified below:

a. The First Assistant Commissioner shall provide administrative and policy direction to the Office of the Solicitor, the Board of Appeals, the Board of Patent Interferences, the Trademark Trial and Appeal Board, and the Trademark Examining Operation.

b. The Assistant Commissioner for Patent Examining shall provide administrative and policy direction to the patent examining operations which consist of the organizational elements enumerated in section 6. The Assistant Commissioner shall be assisted by a Deputy Assistant Commissioner for Patent Examining who, among other duties, shall perform the functions of the Assistant Commissioner for Patent Examining during the latter's absence.

c. The Assistant Commissioner for Public Affairs shall provide administrative and policy direction to the Office of Information Services, Office of Legislative Planning, and the Office of International Patent and Trademark Affairs.

Sec. 4. *Offices reporting to the commissioner.* .01 The Office of Planning and Programming shall provide the principal assistance to the Commissioner in planning and developing the major programs of the Patent Office to accomplish its objectives and enhance its role and effectiveness in carrying out the purposes of the patent system; provide overall coordination of internal program planning in support of Office-wide objectives, preparing pertinent guidelines governing such effort including PPBS as well as immediate and extended range program stages; and initiate and conduct or coordinate the conducts of special studies and analyses required for formulating, reviewing, and appraising program plans and projections of goals, making use of the Organization and Systems Analysis Division or other appropriate resources available for this purpose.

.02 The Office of Research, Development and Analysis shall plan and conduct a comprehensive operations improvement program aimed at achieving maximum effectiveness in fulfilling the current and future objectives of the Patent Office. The responsibilities of this Office shall be carried out through the Office of the Director and the following divisions:

a. The Research and Development Division shall identify areas of needed research, formulate approaches to research problems, conduct research (or monitor research carried out under contract); design and install experimental systems, new equipment, or other products of research, and evaluate their effectiveness after installation. Major research and development efforts are aimed at development of automated search and retrieval systems and more effective dissemination of stored information to Patent Office examiners, the patent profession, and the scientific community.

b. The Organization and Systems Analysis Division, a staff organization serving the entire Patent Office, shall provide analytical and system research for management in developing and im-

plementing improvements in methods, procedures, systems, organization and corresponding functional alignment, and manpower and equipment utilization to resolve operational problems, achieve efficiency, economy, and effectiveness in operations, and strengthen management practices; develop information systems providing data for management in planning and programming future requirements, in exercising day-to-day operational control, and in measuring and evaluating the effectiveness of programs and policies; develop cost-benefit data and apply new system concepts; design and develop systems utilizing automatic data processing equipment; analyze and interpret systems data; and perform related activities and functions.

c. The Automatic Data Processing Division shall provide data processing services to other elements of the Patent Office. It shall be responsible for operation, support and maintenance of all general purpose automatic data processing equipment except that which may be assigned to other elements for data collection or which is integral to process control systems of the Patent Office. Its functions shall also include writing and testing of computer programs, maintaining a comprehensive library of programs including those provided by other elements of the Office, developing special utility routines, and defining needs for new equipment or modification of existing units.

.03 The Office of Administration shall be responsible for overall Patent Office administrative functions. These functions shall be carried out through the Office of the Director and the following divisions:

a. Administrative Services Division shall provide Office-wide services including the procurement and supply of equipment, furnishings, and consumable items; space and facilities management; communications; travel and transportation services; mail, messenger, and general correspondence services; and procurement and supply of graphic services and administrative printing, including office forms and publications. This Division is also responsible for carrying out a comprehensive paperwork management program in the Patent Office, embracing forms, reports, directives and records.

b. Budget and Finance Division shall provide staff assistance in the development, application and execution of budgetary and fiscal policies and programs; conduct accounting operations for revenue, trust funds, and the Patent Office appropriation; and administer payroll and related employee accounts.

c. Personnel Division shall administer activities relating to recruitment, placement, employee relations, training and career development, incentive awards, performance rating, position classification and wage administration, group-management relations and various employee benefit programs.

Sec. 5. *Offices reporting to the First Assistant Commissioner.* .01 The Office of the Solicitor comprises the Solicitor, who is the chief legal officer for the Patent Office and his professional associates.

This Office shall handle all litigation to which the Commissioner is a party and provide all other required legal services, including drafting of legislation and advice and assistance on legislative matters.

.02 The Board of Appeals shall conduct hearings and render decisions on appeals from adverse decisions of examiners rejecting claims in patent applications.

.03 The Board of Patent Interferences shall conduct patent interference proceedings and make final determination in the Patent Office as to priority of invention. The Board, also, shall decide questions concerning property rights in inventions in the atomic energy and space fields brought before it under the provisions of 42 U.S.C. 2182 and 2457 (d) and (e).

.04 The Trademark Trial and Appeal Board shall be responsible for hearing and deciding adversary proceedings involving interfering applications, oppositions to registration, cancellation petitions, and concurrent use proceedings; and for hearing and deciding appeals from final refusals of the trademark examiners to allow the registration of trademarks.

.05 The Trademark Examining Operation shall be responsible for the classification and examination of applications for the registration of trademarks and service marks and the maintenance of the principal and supplemental registers of trademarks.

Sec. 6. *Offices reporting to the Assistant Commissioner for patent examining.*

.01 The Office of Examining and Documentation Control shall develop procedures, quality and quantity standards relating to the conduct of the examination and documentation functions; evaluate compliance with examination and documentation standards; and train new examiners in patent practice and procedure.

.02 The Examining Groups, specified below, shall examine applications for patent to ascertain if the applicants are entitled to patents under the law and grant patents to those so entitled. Each examining group shall perform this function for patent applications falling within the generic category indicated by the title of the group. The Examining Groups are:

General Chemistry and Petroleum Chemistry;
General Organic Chemistry;
High Polymer Chemistry, Plastics and Molding;
Coating and Laminating, Bleaching, Dyeing and Photography;
Specialized Chemical Industries and Chemical Engineering;
Industrial Electronics and Related Elements;
Security and Designs;
Information Transmission, Storage and Retrieval;
Electronic Component Systems and Devices;
Physics;
Handling and Transportation Media;
Material Shaping, Article Manufacturing, Tools;
Amusement, Husbandry, Personal Treatment, Information;
Heat and Power Engineering;
Fixed Constructions, Support and Hardware and
Textiles, Cleaning and Fluid Handling.

.03 The Office of Documentation shall develop, improve, and maintain subject matter classification systems; improve and maintain the examiner's search file; improve and maintain operational search systems both manual and electronic, for the storage and identification of patents and patent related literature so that examiners and the public may readily retrieve particular technical information. The Office shall be organized into three Documentation Divisions, respectively titled Chemical, Electrical, and Mechanical, each to be responsible for the files and operational search systems falling into the subject area covered by its title.

.04 The Office of Patent Services shall review incoming applications for compliance as to filing form; assign applications to appropriate examining units; issue patent grants; record instruments transferring property rights to patents and trademarks; provide drafting services; furnish copies of patents and office records; coordinate the mailing of examiner's actions and cited reference matter; and maintain collections of pertinent technical and scientific information such as U.S. patents, foreign patents, periodicals, and other publications for use by patent and trademark examiners and the patent public.

.05 The Examining Support Division shall provide direct administrative and clerical support to the Examining Groups in the examination of patent applications. Its duties shall include the maintenance and movement of the file; preexamination of applications as to form and correspondence with applicants on such matters; preparation for examination, allowance, and printing; and liaison with units of the Office of Patent Services in the processing of documents for, and the provision of logistic support to, the Examining Groups.

Sec. 7. *Offices reporting to the Assistant Commissioner for Public Affairs.* .01 The Office of Information Services shall advise and represent the Commissioner on information matters; conduct programs fostering public understanding of the American patent system and the functions, services and publications of the Patent Office; develop publication policies; provide direction and assistance in developing new and revised publications; and assure conformity with policies, regulations, and standards concerning publications and publication practices.

.02 The Office of Legislative Planning shall make studies and advise the Commissioner on matters which may require legislative action and, in cooperation with the Office of the Solicitor, shall plan and conduct the legislative program of the Patent Office.

.03 The Office of International Patent and Trademark Affairs shall make studies and advise on policy and action concerning international patent and trademark matters.

Effective date: December 26, 1968.

DAVID R. BALDWIN,
Assistant Secretary
for Administration.

[P.R. Doc. 69-254; Filed, Jan. 8, 1969;
8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-146]

SAXTON NUCLEAR EXPERIMENTAL CORP.

Notice of Issuance of Operating License Amendment

The Atomic Energy Commission has issued Amendment No. 4 as set forth below and effective as of the date of issuance, to Operating License No. DPR-4. The license authorizes Saxton Nuclear Experimental Corp. to operate its light water moderated and cooled, pressurized water reactor located near the Borough of Saxton in Liberty Township, Bedford County, Pa. Amendment No. 4 extends the expiration date of the license to December 31, 1972. All other conditions of the license remain the same.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this amendment may file a petition for leave to intervene. A request for hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see the licensee's application for license renewal dated November 27, 1968, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 27th day of December 1968.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[License DPR-4, Amdt. 4]

The Atomic Energy Commission has found that:

1. The Saxton Nuclear Experimental Corp. application for license renewal dated November 27, 1968, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

2. Operation of the reactor in accordance with the license, as amended, will not be inimical to the common defense and security or to the health and safety of the public;

3. The applicant is financially qualified to continue to operate the facility and to engage in the activities as authorized; and

4. Prior public notice of proposed issuance of this amendment is not required, since the amendment does not involve significant hazards considerations different from those previously evaluated.

Accordingly, Operating License No. DPR-4, as amended, is hereby further amended by revising paragraph number 4 thereof in its entirety to read as follows:

"4. This license is effective as of the date of issuance and shall expire at midnight, December 31, 1972."

Date of Issuance: December 27, 1968.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 69-250; Filed, Jan. 8, 1969;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18659]

BUFFALO-TWIN CITIES NONSTOP SERVICE INVESTIGATION

Notice of Postponement of Prehearing Conference

The prehearing conference in the above-entitled investigation, now assigned to be held on January 23, 1969, is hereby postponed to January 28, 1969, at 10 a.m., e.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Greer M. Murphy.

The date for filing the pleadings called for in the December 31, 1968, notice is postponed from January 17 to January 22, 1969.

Dated at Washington, D.C., January 3, 1969.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 69-284; Filed, Jan. 8, 1969;
8:48 a.m.]

[Docket No. 18650; Order 69-1-3]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Changes to Rates and Conditions Within Scandinavia

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 2d day of January 1969.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 2 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB agreement number.

The agreement amends an IATA resolution, previously approved by the Board, which delegates to the carriers serving the Scandinavian countries the authority to establish by unanimous agreement the rates and practices applicable within the area. The amendment adds Seaboard World Airlines to the list of authorized carriers. This carrier has now been certificated to serve and is providing service to this area. Accordingly, it is appropriate that Seaboard participate in the formulation of the agreements to

be applicable within the Scandinavian countries.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find Agreement CAB 20706 to be adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That: Agreement CAB 20706 is approved. This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-285; Filed, Jan. 8, 1969;
8:48 a.m.]

FEDERAL HOME LOAN BANK BOARD

NATIONAL PRODUCERS LIFE INSURANCE CO.

Notice of Receipt of Application for Permission To Acquire Control of Southwest Savings and Loan Association

JANUARY 6, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the National Producers Life Insurance Co., Phoenix, Ariz., on behalf of itself and its parent companies, Alabama National Life Insurance Co., Old National Insurance Co., Alabama Corp., and a voting trust of which the beneficiaries are Mr. Jack E. Love and Mr. Robert H. Wallace, for permission to acquire control of the Southwest Savings and Loan Association, Phoenix, Ariz., under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)) and § 584.4 of the regulations for Savings and Loan Holding Companies (12 CFR § 584.4). The proposed acquisition of control is to be effected by the purchase of 98 percent of the outstanding guaranty stock of Southwest Savings and Loan Association by National Producers Life Insurance Co. from Alabama National Life Insurance Co. in exchange for assets valued at \$2,034,069. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20052, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL] JACK CARTER,
Secretary,
Federal Home Loan Bank Board.

[F.R. Doc. 69-283; Filed, Jan. 8, 1969;
8:48 a.m.]

FEDERAL RESERVE SYSTEM

FIRST FINANCIAL CORP.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors

of the Federal Reserve System pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by First Financial Corp., Tampa, Fla., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of up to 99.56 percent of the voting shares of The First National Bank of Tampa, Tampa, Fla.; up to 77.01 percent of the voting shares of The Broadway National Bank of Tampa, Tampa, Fla.; up to 52 percent of the voting shares of The First National Bank of Brooksville, Brooksville, Fla.; up to 55.64 percent of the voting shares of The First National Bank of Lakeland, Lakeland, Fla.; and up to 83.40 percent of the voting shares of The Second National Bank of Tampa, Tampa, Fla.

Section 3(c) of the Act, as amended, provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

Dated at Washington, D.C., this 26th day of December 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[P.R. Doc. 69-255; Filed, Jan. 8, 1969;
8:45 a.m.]

FIRST PENNSYLVANIA BANKING AND TRUST CO.

Order Approving Merger of Banks

In the matter of the application of The First Pennsylvania Banking and Trust Co. for approval of merger with Chestnut Street Trust Co.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by The First Pennsylvania Banking and Trust Co., Philadelphia, Pa., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank with Chestnut Street Trust Co., Philadelphia, Pa., under the charter of the latter bank and the name of the former. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger,

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is approved, *Provided*, That said merger shall not be consummated (a) before the 30th calendar day following the date of this Order or (b) later than 3 months after the date of this order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Philadelphia pursuant to delegated authority.

Dated at Washington, D.C., this 26th day of December 1968.

By order of the Board of Governors.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[P.R. Doc. 69-256; Filed, Jan. 8, 1969;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3909]

BSF CO.

Order Suspending Trading

JANUARY 3, 1969.

The capital stock (66½ cents par value) and the 5½ percent convertible subordinated debentures due 1969 of BSF Co. being listed and registered on the American Stock Exchange, and such capital stock being listed and registered on the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934; and all other securities of BSF Co. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Philadelphia.

² Voting for this action: Governors Mitchell, Daane, Brimmer, and Sherrill. Absent and not voting: Chairman Martin, and Governors Robertson and Malsel.

suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in the said capital stock on such exchanges and in the debentures on the American Stock Exchange, and trading otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 5, 1969, through January 14, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[P.R. Doc. 69-269; Filed, Jan. 8, 1969;
8:47 a.m.]

[File No. 1-2250]

COMSTOCK-KEYSTONE MINING CO.

Order Suspending Trading

JANUARY 3, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Comstock-Keystone Mining Co., n.k.a. Memory Magnetics International, 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 January 6, 1969, through January 15, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[P.R. Doc. 69-270; Filed, Jan. 8, 1969;
8:47 a.m.]

[812-2351]

MINNESOTA MUTUAL LIFE INSURANCE CO. AND MINNESOTA MUTUAL VARIABLE FUND D

Notice of Application for Exemptions

JANUARY 3, 1969.

Notice is hereby given that Minnesota Mutual Life Insurance Co. ("Minnesota Mutual") and Minnesota Mutual Variable Fund D ("VFD"), 345 Cedar Street, St. Paul, Minn. 55101 (herein collectively called "Applicants") have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq. ("Act"), for an order exempting Applicants from the provisions of sections 17(f), 22(d), 22(e), 27(a)(4), 27(c)(1), and 27(c)(2) of the Act, and Rule 17f-2 thereunder. Minnesota Mutual established VFD pursuant to Minnesota law on October 16,

1967, as a separate account to offer individual or group variable annuity contracts in connection with pension or profit-sharing plans meeting the requirements of section 401(a) of the Internal Revenue Code of 1954, as amended (the "Code"), including plans established by persons entitled to the benefits of the Self-Employed Individual Tax Retirement Act of 1962, as amended, and annuity purchase plans adopted by public school systems and certain tax-exempt organizations pursuant to section 403(b) of the Code. VFD is an open-end diversified management company registered under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Section 17(f) provides, in pertinent part, that a registered management investment company may maintain its securities and investments in its own custody in accordance with the rules, regulations, and orders adopted by the Commission in the interest of investors. Rule 17f-2 requires, in pertinent part, that such assets be placed in a bank subject to the other requirements of the rule, one of which limits the persons who shall have access to such assets to only certain specified individuals. Applicants request an exemption to permit access to the securities of VFD which will be held pursuant to a safekeeping agreement with the First National Bank of St. Paul, Minn., by duly authorized representatives of the Minnesota Commissioner of Insurance and by duly authorized officers or responsible employees of Minnesota Mutual.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus. Applicants request an exemption from section 22(d), to the extent that the Commission considers such an exemption necessary, so that contracts may be sold at a uniform price that includes one deduction that may reflect both sales and administrative expenses. Applicants represent that an allocation between these two elements of expense is not feasible, as this allocation will vary considerably from case to case depending on the assistance each employer is willing or able to render.

Applicants also request exemption from the provisions of section 22(d), to the extent deemed necessary by the Commission, so that the Board of Trustees of Minnesota Mutual may make an annual determination on a uniform basis of the amount of surplus which will be distributed and the nondiscriminatory manner in which that amount should be distributed among the different classes of contracts. Under the variable contracts, surplus will arise if actual expenses are less than anticipated expenses and if actual mortality experience is more favorable than the mortality assumed. If surplus is deemed more than adequate to provide for protection of contract owners and participants, the

balance or divisible surplus may be distributed as explained above.

Applicants further request exemption from the provisions of Section 22(d), to the extent necessary to permit the beneficiary of an individual account holder who has died prior to the commencement of annuity payments, to elect to have the value of the individual account applied, without reduction for sales and administrative expense, to effect an annuity (either fixed or variable or a combination thereof), in lieu of payment in a single sum. Any selling activity will be limited to delivery of a current prospectus to the beneficiary and any necessary explanation of the annuity options available. Therefore, no significant selling expenses are anticipated. All beneficiaries will be uniformly treated.

Sections 22(e) and 27(c)(1) respectively provide, in pertinent part, that (1) a registered investment company may not suspend the right of redemption or postpone the date of payment upon redemption of any redeemable security in accordance with its terms for more than 7 days after the tender of such security for redemption, and (2) a registered investment company issuing periodic payment plan certificates may not sell such certificates unless such certificates are redeemable securities.

Applicants represent that prior to their maturity dates the contracts are redeemable and satisfy the redemption provisions of the Act. However, on their respective maturity dates, the then value of the contracts is determined and applied to provide for lifetime annuity payments of variable amounts. Applicants state that because the amount of annuity payments under the variable option are calculated actuarially, based upon the life expectancies of the purchasers of the contracts, if a purchaser were permitted to redeem his contract after maturity date, it would undermine the actuarial basis for determining annuity payments. Applicants request exemption from sections 22(e) and 27(c)(1) to the extent necessary to permit the issuance of contracts which preclude an annuitant from redeeming his annuity for a cash settlement once annuity payments have commenced.

Section 27(a)(4), as here pertinent, prohibits the sale of any periodic payment plan certificate issued by a registered investment company if the first payment on such certificate is less than \$20 or any subsequent payment less than \$10. Applicants request an exemption from this requirement, to the extent that the Commission deems it necessary, to permit a first payment of not less than \$10, on the grounds that such exemption will serve the convenience and needs of employers by minimizing administrative and accounting burdens involved in making payroll adjustments or deductions.

Sale of the contracts will be made only in connection with pension or profit-sharing plans meeting the requirements of section 401(a) of the Internal Revenue Code and annuity purchase plans adopted pursuant to section 403(b) of the Code.

Section 27(c)(2) prohibits a registered investment company or a depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments, other than the sales load, are deposited with a bank as trustee or custodian and held under an indenture or agreement containing, in substance, the provisions required by section 26(a)(2) and (3) for a unit investment trust. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities and cash of the trust and places certain restrictions on charges which may be made against the trust income and corpus and excludes from expenses which the trustee or custodian may charge against the trust any payments to the depositor or principal underwriter, other than a fee not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services delegated to them by the trustee or custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign.

Applicants state that Minnesota Mutual is closely regulated by the Minnesota Commissioner of Insurance and the Commerce Commission of the State of Minnesota and that such control adequately protects the interest of the contract purchasers and affords the essential protection which the trusteeship or custodianship under section 26(a)(2) is designed to provide. The contractual obligations of Minnesota Mutual to the participants cannot be abandoned until such obligations have been discharged. Since such supervision, inspection, and undertakings render remote the possibility of orphanage of VFD by Minnesota Mutual which the trusteeship under section 27(c)(2) is designed to prevent, Applicants request an exemption from the requirement of section 27(c)(2) for literal compliance with sections 26(a)(2) and (3). Applicants have consented to the requested exemption being subject to the conditions that the charges under the contracts for administrative services referred to in section 26(a) shall not exceed such reasonable amounts as the Commission shall prescribe, and that the Commission shall reserve jurisdiction for such purpose and that the payment of sums and charges out of the assets of the Fund shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that the consent of Applicants to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of such assets other than charges for administrative services. Applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 6(c) authorizes the Commission to exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act and rules

promulgated thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is hereby given that any interested person may, not later than January 22, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 69-271; Filed, Jan. 8, 1969;
8:47 a.m.]

MOONEY AIRCRAFT, INC.

Order Suspending Trading

JANUARY 3, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Mooney Aircraft, Inc., 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 January 6, 1969, through January 15, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 69-272; Filed, Jan. 8, 1969;
8:47 a.m.]

[File No. 1-3468]

MOUNTAIN STATES DEVELOPMENT CO.

Order Suspending Trading

JANUARY 3, 1969.

The common stock, 1-cent par value, of Mountain States Development Co. being listed and registered on the Salt Lake Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Mountain States Development Co. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the Salt Lake Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 5, 1969, through January 14, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 69-273; Filed, Jan. 8, 1969;
8:47 a.m.]

TEXAS URANIUM CORP.

Order Suspending Trading

JANUARY 3, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Texas Uranium Corp., Salt Lake City, Utah, 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 January 4, 1969, through January 13, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 69-274; Filed, Jan. 8, 1969;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 532]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 3, 1969.

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 2900 (Deviation No. 26), RYDER TRUCK LINES, INC., Post Office Box 2408, Jancsonville, Fla. 32203, filed December 5, 1968. Carrier's representative: Larry D. Knox, 2050 Kings Road, Jancsonville, Fla. 32209. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From McComb, Miss., over Mississippi Highway 24 to Gloster, Miss., thence over Mississippi Highway 33 to the Mississippi-Louisiana State line, thence over Louisiana Highway 19 to Baton Rouge, La., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From McComb, Miss., over U.S. Highway 51 to junction U.S. Highway 190, thence over U.S. Highway 190 to Baton Rouge, La., and return over the same route.

No. MC 42487 (Deviation No. 73), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025, filed December 24, 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 junction U.S. Highway 40 and Interstate Highway 70 just west of Washington, Pa., over Interstate Highway 70 to junction Pennsylvania Highway 51, thence over Pennsylvania Highway 51 to Uniontown, 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 Philadelphia, Pa., over U.S. Highway 13 to junction U.S. Highway 40, thence over U.S. Highway 40 to St. Louis, Mo., and return over the same route.

No. MC 60186 (Deviation No. 5), NELSON FREIGHTWAYS, INC., 47 East Street, Rockville, Conn. 06066, filed December 16, 1968. Carrier's representative: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006. Carrier proposes to operate as a common carrier,

by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Boston, Mass., over the Southeast Expressway (Massachusetts Highway 3) to junction Massachusetts Highway 128, thence over Massachusetts Highway 128 to junction Interstate Highway 95, thence over Interstate Highway 95 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 a pertinent service route as follows: From Boston, Mass., over Massachusetts Highway 9 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Massachusetts Highway 15, thence over Massachusetts Highway 15 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 15 to junction U.S. Highway 5, thence over U.S. Highway 5 to junction U.S. Highway 1, thence over U.S. Highway 1 to New York, N.Y., and return over the same route.

No. MC 89723 (Deviation No. 9), MISSOURI PACIFIC TRUCK LINES, INC., 210 North 13th Street, St. Louis, Mo. 63103, filed December 16, 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 Garnett, Kans., over Kansas Highway 31 to junction U.S. Highway 50, thence over U.S. Highway 50 to Newton, Kans.; and (2) from Garnett, Kans., over U.S. Highway 59 to junction U.S. Highway 169, thence over U.S. Highway 169 to junction U.S. Highway 54, thence over U.S. Highway 54 to Yates Center, Kans., 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 Garnett, Kans., over unnumbered county road to junction Kansas Highway 57, thence over Kansas Highway 57 to junction unnumbered county road, thence over unnumbered county road to junction U.S. Highway 75, thence over U.S. Highway 75 via Yates Center, Kans., to junction U.S. Highway 54, thence over U.S. Highway 54 to junction Kansas Highway 196, thence over Kansas Highway 196 to junction U.S. Highway 81, thence over U.S. Highway 81 to Newton, Kans., and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 498) (Cancels Deviation Nos. 124 and 326), GREYHOUND LINES, INC. (Central Division), 210 East Ninth Street, Fort Worth, Tex. 76102, filed December 23, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From junction U.S. Highway 70 and Interstate Highway 40, 4 miles east of West Memphis, Ark., over Interstate Highway 40 to junction Arkansas Highway 38, thence over Arkansas Highway 38 (an access road) to junction U.S. Highway 70; (2) from junction U.S.

Highway 70 and Arkansas Highway 38, 5 miles east of Forrest City, Ark., over Arkansas Highway 38 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 1, thence over Arkansas Highway 1 (an access road) to Forrest City, Ark.; (3) from Forrest City, Ark., over Arkansas Highway 1 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction unnumbered county road, thence over unnumbered county road (an access road) to Palestine, Ark.; (4) from Palestine, Ark., over unnumbered county road (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction unnumbered county road, thence over unnumbered county road (an access road) to Wheatley, Ark.; (5) from Wheatley, Ark., over unnumbered county road (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 17, thence over Arkansas Highway 17 (an access road) to Brinkley, Ark.; and (6) from Brinkley, Ark., over Arkansas Highway 17 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to North Little Rock, Ark., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Memphis, Tenn., over U.S. Highway 70 to junction Arkansas Highway 17, thence over Arkansas Highway 17 to junction U.S. Highway 79, thence over U.S. Highway 79 to junction Arkansas Highway 11, thence over Arkansas Highway 11 to Stuttgart, Ark.; and (2) from Little Rock, Ark., over Arkansas Highway 30 via England, Ark., to Stuttgart, Ark., and return over the same routes.

No. MC 1515 (Deviation No. 499) (Cancels Deviation No. 289), GREYHOUND LINES, INC. (Southern Division), 219 East Short Street, Lexington, Ky. 40507, filed December 24, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction Interstate Highway 65 and U.S. Highway 62, northeast of Elizabethtown, Ky., over Interstate Highway 65 to junction U.S. Highway 31W, near the Kentucky-Tennessee State line, with the following access routes: (1) From junction Interstate Highway 65 and U.S. Highway 62, northeast of Elizabethtown, Ky., over U.S. Highway 62 to Elizabethtown, Ky.; (2) from junction Interstate Highway 65 and Kentucky Highway 224, east of Upton, Ky., over Kentucky Highway 224 to Upton, Ky.; (3) from junction Interstate Highway 65 and Kentucky Highway 335 over Kentucky Highway 335 to Horse Cave, Ky.; (4) from junction Interstate Highway 65 and Kentucky Highway 70 over Kentucky Highway 70 to Horse Cave, Ky.; and (5) from junction Interstate Highway 65 and unnumbered connecting

highway, northeast of Bowling Green, Ky., over unnumbered connecting highway to junction U.S. Highway 31W, northeast of Bowling Green, Ky., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: (1) From Huntington, W. Va., over U.S. Highway 60 to Louisville, Ky., thence over U.S. Highway 31W via West Point, Ky., to Tip Top, Ky.; (2) from Tip Top, Ky., over U.S. Highway 31W to Goodlettsville, Tenn.; and (3) from Elizabethtown, Ky., over the toll road extending through Shepherdsville, Ky., and Lebanon Junction, Ky., to be designated as the Kentucky Turnpike, to Louisville, Ky.; and return over the same routes.

No. MC 1515 (Deviation No. 500), GREYHOUND LINES, INC. (Southern Division), 219 East Short Street, Lexington, Ky. 40507, filed December 26, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: Between Charlotte, N.C., and junction U.S. Highway 21 and Interstate Highway 77, at or near the North Carolina-South Carolina State line, over Interstate Highway 77, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: Between Charlotte, N.C., and Rock Hill, S.C., over U.S. Highway 21.

No. MC 1515 (Deviation No. 501), GREYHOUND LINES, INC. (Central Division), 210 East Ninth Street, Fort Worth, Tex. 76102, filed December 27, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction Interstate Highway 94 and U.S. Highway 41, at or near the Wisconsin-Illinois State line, over Interstate Highway 94 to junction Interstate Highway 294, thence over Interstate Highway 294 to junction Illinois Highway 194, thence over Illinois Highway 194 to Chicago O'Hare International Airport, Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Chicago, Ill., over city streets to Evanston, Ill., thence over Dempster Street to Des Plaines, Ill. (also from Chicago over U.S. Highway 20 to junction U.S. Highway 45, thence over U.S. Highway 45 to Des Plaines); and (2) from Chicago, Ill., over city streets to Evanston, Ill., thence over U.S. Highway 41 to Milwaukee, Wis., and return over the same routes.

No. MC 60325 (Deviation No. 2), JEFFERSON LINES, INC., 1114 Currie Avenue, Minneapolis, Minn. 55403, filed December 26, 1968. Carrier proposes to operate as a *common carrier*, by motor

vehicle, of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, over deviation routes as follows: (1) From Kansas City, Mo., over Interstate Highway 35 to junction U.S. Highway 69 approximately 6 miles south of Pattonsburg, Mo., with the following access routes: From junction Interstate Highway 35 and U.S. Highway 36 over U.S. Highway 36 about 1 mile to Cameron, Mo.; and (2) from Bethany, Mo., over U.S. Highway 136 (an access road) to junction Interstate Highway 35, thence over Interstate Highway 35 to junction U.S. Highway 69 approximately 5 miles north of Bethany, Mo., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Minneapolis, Minn., over city streets to St. Paul, Minn., thence over Minnesota Highway 49 to junction Minnesota Highway 218, thence over Minnesota Highway 218 to Farmington, Minn., thence over U.S. Highway 65 to Albert Lea, Minn., thence over U.S. Highway 69 to Kansas City, Kans., thence over city streets to Kansas City, Mo.; and (2) from Minneapolis, Minn., to Albert Lea as specified in (1) above, thence over U.S. Highway 65 to junction U.S. Highway 30, thence over U.S. Highway 30 to Ames, Iowa, thence over U.S. Highway 69 to Bethany, Mo., and return over the same routes.

No. MC 61016 (Deviation No. 3), PETERPAN BUS LINES, INC., Main Street, Springfield, Mass. 01103, filed December 18, 1968. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: Between Springfield, Mass., and Northampton, Mass., over Interstate Highway 91, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Springfield, Mass., over U.S. Highway 5 to Northampton, Mass. (also from Springfield over Massachusetts Highway 116 to Holyoke, Mass., thence over U.S. Highway 202 to junction Massachusetts Highway 141 at a point 2 miles northwest of Holyoke, thence over Massachusetts Highway 141 (formerly an unnumbered highway) to Easthampton, Mass., thence over Massachusetts Highway 10 to Northampton), and return over the same route.

No. MC 61616 (Deviation No. 32) (Cancels Deviation Nos. 5, 9, 11, 20, 26, and 29), MIDWEST BUSLINES, INC., 433 West Washington Avenue, North Little Rock, Ark. 72214, filed December 16, 1968. Applicant's representative: Nathaniel Davis, Post Office Box 1188, Little Rock, Ark. 72203. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over deviation routes as follows: (1) From junction U.S.

Highway 65 and Interstate Highway 40 in Conway, Ark., over Interstate Highway 40 to junction U.S. Highway 65B, thence over U.S. Highway 65B (an access road) to junction Arkansas Highway 365, 2 miles south of Conway, Ark., a distance of 4.6 miles; (2) from junction 65B and Arkansas Highway 365, 2 miles south of Conway, Ark., over U.S. Highway 65B (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 89, thence over Arkansas Highway 89 (an access road) to junction Arkansas Highway 365, 1 mile north of Mayflower, Ark., a distance of 7.3 miles; (3) from junction Arkansas Highways 89 and 365, 1 mile north of Mayflower, Ark., over Arkansas Highway 89 (an access road) to junction Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 31, thence over Arkansas Highway 31 (an access road) to Lonoke, Ark., a distance of 39.8 miles; (4) from Lonoke, Ark., over Arkansas Highway 31 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 11, thence over Arkansas Highway 11 (an access road) to Hazen, Ark., a distance of 23.8 miles; (5) from Hazen, Ark., over Arkansas Highway 11 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 33, thence over Arkansas Highway 33 (an access road) to junction U.S. Highway 70, 0.4 mile west of Biscoe, Ark., a distance of 12.7 miles; (6) from junction Arkansas Highway 33 and U.S. Highway 70, 0.4 mile west of Biscoe, Ark., over Arkansas Highway 33 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 17, thence over Arkansas Highway 17 (an access road) to Brinkley, Ark., a distance of 15.4 miles; (7) from Brinkley, Ark., over Arkansas Highway 17 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction unnumbered county road, thence over unnumbered county road (an access road) to Wheatley, Ark., a distance of 7.5 miles; (8) from Wheatley, Ark., over unnumbered county road (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction unnumbered county road, thence over unnumbered county road (an access road) to Palestine, Ark., a distance of 13.1 miles; (9) from Palestine, Ark., over unnumbered county road (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 1, thence over Arkansas Highway 1 (an access road) to Forrest City, Ark., a distance of 11.1 miles; (10) from Forrest City, Ark., over Arkansas Highway 1 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Arkansas Highway 38, thence over Arkansas Highway 38 (an access road) to junction U.S. Highway 70, 5 miles east of Forrest City, Ark., a distance of 8.2 miles; and (11) from junction Arkansas Highway 38 and U.S. Highway 70, 5 miles east of Forrest City,

Ark., over Arkansas Highway 38 (an access road) to junction Interstate Highway 40, thence over Interstate Highway 40 to junction U.S. Highway 70, 4 miles east of West Memphis, Ark., a distance of 34.1 miles, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Fort Smith, Ark., over U.S. Highway 64 to junction U.S. Highway 65, thence over U.S. Highway 65 to junction U.S. Highway 70, thence over U.S. Highway 70 to Memphis, Tenn., and return over the same route.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 69-276; Filed, Jan. 8, 1969;
8:47 a.m.]

[Notice 1255]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 3, 1969.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

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 2860 (Sub-No. 31) (Republication), filed August 2, 1968, published in the FEDERAL REGISTER issue of August 29, 1968, and republished this issue. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: James W. Lawson, 1000 16th Street NW., Washington, D.C. 20036. By application filed August 2, 1968, 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 general commodities except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) serving the junction of Pennsylvania Turnpike and U.S. Highway 1; and (2) serving the junction of Pennsylvania Turnpike and U.S. Highway 130 northeast of Philadelphia, Pa., for purpose of joinder only as additional radial base points in connection with carrier's authority between points in

Camden County, N.J., on the one hand, and, on the other, points in Pennsylvania, except that no shipments shall be transported to or from points in Bucks, Berks, Chester, Delaware, Lehigh, Montgomery, Northampton, and Philadelphia Counties, Pa., over the proposed irregular routes. An order of the Commission, Operating Rights Board, dated December 3, 1968, and served December 23, 1968, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of general commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, (1) between the junction of Interstate Highway 276 (the Pennsylvania Turnpike) and U.S. Highway 130, on the one hand, and, on the other, points in New Jersey, Pennsylvania, and New York, serving the junction of Interstate Highway 276 and U.S. Highway 130 for purposes of joinder only, restricted against the transportation of traffic originating at or destined to points in Bucks, Berks, Chester, Delaware, Lehigh, Montgomery, Northampton, and Philadelphia Counties, Pa.; and

(2) Between the junction of Interstate Highway 276 and U.S. Highway 1, on the one hand, and, on the other, points in New Jersey, Pennsylvania, and New York, serving the junction of Interstate Highway 276 and U.S. Highway 1 for purposes of joinder only, restricted against the transportation of traffic originating at or destined to points in Bucks, Berks, Chester, Delaware, Lehigh, Montgomery, Northampton, and Philadelphia Counties, Pa.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. 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 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.

NOTICE OF FILING OF PETITION

No. MC 52657 (Notice of Filing of Petition To Amend Certificate Substituting Warren, Mich., in Lieu of Warren Township, Macomb County, Mich.), filed December 13, 1968. Petitioner: ARCO AUTO CARRIER, INC., Chicago, Ill. Petitioner's representative: Adolph J. Bleberstein, 121 West Doty Street, Madison, Wis. 53703. By petition filed December 13, 1968, petitioner seeks to have its exist-

ing authority for the transportation of motor vehicles redescribed so as to substitute Warren, Mich., wherever its present certificate authorizes services from Warren Township, Macomb County, Mich. Petitioner states that Warren as a political municipality no longer exists and was completely annexed by the city of Warren, Mich., on January 1, 1957. Any interested person desiring to participate, may file an original and six copies of his written representations, views, or arguments in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATION FOR CERTIFICATION OF PERMIT IS TO BE PROCESSED CONCURRENTLY WITH APPLICATION UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 119914 (Sub-No. 15), filed December 17, 1968. Applicant: MINNESOTA-WISCONSIN TRUCK LINES, INC., 965 Eustis Street, St. Paul, Minn. 55114. Applicant's representative: Russell R. Sage, Suite 301, Tavern Square, 421 King Street, Alexandria, Va. 22314. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between South St. Paul and Benson, Minn., as follows: from South St. Paul over Minnesota Highway 56 to junction U.S. Highway 52, thence over U.S. Highway 52 to junction U.S. Highway 12, thence over U.S. Highway 12 to Benson, and return over the same route; serving all intermediate points. Restriction: No service shall be provided between Minneapolis-St. Paul, on the one hand, and, on the other, Willmar, Minn., and intermediate points on the above route located between Willmar and Minneapolis-St. Paul, Minn. NOTE: This is a matter directly related to MC-F-10340, published in the FEDERAL REGISTER issue of December 26, 1968. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

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-10347. Authority sought for control and merger by SIGNAL DELIVERY SERVICE, INC., 782 Industrial Drive, Elmhurst, Ill. 60126, of the operating rights and property of (1) FRUIT BELT MOTOR SERVICE, INC., 7626 Madison Street, Forest Park, Ill.; and (2) TRANSPORTATION CORPORATION OF INDIANA, 2449 Gilbert Avenue, Cincinnati, Ohio, and for acquisition

by LEASEWAY TRANSPORTATION CORP., and, in turn by H. M. O'NEILL, F. J. O'NEILL, and W. J. O'NEILL, all of 21111 Chagrin Boulevard, Cleveland, Ohio 44122, of control of such rights and property through the transaction. Applicants' attorneys: Ewald E. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115, and Roland Rice, 618 Perpetual Building, Washington, D.C. 20004. Operating rights sought to be controlled and merged: (1) Such commodities as are dealt in by department stores and mail-order houses, as a contract carrier, over irregular routes, between points in that part of Michigan south of Saginaw Bay and Michigan Highway 20, and that part of Indiana north of U.S. Highway 40, including points on the indicated portion of the highways specified, between points in the above-specified Indiana and Michigan territories, on the one hand, and, on the other, Chicago, Ill.; from Chicago, Ill., to the sites of the stores and warehouses of Sears, Roebuck & Co., at certain specified points in Ohio, from Chicago, Ill., to Cadillac, Mich., between Chicago, Ill., on the one hand, and, on the other, Ludington, Mich., from Chicago, Ill., to Traverse City and Manistee, Mich., from St. Louis, Mo., to Evansville, Ind., and Owanesboro, Ky., with restriction;

Machinery and parts, materials, and supplies, used in the manufacture, shipping, or operation of household laundry machines, from certain specified points in Illinois, Indiana, and Ohio, to St. Joseph and Benton Harbor, Mich., from St. Joseph and Benton Harbor, Mich., to Clyde, Ohio, between La Porte, Ind., and Clyde, Ohio, from St. Joseph and Benton Harbor, Mich., to La Porte, Ind., between St. Joseph and Benton Harbor, Mich., and La Porte, Ind., on the one hand, and, on the other, Marion, Ohio, from Chicago, Ill., to Marion and Clyde, Ohio, from Elgin, Ill., to Clyde, Ohio; materials and parts used in the manufacture of airplane wings, from Cleveland, Ohio, certain specified points in Michigan, and Chicago, Ill., to La Porte, Ind.; materials and supplies used in the manufacture or assembly of ordnance material, from certain specified points in Illinois, Indiana, Dubuque, Iowa, and Walworth, Wis., to St. Joseph and Benton Harbor, Mich., skids, pallets, racks, and packing containers used in the transportation of certain specified commodities, from certain specified destination points to the respective origin points, between La Porte, Ind., and Clyde, Ohio, from La Porte, Ind., to St. Joseph and Benton Harbor, Mich.; between St. Joseph and Benton Harbor, Mich., and La Porte, Ind., on the one hand, and, on the other, Marion, Ohio, from Clyde and Marion, Ohio, to Chicago, Ill., from Clyde, Ohio, to Elgin, Ill., with restriction; containers used in transporting household washing machines, from St. Joseph and Benton Harbor, Mich., to Marion, Ohio, with restriction;

Machinery and machinery parts, materials, and supplies used in the manufacture, shipping or operation of household laundry machines, stoves, and ranges, between Hamilton, Ohio, on the

one hand, and, on the other, St. Joseph and Benton Harbor, Mich., and La Porte, Ind., from Chicago, Ill., to Hamilton, Ohio; between Woodstock, Ill., and St. Joseph and Benton Harbor, Mich., with restriction; *unrated household laundry machines and parts and accessories thereof* when transported in connection with, and intended for installation on said machines, from Benton Harbor and St. Joseph, Mich., to the sites of the stores and warehouses of Sears, Roebuck & Co., at certain specified points in Ohio, Louisville, Ky., St. Louis, Mo., and Milwaukee, Wis., from Clyde and Marion, Ohio, to the sites of the stores and warehouses of Sears, Roebuck & Co., at Louisville, Ky., certain specified points in Indiana, Michigan, St. Louis, Mo., Milwaukee, Wis., and Chicago, Ill., with restriction; *unrated stoves and ranges and parts and accessories thereof* when transported in connection with and intended for installation on said stoves and ranges, from Newark and Hamilton, Ohio, to the sites of the stores and warehouses of Sears, Roebuck & Co., at Louisville, Ky., certain specified points in Indiana, Michigan, St. Louis, Mo., Milwaukee, Wis., and Chicago, Ill., from Kankakee, Ill., to the sites of the stores and warehouses of Sears, Roebuck & Co., at certain specified points in Ohio, Louisville, Ky., certain specified points in Indiana, St. Louis, Mo., Milwaukee, Wis., and certain specified points in Michigan, with restriction;

Machinery and parts, materials, and supplies, used in the manufacture, shipping, or operation of refrigerators, freezers, refrigerator-freezers, ice cube makers, air conditioners, and dehumidifiers, between the plantsites of the Whirlpool Corp., at Evansville, Ind., on the one hand, and, on the other, the plantsites of the Whirlpool Corp., at Rock Island, Ill., Benton Harbor and St. Joseph, Mich., St. Paul, Minn., and certain specified points in Ohio, from certain specified points in Illinois, Clinton, and Waterloo, Iowa, certain specified points in Kentucky, Michigan, St. Louis, Mo., and certain specified points in Ohio, to the plantsites of the Whirlpool Corp., at Evansville, Ind., with restriction; *skids, pallets, and packing containers*, used in transporting the next above specified commodities, from the plantsites of the Whirlpool Corp., at Evansville, Ind., to certain specified points in Illinois, Clinton, and Waterloo, Iowa, certain specified points in Kentucky, Michigan, St. Louis, Mo., and certain specified points in Ohio, with restriction; *refrigerators, freezers, refrigerator-freezers, ice cube makers, air conditioners, dehumidifiers, and parts and accessories thereof* when transported with and intended for installation thereon, from the plantsites of the Whirlpool Corp., at Evansville, Ind., to certain specified points in Illinois, Davenport, Iowa, Louisville, Ky., certain specified points in Michigan, St. Louis, Mo., certain specified points in Ohio, and Milwaukee, Wis., with restriction; *household appliance parts*, from certain specified points in Michigan, to Elmira, N.Y., and points within 3 miles thereof,

and points in Ohio except Clyde, to Clyde, Ohio, from certain specified points in Michigan, to Elmira, N.Y., and points within 3 miles thereof;

Electric motors, and washing machine parts, from Dayton, Ohio, to Tecumseh, Mich., from Tecumseh, Mich., to Clyde, Ohio; *skids and containers* used in the transportation of electric motors and washing machine parts, from Tecumseh, Mich., to Dayton, Ohio, from Clyde, Ohio, to Tecumseh, Mich.; *machinery and machinery parts, materials, and supplies*, used in the manufacture, shipping, or operation of machinery and equipment for atmosphere control, air purifying, food preservation, refuse disposal, heating, cooling, cooking, cleaning, laundering, and clothes drying, and parts and accessories thereof when moving in connection with and intended for installation thereon (not including those which require special equipment because of size or weight), from North Manchester, Ind., and certain specified points in Ohio, to plantsites of the Whirlpool Corp. at Benton Harbor and St. Joseph, Mich., with restriction; *machinery and machinery parts, materials, and supplies*, used in the manufacture, shipping or operation of laundering machines (not including those which require special equipment because of size or weight), from certain specified points in Michigan, and Sharon, Pa., to plantsites of the Whirlpool Corp. at Clyde, Ohio, with restriction; *machinery and machinery parts, materials and supplies*, used in the manufacture, shipping, or operation of, machinery and equipment for laundering, dry cleaning, clothes drying, and cooking, and parts and accessories thereof when moving in connection therewith and intended for installation thereon (not including those which require special equipment because of size or weight), from Bangor and Holland, Mich., to the plantsites of the Whirlpool Corp. at Marion, Ohio, with restriction;

Machinery, machinery parts, materials and supplies used in the manufacture, shipping, or operation of, refrigerators, freezers, refrigerator-freezers, ice cube makers, air conditioners, dehumidifiers, and parts and accessories thereof when transported with and intended for installation thereon (not including those which require special equipment because of size or weight), from Jonesboro, Ark., Festus and Kansas City, Mo., and Alcoa and Nashville, Tenn., to the plantsites of the Whirlpool Corp. at Evansville, Ind., with restriction; *machinery and equipment* for atmosphere control, air purifying, food preservation, refuse disposal, heating, cooling, cleaning, laundering, and clothes drying, and parts and accessories thereof when moving in connection with and intended for installation thereon (not including those which require special equipment because of size or weight), from plantsites of the Whirlpool Corp. at Benton Harbor and St. Joseph, Mich., to Chicago, Ill., certain specified points in Indiana, Louisville, Ky., St. Louis, Mo., certain specified points in Ohio, and Milwaukee, Wis.,

with restriction; *laundrying machines, and parts and accessories thereof* when moving in connection therewith and intended for installation thereon (not including those which require special equipment because of size or weight), from plantsites of the Whirlpool Corp. at Clyde, Ohio, to Chicago, Ill., certain specified points in Indiana, Louisville, Ky., certain specified points in Michigan, St. Louis, Mo., and Milwaukee, Wis., with restriction; *machinery and equipment* for laundering, dry cleaning, clothes drying, and cooking, and parts and accessories thereof when moving in connection therewith and intended for installation thereon (not including those which require special equipment because of size or weight), from plantsites of the Whirlpool Corp. at Marion, Ohio, to Chicago, Ill., certain specified points in Indiana, Louisville, Ky., certain specified points in Michigan, St. Louis, Mo., and Milwaukee, Wis., with restriction;

Refrigerators, freezers, refrigerator-freezers, ice cube makers, air conditioners, dehumidifiers, and parts and accessories thereof when transported with and intended for installation thereon (not including those which require special equipment because of size or weight), from the plantsites of the Whirlpool Corp. at Evansville, Ind., to Kansas City and Olatha, Kans., and certain specified points in Tennessee, with restriction; *plastic articles*, from the plantsite of the M. S. Plastic Co. located at Dawson Springs, Ky., to the plantsites of the Whirlpool Corp., located at Evansville, Ind., with restriction; *machinery, machinery parts, materials, and supplies*, used in the manufacture, shipping, or operation of refrigerators, freezers, refrigerator-freezers, ice cube makers, air conditioners, and dehumidifiers, and refrigerators, freezers, refrigerator-freezers, ice cube makers, air conditioners, dehumidifiers, and parts and accessories thereof when transported with and intended for installation thereon, from Evansville, Ind., to the plantsites of the Whirlpool Corp. at Fort Smith, Ark., from Fort Smith, Ark., to the plantsites of the Whirlpool Corp. at Evansville, Ind., with restriction; *machinery and equipment* used in laundering, dry cleaning, clothes drying, cooking, refuse disposal, and dishwashing, from the plantsites of the Whirlpool Corp. at Findlay, Ohio, to Chicago, Ill., certain specified points in Indiana, Louisville, Ky., certain specified points in Michigan, St. Louis, Mo., and Milwaukee, Wis., with restrictions; and

Machinery and machinery parts, materials, and supplies, used in the manufacture, shipping, or operation of machines and equipment used on laundering, dry cleaning, clothes drying, cooking, refuse disposal, and dishwashing, from Chicago, Ill., certain specified points in Indiana, Louisville, Ky., certain specified points in Michigan, and St. Louis, Mo., to the plantsites of the Whirlpool Corp. at Findlay, Ohio, between the plantsites of the Whirlpool Corp. at Findlay, Ohio, and the plantsites of the Whirlpool Corp. at La Porte and Evansville, Ind., St. Joseph and Benton Harbor, Mich., from Lafayette,

Ind., Louisville, Ky., Detroit and Grand Rapids, Mich., and St. Louis, Mo., to the plantsites of the Whirlpool Corp. at Marion, Ohio, with restriction; and (2) carbonated beverages, advertising matter relative thereto, and syrup for carbonated beverages, as a contract carrier, over irregular routes, from Louisville, Ky., to points in that part of Indiana on and south of U.S. Highway 50, those in that part of Illinois on and south of U.S. Highway 40, those in Tennessee, and those in Ohio within 25 miles of Cincinnati, including Cincinnati; carbonated beverages, advertising matter used in connection with the distribution and sale of carbonated beverages; and

Beverage flavoring syrup, from Indianapolis, Ind., to points in that portion of Illinois bounded on and north by U.S. Highway 24 and on the south by U.S. Highway 50, including points on the above-described highways and points in that portion of Ohio on and west of U.S. Highway 23; And such merchandise as is dealt in by mail-order houses, and their stores, between Canton and Akron, Ohio, and points in Ohio on and west of U.S. Highway 21, certain specified points in Indiana and Kentucky, from points in the above territory to points in Illinois on and south of U.S. Highway 30, and east of U.S. Highway 45, including points on the indicated portions of the highways specified, between Cincinnati, Ohio, on the one hand, and, on the other, certain specified points in Kentucky and West Virginia, from Fort Wayne, Ind., to certain specified points in Michigan, with restriction. SIGNAL DELIVERY SERVICE, INC., is authorized to operate as a common carrier in Virginia, Maryland, and the District of Columbia; and as a contract carrier in Illinois, Indiana, Michigan, Ohio, Maryland, Delaware, Virginia, New York, Pennsylvania, West Virginia, Wisconsin, Massachusetts, Vermont, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, North Carolina, South Carolina, Missouri, Arkansas, Louisiana, New Jersey, Kansas, Connecticut, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10348. Authority sought for control by SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306, of GARRISON TRANSPORT, INC., Fowler, Ind. 47944, and for acquisition by A. J. SCHNEIDER, AGNES SCHNEIDER, both of 812 Stuart Street, Green Bay, Wis., and DONALD J. SCHNEIDER, 836 Neufeld Street, Green Bay, Wis., of control of GARRISON TRANSPORT, INC., through the acquisition by SCHNEIDER TRANSPORT & STORAGE, INC. Applicants' attorney: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Operating rights sought to be controlled: *Dump truck bodies and parts thereof, and road building equipment, as a common carrier, over irregular routes, from Streator, Ill., to Indianapolis, Ind.; dump truck bodies, hydraulic hoists and parts thereof, and snow plows and parts thereof, from*

Streator, Ill., to Fort Wayne, Ind., Omaha, Nebr., Kansas City, Mo., Minneapolis and St. Paul, Minn., Janesville, Wis., and certain specified points in Ohio; beverages, from Waukesha, Wis., to Chicago, Ill.; feed, from St. Louis, Mo., to certain specified points in Illinois, from St. Louis, Mo., to points in Wisconsin, moving through Chicago; fertilizer, feed, and glue, from Chicago, Ill., to points in Wisconsin, from points in Lake County, Ind., to points in Wisconsin, moving through Chicago, Ill.; glass containers, glass container caps, corrugated cardboard boxes, fibreboard sheets, and containers and wooden boxes, used by glass manufacturing plants, from Streator, Ill., to Kansas City, Kans., Omaha, Nebr., points in Wisconsin (with exceptions), those in Missouri on and north of U.S. Highway 50, except St. Louis and Hannibal, and those in Iowa on and west of U.S. Highway 69, from Alton, Ill., to Kansas City, Kans., Kansas City and St. Joseph, Mo., Omaha, Nebr., points in that part of Wisconsin as above, and those in Iowa, from Gas City, Ind., to Kansas City, Kans., Omaha, Nebr., and points in Missouri except St. Louis and Hannibal;

Cullet, from Kansas City, Kans., Omaha, Nebr., points in that part of Wisconsin as above, those in Missouri on and north of U.S. Highway 50, except St. Louis and Hannibal, and those in Iowa on and west of U.S. Highway 69, to Streator and Alton, Ill., and Gas City, Ind.; glass containers, and glass container caps, from Muncie, Ind., to Kansas City, Kans., Omaha, Nebr., points in Wisconsin (with exceptions), those in Missouri on and north of U.S. Highway 50, and those in Iowa, from Hillsboro, Ill., to Kansas City, Kans., Omaha, Nebr., points in Illinois and Iowa, those in that part of Wisconsin as above, and those in Missouri on and north of U.S. Highway 50, from Hillsboro, Ill., to points in Lake County, Ind., moving through Cook or Will Counties, Ill.; glass and glassware, from Streator and Alton, Ill., to Milwaukee and Waukesha, Wis.; glass products, and incidental thereto, materials, machinery, equipment, and supplies, used by a glass manufacturing plant, from Streator, Ill., to Hannibal and Cape Girardeau, Mo., and certain specified points in Illinois (with exceptions), and points in Indiana (with exceptions), from certain specified points in Indiana, to certain specified points in Missouri, points in Illinois and Indiana, those in Kentucky along the Ohio River, and those in that part of Iowa on and east of U.S. Highway 69, from Streator, Ill., to points in Kentucky along the Ohio River, and those in that part of Iowa on and east of U.S. Highway 69, except Fort Madison and Keokuk, Iowa, between Streator, Ill., on the one hand, and, on the other, certain specified points in Indiana; tractors and tractor parts, from West Allis, Wis., to Springfield and Peoria, Ill., between Milwaukee, Wis., and Rock Island, Ill.;

Plastic containers, with or without caps or stoppers, when moving in mixed

loads with glass containers (already authorized), from Gas City, Ind., to points in Illinois, Missouri, points in that part of Iowa on and east of U.S. Highway 69, points in Kentucky along the Ohio River, and points in Wisconsin (with exceptions), with restriction; glass containers, caps, covers, and tops therefor, and paper cartons, known down, when transported at the same time and in the same vehicle with glass containers, caps, covers, and tops therefor, from the plantsite of Foster-Forbes Glass Co., located at or near Burlington, Wis., to points in that part of Illinois on and north of U.S. Highway 36; ammonium nitrate fertilizer, dry, in bags, from the plantsite of Central Nitrogen, Inc., approximately 4.5 miles north of the city limits of Terre Haute, Ind., to points in Illinois (with exceptions), Michigan (except Detroit), Kentucky, Missouri, Iowa, Wisconsin, and Minnesota; glassware, glass containers, caps, covers, tops, stoppers, paper cartons, and accessories for glassware and glass containers, from the plantsite and warehouse facilities of Anchor Hocking Glass Corp., at or near Gurnee, Ill., to points in Iowa, Missouri, and Wisconsin (with exceptions); glass containers, and cartons for glass containers when moving in the same vehicle and at the same time with glass containers, and glass container caps, from Marion, Ind., to Milwaukee and Burlington, Wis., from Marion, Ind., to Milwaukee and Burlington, Wis.; glass containers, and closures, caps, and covers for glass containers, and packing cartons therefor, when moving in mixed loads with glass containers, from Winchester, Ind., to points in Illinois, Wisconsin, and those in Kentucky along the Ohio River;

Glassware, glass containers, and caps, covers, and stoppers therefor, from Burlington, Wis., to points in Iowa, Nebraska, and Minnesota, with restriction; and glass containers with closures therefor, and fiberboard cartons when moving in mixed shipments with glass containers, from Burlington, Wis., to St. Louis, Mo., points in Indiana, the Lower Peninsula of Michigan, Ohio, Kentucky, and points in that part of Illinois south of U.S. Highway 36. SCHNEIDER TRANSPORT & STORAGE, INC., is authorized to operate as a common carrier in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-277; Filed, Jan. 8, 1969;
8:47 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 3, 1969.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate of 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. M-4889, filed December 18, 1968. Applicant: MIDWAY MOTOR FREIGHT LINES, INC., 822 East Sixth Street, Little Rock, Ark. Applicant's representative: Charles J. Lincoln, 1550 Tower Building, Little Rock, Ark. 72201. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of: *General commodities*, between De Queen, Ark., and Mena, Ark., U.S. Highway 71, Mena, Ark., to De Queen, Ark., serving all intermediate points and return, also serving King, Hatton, and Vandervoort as off-route points, between junction of U.S. Highway 71 and Arkansas State Highway 380 to Gillham Dam Site, from the junctions of U.S. Highway 71 over Arkansas State Highway 380 to unnumbered dirt road to Gillham Dam Site and return. Both intrastate and interstate authority sought.

HEARING: Tuesday, January 28, 1968, at 10 a.m., at the 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.

State Docket No. 16138, filed December 12, 1968. Applicant: GADSDEN TRUCK LINE, INC., Post Office Box 2265, East Gadsden, Ala. Applicant's representative: William Oldacre, First Floor, Hill Building, Montgomery, Ala. 36101. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, over regular routes, between Gadsden, Ala., and the Alabama-Georgia State line as follows: From Gadsden, Ala., over U.S. Highway 431 to Oxford, Ala., thence over U.S. Highway 78 to Heflin, Ala., thence over Alabama Highway 46 via Ranburne, Ala., to the Alabama-Georgia State line, and return over the same route, serving all intermediate points located between

Heflin, Ala., and the Alabama-Georgia State line and also serving Anniston, Ala., and points within 5 miles thereof, with service at Anniston and points within 5 miles thereof, restricted under this authority to traffic moving between Anniston and points within 5 miles thereof, on the one hand, and points located between Heflin, Ala., and the Alabama-Georgia State line, on the other hand. Applicant does not propose to serve Heflin, Ala., under this authority. Both intrastate and interstate authority sought.

HEARING: Contact Alabama Public Service Commission for this information. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Alabama State Public Service Commission, Post Office Box 991, Montgomery, Ala. 36102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-278; Filed, Jan. 8, 1969;
8:48 a.m.]

[Notice 1256]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JANUARY 3, 1969.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy

¹ Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d) (4) of the special rules, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, 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.

No. MC 409 (Sub-No. 38), filed December 9, 1968. Applicant: O. E. POULSON, INC., Post Office Box 295, Elm Creek, Nebr. 68836. Applicant's representative: Robert D. Poulson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles; (1) from the terminals located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Whiting, Early, and Garner, Iowa, and destined to points in the named destination States; (2) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Greenwood, Nebr., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, and Wyoming, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Greenwood, Nebr., and destined to points in the named destination States; and (3) from the terminal located on the ammonia pipeline of Mid-America Pipeline Co. located at or near Conway, Kans., to points in

Colorado, Kansas, Missouri, and Nebraska, restricted to the transportation of shipments which originate at the facilities of the Mid-America Pipeline Co. located at or near Conway, Kans., and destined to points in the named destination States. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 2202 (Sub-No. 363), filed December 19, 1968. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue, NW., Washington, D.C. 20036, and Douglas Faris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Reading, Pa., and Lancaster, Pa., as follows; from Reading over U.S. Highway 222 to Lancaster and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2860 (Sub-No. 50), filed December 9, 1968. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, closures for glass containers, and paper containers*, knocked down, when moving in mixed loads with glass containers and/or closures, between Orangeburg, N.Y., on the one hand, and, on the other, points in Fairfield, New Haven, Middlesex, and Hartford Counties, Conn.; points in New Jersey (except points in Camden, Cape May, Atlantic, Ocean, Gloucester, Cumberland and Salem Counties and that part of Burlington County east of New Jersey Secondary Highway 537); New York, N.Y., and points in Nassau, Suffolk, and Westchester Counties, N.Y. **NOTE:** Applicant states tacking to a minor extent is possible but not intended. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Philadelphia, Pa., or Washington, D.C.

No. MC 5470 (Sub-No. 52), filed December 11, 1968. Applicant: TAJON, INC. Rural Delivery No. 5, Mercer, Pa. 16137. Applicant's representative: Donald E. Cross, 917 Munsey Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spiegel (spiegel iron)*, from Palmerton, Pa., to points in Illinois, Indiana, Michigan, and Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 10472 (Sub-No. 26), filed December 10, 1968. Applicant: BYERS

TRANSPORTATION COMPANY, INC., 4200 Gardner Avenue, Kansas City, Mo. 64120. Applicant's representative: Richard R. Sigmon, 618 Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment); Regular routes: Between Sheridan and St. Joseph, Mo., from Sheridan over Missouri Highway 46 to Ravenwood, Mo., thence over U.S. Highway 136 (formerly Missouri Highway 4) to Maryville, Mo., and thence over U.S. Highway 71 to St. Joseph, and return over the same route, serving the intermediate points of Maryville, Mo., and those between Maryville and Sheridan, Mo., and the off-route points of Conception Junction, Clyde, Conception, Rosendale, and Rea, Mo. Irregular routes: Between points in that part of Nodaway, Gentry, and Worth Counties, Mo., east of U.S. Highway 71, and west of U.S. Highway 169, including points on the indicated portions of the highways specified, on the one hand, and, on the other, Omaha, Nebr., Council Bluffs and Des Moines, Iowa, Kansas City, Kans., Kansas City, Mo., and points in Iowa south of U.S. Highway 34, and west of U.S. Highway 169, including points on the indicated portions of the highways specified. **NOTE:** Applicant proposes to tack authority with presently held authority at St. Joseph, Mo., to provide through service between Omaha, Nebr., Council Bluffs and Des Moines, Iowa, on the one hand, and, on the other, presently authorized points beyond St. Joseph, including, among others, Kansas City, Mo., and St. Louis, Mo. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 28307 (Sub-No. 15), filed December 18, 1968. Applicant: FREDRICKSON MOTOR EXPRESS CORPORATION, 3400 North Graham, Charlotte, N.C. 28206. Applicant's representative: J. Ruffin Bailey, Post Office Box 2246, Raleigh, N.C. 27602. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), between Knoxville, Tenn., and Johnson City, Tenn., as follows; from Knoxville, Tenn., over U.S. Highway 11E to Johnson City, Tenn., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Washington, D.C.

No. MC 32752 (Sub-No. 2), filed December 18, 1968. Applicant: LEROY-K TRUCKING CO., INC., 130 Third Street, Brooklyn, N.Y. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* in containers or trailers having a prior or subsequent movement by water in interstate or foreign commerce, between points within the New York N.Y., commercial zone. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 33641 (Sub-No. 80), filed December 9, 1968. Applicant: IML FREIGHT, INC., Post Office Box 2277, Salt Lake City, Utah 84110. Applicant's representative: H. Lynn Davis (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Explosives, blasting materials, agents, and supplies*; (1) between points and over the regular routes which applicant is certificated for the transportation of general commodities (except explosives), in Docket No. MC 33641 and all effective sub numbers thereto, wherein applicant is authorized to operate in the States of Arizona, California, Colorado, Connecticut, District of Columbia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Missouri, Nebraska, Nevada, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Virginia, West Virginia, and Wyoming, and subject to all route restrictions, if any, as otherwise specified in said certificates; and (2) serving points not on its regular routes in Arizona, California, Colorado, Connecticut, District of Columbia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Missouri, Nebraska, Nevada, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Utah, Virginia, West Virginia, and Wyoming, as off-route points in connection with applicant's regular route operations. **NOTE:** Applicant states it does not seek duplicating authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or San Francisco, Calif.

No. MC 42261 (Sub-No. 100), filed December 13, 1968. Applicant: LANGER TRANSPORT CORP., Route 1 and Danforth Avenue, Jersey City, N.J. 07303. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Pedricktown, N.J., to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Mississippi, Missouri, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New York, New Jersey, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 47142 (Sub-No. 100), filed December 4, 1968. Applicant: C. I. WHITTEN TRANSFER COMPANY, a corporation, 4417 Earl Court, Huntington,

W. Va. 25702. Applicant's representative: George Joline, Suite 117, 2500 North Van Doren Street, Alexandria, Va. 22302. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Explosives, explosive components, and explosive products*, from points in Taylor County, Fla., to points in Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, and West Virginia; and (2) *materials and supplies* used by the manufacturer for the commodities named in (1) above, on return. NOTE: Applicant states that tacking could take place in conjunction with its present authority in MC 47142 Sub 90 at Reynolds, Pa., serving Connecticut, Maine, and New Hampshire and also with its Sub 86 serving Simsbury, Conn., and Vermont. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 52460 (Sub-No. 95) (Correction), filed October 31, 1968, published in the FEDERAL REGISTER issue of November 14, 1968, and republished as corrected, this issue. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. 74107. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles; (1) from the plantsite of Central Farmers Fertilizer Co., at South River (located near Palmyra) in Marion County, Mo., to points in Illinois, Iowa, and Missouri; (2) from Albany, Ill., to points in Iowa and Illinois; and (3) from Seneca, Ill., to points in Iowa and Illinois. NOTE: No duplicating authority is being sought. The purpose of this republication is to show the destination as points in Iowa and Illinois in No. (2) above, in lieu of Iowa and Missouri as previously published. If a hearing is deemed necessary, applicant requests it to be held at Chicago, Ill., or St. Louis, Mo.

No. MC 61592 (Sub-No. 133), filed November 27, 1968. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: R. Connor Wiggins, Jr., 909, 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Replacement parts for agricultural machinery and implements, including hydraulic and lubricating oils* when moving in mixed loads with agricultural machinery and implements and incidental component parts, from the site of the Ford Tractor Operations Depot at Memphis, Tenn., to points in Illinois, Kentucky, Louisiana, Mississippi, Missouri, Tennessee, Alabama (except Birmingham and points within 65 miles thereof), and Arkansas (except points bounded by a line beginning at Pine Bluff, Ark., and extending along the southeast bank of the Arkansas River to the west bank of the

Mississippi River thence along the west bank of the Mississippi River to the Arkansas-Louisiana State line thence along the Arkansas-Louisiana State line to the east bank of the Ouachita River (approximately 5 miles east of Huttig, Ark.), thence along the east bank of the Ouachita River to Morobay, Ark., thence along Arkansas Highway 15 to the point of beginning), restricted to traffic originating at Memphis, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 63072 (Sub-No. 4), filed December 16, 1968. Applicant: MOTOR TRANSPORTATION CORP., 11 John Street, Brooklyn, N.Y. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods*; (a) from New York, N.Y., to points in New Jersey; (b) from points in New Jersey to New York, N.Y.; (2) *alcoholic beverages*; (a) from Lodi and Linden, N.J., to points in Nassau and Suffolk Counties, N.Y.; (b) between points in the New York, N.Y., commercial zone, as defined by the Commission, wherein exempt operations may be conducted, on the one hand, and, on the other, points in Nassau, Suffolk, and Westchester Counties, N.Y., and Bergen, Essex, and Hudson Counties, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 64932 (Sub-No. 461), filed December 10, 1968. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. 60643. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of Central Farmers Fertilizer Co. at or near Albany, Ill., to points in Illinois, Indiana, Iowa, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 73165 (Sub-No. 259), filed December 19, 1968. Applicant: EAGLE MOTOR LINES, INC., Post Office Box 1348, Birmingham, Ala. 35201. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and roofing materials*, from Atlanta, Ga., to points in Tennessee and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Birmingham, Ala.

No. MC 76025 (Sub-No. 12), filed December 15, 1968. Applicant: OVERLAND EXPRESS, INC., 498 First Street NW., New Brighton, Minn. 55112. Applicant's representative: James F. Sexton (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as dealt in by wholesale and/or retail discount and department stores, and, in connection therewith, materials and supplies* used

in the conduct of such business, from points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia, to points in the Minneapolis-St. Paul, Minn., commercial zone, as defined by the Commission, under contract with World-Wide, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Washington, D.C.

No. MC 80430 (Sub-No. 127), filed November 7, 1968. Applicant: GATEWAY TRANSPORTATION CO., INC., 2130 South Avenue, La Crosse, Wis. 54601. Applicant's representative: Joseph E. Ludden (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A and B explosives*, from Badger Army Ammunition Plant, Baraboo, Wis., to Twin Cities Army Ammunition Plant, New Brighton, Minn., from the Badger Army Ammunition Plant, Baraboo, Wis., over U.S. Highway 12 to junction Interstate Highway 94, thence over Interstate Highway 94 to junction Minnesota Highway 95, thence over Minnesota Highway 95 to junction Minnesota Highway 212, thence over Minnesota Highway 212 to junction Minnesota Highway 36, thence over Interstate Highway 35E, thence over Interstate Highway 35E to junction Interstate Highway 694, thence over Interstate Highway 694 to junction U.S. Highway 10, thence over U.S. Highway 10 to junction Minnesota Highway 96, and thence over Minnesota Highway 96 to the Twin Cities Army Ammunition Plant, New Brighton, Minn., serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 87909 (Sub-No. 10), filed December 13, 1968. Applicant: ARROW MOTOR FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bags, from Hastings, Minn., to Waterloo, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Waterloo, Iowa, or Washington, D.C.

No. MC 93944 (Sub-No. 8), filed December 20, 1968. Applicant: DANIELA BROS., INC., 250 Diamond Avenue, Norristown, Pa. 19401. Applicant's representative: Theodore Polydoroff, Suite 930, 1120 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alloys, granular refractories, minerals, and ores*, in dump vehicles; (1) from Wilmington, Del., to Baltimore, Md., Philadelphia, Pa., and points in Montgomery County, Pa.; (2) from Chester, Pa., to points in Montgomery County, Pa.; and (3) from Philadel-

phia, Pa., to points in Montgomery, Chester, Lebanon, Berks, Bucks, and Philadelphia Counties, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 94265 (Sub-No. 215), filed December 10, 1968. Applicant: HONEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. 23502. Applicant's representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packing-houses* (except hide and commodities in bulk in tank or hopper-type vehicles) as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 at 766, from the plantsites of John Morrell & Co., at or near Ottumwa, Iowa, to all points in Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Washington, D.C.

No. MC 95490 (Sub-No. 30), filed December 17, 1968. Applicant: UNION CARTAGE COMPANY, a corporation, 9A Southwest Cutoff, Worcester, Mass. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages* in containers, from Norristown and Philadelphia, Pa., to points in Massachusetts, New Hampshire, Vermont, and Maine. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Worcester, Mass., or Philadelphia, Pa.

No. MC 103880 (Sub-No. 404), filed December 17, 1968. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Post Office Box 7211, Akron, Ohio 44306. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid adhesives*, in bulk, in tank vehicles, from Battle Creek, Mich., to points in Indiana and Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 106398 (Sub-No. 382), filed December 12, 1968. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be equipped with hitchball connector, from points in Mayes County, Okla., to points in the United States (except Alaska and Hawaii). **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla.

No. MC 107002 (Sub-No. 361), filed December 18, 1968. Applicant: MILLER

TRANSPORTERS, INCORPORATED, Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representatives: John J. Borth (same address as applicant), and H. D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid sulphate of alumina* (alum), in bulk, in tank vehicles, from Ferguson, Miss., to points in Louisiana. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 107012 (Sub-No. 89) (Correction), filed December 4, 1968, published *FEDERAL REGISTER*, issue of December 28, 1968, and republished as corrected this issue. Applicant: NORTH AMERICAN VAN LINES, INC., Post Office Box 988, Lincoln Highway East and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Martin A. Weissert (same address as applicant). **NOTE:** The purpose of this partial republication is to correct the docket number assigned thereto, to read: No. MC 107012 (Sub-No. 89), in lieu of No. MC 10012 (Sub-No. 89), which was published in error. The rest of the application remains as previously published.

No. MC 107295 (Sub-No. 149), filed December 16, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842, and Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pipe, conduit, and fittings therefor, and shapes and forms*, from the plantsite of Allied Tube & Conduit Corp., at Harvey, Ill. to points in North Dakota, South Dakota, Nebraska, Rhode Island, Massachusetts, Vermont, New Hampshire, Washington, D.C., Colorado, Kansas, Oklahoma, Texas, Louisiana, Arkansas, Missouri, Iowa, Ohio, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Minnesota, Wisconsin, Michigan, Indiana, Kentucky, Tennessee, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Virginia, West Virginia, and Maine. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 107295 (Sub-No. 152), filed December 26, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842, and Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fencing, fencing fixtures and accessories, tubing, pipe, wire, and wire mesh*, from Rock Hill, S.C., to points in Arkansas, Missouri, Iowa, Illinois, Kentucky, Indiana, Ohio, Michigan, West Virginia, Virginia, Florida, and North Carolina. **NOTE:** If a

hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 697), filed November 25, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Coal tar and coal tar products*, from Granite City, Ill., to points in the United States (except Alaska and Hawaii). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 107544 (Sub-No. 82), filed December 17, 1968. Applicant: LEMON TRANSPORT COMPANY, INCORPORATED, Post Office Box 580, Marion, Va. 24354. Applicant's representative: Harry C. Ames, Jr., Transportation Building, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, from Bristol, Va., to points in Virginia (for operating convenience only), Tennessee, North Carolina, West Virginia, and Kentucky. **NOTE:** Applicant holds contract carrier authority under Docket No. 113959 and Subs 1 and 2, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 109637 (Sub-No. 352), filed December 19, 1968. Applicant: SOUTHERN TANK LINES, INC., Post Office Box 1047, Louisville, Ky. 40201. Applicant's representative: Harris G. Andrews (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors and grain neutral spirits*, in bulk, in tank vehicles; (1) from Toledo, Ohio, Chicago, Ill., and New Orleans, La., to Peoria, Ill., and San Francisco, Calif.; and (2) from Peoria and Chicago, Ill., Toledo, Ohio, New Orleans, La.; ports of entry on the international boundary line between the United States and Canada located at Detroit and Port Huron, Mich.; and points in New York, New Jersey, Pennsylvania, and Maryland, to Burlingame, Calif. **NOTE:** Applicant states it would tack with any appropriate authorities held, especially in its Subs 143, 156, 303, and 329. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 889), filed December 20, 1968. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (same address as applicant), and Leonard A. Jaskiewicz, Madison Building, 1155 15th Street, NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Coal tar pitch emulsion*, in bulk, in tank vehicles, from Wooster and Smithville, Ohio, to points in Illinois, Indiana, Michigan, and Wisconsin. **NOTE:** If a

hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 110683 (Sub-No. 53), filed December 10, 1968. Applicant: SMITH'S TRANSFER CORPORATION OF STAUNTON, VA., a corporation, Post Office Box 1000, Staunton, Va. 24401. Applicant's representative: James W. Lawson, 1000 16th Street, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of the Tennessee Valley Authority (TVA) Sequoyah Power Plant, located in Hamilton County, Tenn., on the north bank of the Tennessee River, approximately 4½ miles each of Daisy, Tenn., as an off-route point in connection with carrier's presently authorized operations to and from Chattanooga. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111545 (Sub-No. 114), filed December 16, 1968. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Marietta, Ga. 30060. Applicant's representative: Robert E. Born, Post Office Box 6426, Station A, Marietta, Ga. 30060. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and conduit*, from points in Grayson County, Tex., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Iowa, Indiana, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. **NOTE:** Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 113495 (Sub-No. 37), filed December 17, 1968. Applicant: GREGORY HEAVY HAULERS, INC., 51 Oldham Street, Post Office Box 5266, Nashville, Tenn. Applicant's representative: Wilmer B. Hill, 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plant or warehouse sites of Continental Steel Corp., in Howard County, Ind., to points in the United States on and east of U.S. Highway 85; and (2) *materials, equipment, and supplies* used in the manufacture and processing of iron and steel articles, from points in the United States on and east of U.S. Highway 85 to the plant or warehouse sites of Continental Steel Corp., in Howard County, Ind. Restriction: Restricted to traffic originating at or destined to the named origins and destinations in (1) and (2) above, and restricted against the transportation of commodities in bulk. **NOTE:** If a hearing

is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 113828 (Sub-No. 153), filed December 17, 1968. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington, D.C. 20014. Applicant's representative: William P. Sullivan, Federal Bar Building West, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Soda ash*, in bulk, from Saltville, Va., to points in Pennsylvania and West Virginia; (2) *petroleum coke*, in bulk, from Delaware City, Del., to Kings Mountain, N.C.; and (3) *silica gel catalyst*, in bulk, from Baltimore, Md., to points in West Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115162 (Sub-No. 164), filed December 11, 1968. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plant or warehouse sites of Continental Steel Corp., located in Howard County, Ind., to points in the United States on and east of U.S. Highway 85; and (2) *materials, equipment, and supplies*, used in the manufacture and processing of iron and steel articles, from points in the United States on and east of U.S. Highway 85, to the plant or warehouse sites of Continental Steel Corp., located in Howard County, Ind., restricted to traffic originating at or destined to the named origins and destinations in (1) and (2) above, and restricted against the transportation of commodities in bulk. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 115871 (Sub-No. 3), filed December 18, 1968. Applicant: EVART ISSAC, doing business as EVART ISAAC TRUCK LINE, Fort Dodge Road, Dodge City, Kans. 67801. Applicant's representative: J. J. Keller, 145 West Wisconsin Avenue, Neenah, Wis. 54956. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fat* (tallow), from Dodge City, Garden City, Great Bend, Kansas City, and Pratt, Kans., to points in Arkansas, Colorado, Iowa, Missouri, Nebraska, New Mexico, Oklahoma, and Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Dodge City or Wichita, Kans.

No. MC 116632 (Sub-No. 11), filed December 20, 1968. Applicant: RALPH E. CURTIS & SON, INC., 123 Mount Hope Avenue, Bangor, Maine 04401. Applicant's representative: Frederick T. McGonagle, 36 Main Street, Gorham, Maine 04038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from Masardis, Maine, to points in New Hampshire, Vermont, Massachu-

setts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania; (2) *wooden fencing*; (a) from Fort Kent and Hampden, Maine, to points in New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia; and (b) from Van Buren and La Grange, Maine, to points in Maryland and Delaware. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Augusta or Portland, Maine.

No. MC 116950 (Sub-No. 8), filed December 16, 1968. Applicant: Joseph L. Drake, 499 North Delaware, Chandler, Ariz. 85225. Applicant's representative: A. Michael Bernstein, 1327 United Bank Building, Phoenix, Ariz. 85012. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fire retardant* (Fire-Trol), between points in Arizona, California, Oregon, Washington, Idaho, Nevada, New Mexico, Colorado, Utah, Wyoming, Montana, South Dakota, and North Dakota; (2) (a) *agricultural chemicals*, from points in Maricopa, Yuma, Pinal, Cochise, and Graham Counties, Ariz., to points in New Mexico, Colorado, Utah, Nevada, California, and Texas; and (b) *agricultural chemicals and commodities* used in the manufacture of fertilizers and empty pallets and containers, on return, under contract with Arizona Agrochemical Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Phoenix or Tucson, Ariz.

No. MC 116982 (Sub-No. 5), filed December 9, 1968. Applicant: FUCHS, INC., 306 Water Street, Route 1, Sauk City, Wis. Applicant's representative: Edward Solle, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials*, as described in appendix VI to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209; and (2) *prefabricated buildings*, complete, knocked down or in sections and in connection therewith, component parts thereof and equipment and materials incidental to the erection and completion of such buildings, from Mazomanie, Wis., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, North Dakota, South Dakota, and Wisconsin, restricted to a transportation service to be performed under a continuing contract, or contracts, with Wick Building Systems, Inc., of Mazomanie, Wis. **NOTE:** Applicant states it is now authorized in permit MC 116982 to transport commodities described in (1) above, from Mazomanie, Wis., to points in that part of Illinois on and north of U.S. Highway 36, Iowa, Indiana (except points south of U.S. Highway 36), Minnesota, Michigan, and Wisconsin, limited to a transportation service to be performed under a continuing contract, or contracts with Wick Building Systems, Inc., of Mazomanie, Wis. Applicant states it does not seek duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 117574 (Sub-No. 177), filed December 16, 1968. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Carlisle, Pa. 17013. Applicant's representative: D. E. Lutz (same address as above). Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: (1) *Commodities* which require the use of special equipment or special handling by reason of size or weight; and (2) *ordnance equipment, materials, and supplies, and quartermaster supplies* (except household goods and commodities in bulk), between Military Installations or Defense Department establishments in the United States (except Alaska and Hawaii). Note: Applicant states if application is granted in its entirety, no tacking will be done. If it is granted only in part, it will be applicant's intention to tack at any common point with all presently outstanding certificates under MC-117574 and all Subs. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 118159 (Sub-No. 59), filed December 13, 1968. Applicant: EVERETT LOWRANCE, 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. 73102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum, and petroleum products, petrochemicals, waxes, in containers, advertising materials, premiums, prizes, and such commodities as are used or distributed by wholesale or retail suppliers, marketers, or distributors of petroleum products; agricultural commodities, and commodities partially exempt under section 203 (b) (6) of the Interstate Commerce Act* (except commodities in bulk in tank vehicles); (1) from Wichita, Kans., to points in Illinois, Indiana, Michigan, Ohio, Pennsylvania, New York, and New Jersey; and (2) between points in Oklahoma, on the one hand, and, on the other, points in Wisconsin, Michigan, Illinois, Indiana, Ohio, West Virginia, Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Louisiana, Arkansas, Missouri, and Iowa. Note: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Dallas, Tex., or Washington, D.C.

No. MC 118159 (Sub-No. 60), filed December 13, 1968. Applicant: EVERETT LOWRANCE, 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. 73102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prepared foodstuffs, from Denison, Tex., to points in Alabama and Florida.* Note: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Dallas, Tex., or Washington, D.C.

No. MC 119182 (Sub-No. 5), filed December 10, 1968. Applicant: McGUIRE LUMBER AND SUPPLY, INC., Wylliesburg, Va. 23976. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Pallets and skids, from Drakes Branch, Va., to points in North Carolina, under contract with R. L. Ponton, Drakes Branch, Va.* Note: Applicant is also authorized to conduct operations as a common carrier in Certificate No. MC 16672, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 119384 (Sub-No. 18), filed December 16, 1968. Applicant: MORTON TRUCK LINES, INC., 101 West Willis Avenue, Perry, Iowa 50220. Applicant's representative: William A. Landau, 1451 East Grand Avenue, Des Moines, Iowa 50306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766* (except hides and commodities in bulk), from the plantsite of Oscar Mayer & Co., Inc., at Perry, Iowa, to Louisville, Ky., Kansas City, Kans., and points in Missouri restricted to the transportation of traffic originating at the above-described plantsite. Note: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 119757 (Sub-No. 1), filed December 12, 1968. Applicant: HOME OIL & GAS CORPORATION, doing business as MISSOURI TRANSPORTS, 915 Atchison Street, St. Joseph, Mo. 64503. Applicant's representative: Louis Kranitz, 714 Francis Street, St. Joseph, Mo. 64501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products in bulk tank vehicles, from Wathena, Kans., to points in that part of Missouri, on, north, and west of a line beginning at Kansas City, and extending along U.S. Highway 40 to Grain Valley, thence north along an unnumbered highway through Buckner, Sibley, and Milltondale, to Excelsior Springs, and thence along U.S. Highway 69 to the Missouri-Iowa State line, and empty containers and rejected shipments, on return.* Note: If a hearing is deemed necessary, applicant requests it be held at Kansas City or St. Joseph, Mo.

No. MC 119777 (Sub-No. 136), filed December 20, 1968. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Louis J. Amato, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fiberboard; fiberboard faced or finished with decorative or protective material; accessories and supplies used in the installation of the commodities described above, from Jacksonville, Tex., to points in Alabama, Arkansas, Florida, Georgia,*

Kansas, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, and Tennessee. Note: Applicant holds contract carrier authority under MC-126970 and Subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123502 (Sub-No. 29), filed December 20, 1968. Applicant: FREE STATE TRUCK SERVICE, INC., 10 Vernon Avenue, Glen Burnie, Md. 21061. Applicant's representative: Theodore Polydoroff, Suite 930, 1120 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Alloys, granular refractories, ores, and minerals, in dump vehicles, from Wilmington, Del., to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, and Washington, D.C.;* (2) *alloys, aluminum dross, metal alloys, minerals, ores, scrap metals, smelter residue, and granular refractories, in dump vehicles, between points in South Carolina on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, New Jersey, New York, and Pennsylvania;* and (3) *alloys, metal alloys, minerals, ores, and silicon metals, in dump vehicles, (a) from Monaca, Pa., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, North Carolina, Tennessee, Vermont, and to New York, N.Y., and Baltimore, Md.; and (b) from Calvert City, Ky., to Baltimore, Md.* Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124796 (Sub-No. 42), filed December 13, 1968. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 East Salt Lake Avenue, Post Office Box 1257, City of Industry, Calif. 91747. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Floor mats and runners, from Industry, Calif., to points in the United States (except Maine, New Hampshire, Vermont, Alaska, and Hawaii), restricted to traffic originating at the plantsites or warehouse facilities utilized by Roberts Consolidated Industries, under continuing contract with Roberts Consolidated Industries.* Note: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 125674 (Sub-No. 5), filed December 16, 1968. Applicant: THE SENTINEL STAR EXPRESS COMPANY, a corporation, 64 East Concord, Orlando, Fla. 32802. Applicant's representative: James E. Wharton, 506 First National Bank Building, Post Office Box 231 Orlando, Fla. 32802. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those

of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the Tampa International Airport located near Tampa, Fla.; the Daytona Beach Municipal Airport located near Daytona Beach, Fla.; the Titusville-Cocoa (TICO) Airport located approximately 6 miles south of Titusville, Fla.; the McCoy Jetport near Orlando, Fla.; the Herndon Municipal Airport, Orlando, Fla.; the Melbourne Municipal Airport near Melbourne, Fla.; the Vero Beach Municipal Airport, Vero Beach, Fla.; the Ocala Municipal Airport near Ocala, Fla.; the Gainesville Municipal Airport near Gainesville, Fla.; on the one hand, and, on the other, points in an area of Florida bounded on the east by the Atlantic Ocean, on the west by the Gulf of Mexico, on the south by a line commencing at the Atlantic Ocean at Fort Pierce, Fla., thence along State Road 70 westward to Arcadia, Fla., thence along U.S. Highway 17 to point of intersection with U.S. Highway 41, thence along U.S. Highway 41 to the Gulf of Mexico at Venice, Fla., and on the north by a line commencing at Suwanee, Fla., on the Gulf of Mexico, thence along State Road 349 to Oldtown, Fla., thence along U.S. Highway Alternate 129 to Branford, Fla., thence along State Road 247 to Lake City, Fla., thence along U.S. Highway 441 to the Florida-Georgia State line, thence along the Florida-Georgia State line to the Atlantic Ocean, subject to the following restrictions: (A) Applicant does not seek authority to serve between the McCoy Jetport, Orlando, Fla., and the Tampa International Airport, Tampa, Fla., on the one hand, and, on the other, points in Sarasota, Manatee, Hardee, Polk, Pasco, Osceola, Hernando, Highlands, De Soto, Charlotte, Lee, Pinellas, and Hillsborough Counties, Fla.; and (B) restricted to traffic having an immediately prior or an immediately subsequent movement by air. NOTE: Applicant states that it seeks no duplicating authority. Applicant further states that it seeks to remove the present vehicle size restrictions in the certificate held under Docket No. MC 125674, which presently limit applicant to use of panel trucks not over 2½ tons in weight, 7 feet in height, 24 feet in length, and 7 feet in width. If a hearing is deemed necessary, applicant requests it be held at Orlando or Tampa, Fla.

No. MC 126899 (Sub-No. 34), filed December 20, 1968. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, Paducah, Ky. 42001. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sodium chloride*, in containers, in blocks, and in bulk, from Paducah, Ky., to (1) points in Illinois on and south of U.S. Highway 36; (2) points in Missouri on and east of U.S. Highway 63 and on and south of U.S. Highway 66; and (3) points in Indiana on and south of U.S. Highway 36 and on and west of U.S. Highway 31.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 127146 (Sub-No. 2), filed December 13, 1968. Applicant: LAWRENCE PRENGER, 110 Bridgeway, Sioux City, Iowa 51101. Applicant's representative: Charles R. Lane, 1109 W.O.W. Building, Omaha, Nebr. 68102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Malt and carbonated beverages*, from Minneapolis and St. Paul, Minn., and La Crosse, Wis., to Sioux City, Iowa, under contract with City Club Distributing Co., of Sioux City, Iowa. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 127602 (Sub-No. 4), filed December 26, 1968. Applicant: DENVER-MIDWEST MOTOR FREIGHT, INC., 3434 Walnut Street, Denver, Colo. 80205. Applicant's representative: Donald E. Leonard, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission); (1) between North Platte and Valentine, Nebr., over U.S. Highway 83 serving all intermediate points; and (2) serving points in Nebraska south of the Platte River and on and west of U.S. Highway 281 as off-route points to authorized regular routes. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 127834 (Sub-No. 22), filed December 19, 1968. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Water heaters, boilers, and water storage tanks*, from Kankakee, Ill., to points in Alabama, Arkansas, Florida, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128190 (Sub-No. 5), filed December 12, 1968. Applicant: FREMONT CONTRACT CARRIERS, INC., Fremont, Nebr. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (a) *Metal caps* from Chicago, Ill., to Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.; (b) *plastic bowls and lids*, from Omaha, Nebr., to Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.; and Anaheim, Calif.; (c) *plastic pails and 55-gallon drums* from Peotone, Ill., to Sioux City, Iowa; Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.;

and Anaheim, Calif.; (d) *glass containers* from Huntington, W. Va., to Sioux City, Iowa; Temple, Tex.; Lima, Ohio; Waycross, Ga.; (e) *glass containers* from Sand Springs, Okla., to Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.; Anaheim, Calif.; (f) *glass containers* from Muskogee, Okla., to Lima, Ohio; Sioux City, Iowa; Temple, Tex.; and (g) *plastic doll honey containers* from Ligonier, Ohio, to Sioux City, Iowa; Lima, Ohio; Temple, Tex.; Wendell, Idaho; Waycross, Ga.; Anaheim, Calif., under contract with Sioux Honey Association, Sioux City, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 128273 (Sub-No. 41), filed December 4, 1968. Applicant: MIDWESTERN EXPRESS, INC., Post Office Box 189, Fort Scott, Kans. 66701. Applicant's representative: John Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Urea and urea products*, dry, in bulk and in packages, from Gulf Oil Corp. plant at or near Donaldsonville, La. (Faustina Works) to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Nebraska, Oklahoma, and Texas; (2) *fertilizer, fertilizer materials and ingredients, urea and urea products*, dry, in bulk and in packages, having a prior movement by rail or water from the terminal and/or storage facilities of Gulf Oil Corp. and/or Occidental Chemical Co. in Kansas City, Mo.-Kansas City, Kans., and points in its commercial zones, to points in Arkansas, Iowa, Kansas, Missouri, Nebraska, and Oklahoma; (3) *fertilizer, fertilizer materials and ingredients, urea and urea products*, dry, in bulk and in packages, having a prior movement by rail or water, from the terminal and/or storage facilities of Gulf Oil Corp. and/or Occidental Chemical Co. in Cairo and Peoria, Ill., to points in Illinois, Kentucky, Indiana, and Tennessee; (4) *fertilizer, fertilizer materials and ingredients, urea and urea products*, dry, in bulk and in packages, from Little Rock, Pine Bluff, and Fort Smith, Ark., to points in Arkansas, Illinois, Iowa, Kansas, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Texas; and (5) *fertilizer, fertilizer materials and ingredients, urea and urea products*, dry in bulk and in packages, from Gulf Oil Corp. terminal and/or storage facilities in Sikeston, Mo., to points in Illinois, Indiana, Kentucky, and Tennessee. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 129071 (Sub-No. 3), filed December 16, 1968. Applicant: WHITEHALL TRANSPORT, INC., 1200 Main Street, Whitehall, Wis. 54773. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Dairy products and grocery items, including cake mix ingredients* (excluding com-

modities in bulk, in tank or hopper-type vehicles), originating at Menomonee, Cameron, Beloit, and Vesper, Wis., to points in New York, Ohio, Pennsylvania, Maryland, Delaware, New Jersey, Connecticut, Massachusetts, Vermont, New Hampshire, Rhode Island, Maine, and the District of Columbia, under contract with Sanna Inc. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn., or Chicago, Ill.

No. MC 133101 (Sub-No. 2), filed December 18, 1968. Applicant: KEN J. MADSEN AND KENT W. HERKENRATH, a partnership, doing business as PENINSULA AIR DELIVERY, 849 Charleston Street, Palo Alto, Calif. 94303. Applicant's representative: George M. Carr, 351 California Street, Suite 1215, San Francisco, Calif. 94104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between San Francisco International Airport, on the one hand, and, on the other, Mountain View, Sunnyvale, and Santa Clara, Calif., on traffic having a prior or subsequent movement by air carrier. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at San Francisco or San Jose, Calif.

No. MC 133177 (Sub-No. 1), filed December 18, 1968. Applicant: WILLIAM RUFUS LONG, doing business as LONG'S BODY SHOP, East Washington Street, Extension, Rockingham, N.C. 28379. Applicant's representative: Norman T. Gibson, 108 South Hancock Street, Post Office Box 590, Rockingham, N.C. 28379. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Mobile homes and house trailers*, from points in North Carolina to points in South Carolina, Virginia, Georgia, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Rockingham, Charlotte, or Greensboro, N.C.

No. MC 133267 (Sub-No. 1), filed December 16, 1968. Applicant: STEADMAN TRUCKING COMPANY, a corporation, Stone Drive, Kingsport, Tenn. 37660. Applicant's representative: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn. 37660. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Bituminous materials and asphalt mix*, when mixed with crushed stone, from the plantsites of Kingsport Asphalt and Concrete Corp., located in Sullivan, Washington, and Unicoi Counties, Tenn., to points in Scott, Lee, Washington, Wise, and Russell Counties, Va., and (2) *crushed stone, pea gravel, lime, and sand*, from plantsites of Vulcan Materials Co., located in Sullivan, Washington, and Unicoi Counties, Tenn., to points in Scott, Lee, Washington, Wise, and Russell Counties, Va., under contracts with Kingsport Asphalt and Concrete Corp., and Vulcan Materials Co. **NOTE:**

Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Washington, D.C.

No. MC 133334, filed December 5, 1968. Applicant: FOX VALLEY TRUCK LINES, INC., 2505 Washington Street, Carpentersville, Ill. 60110. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Roadway paving expansion joints, asphalt composition vapor barrier, paving joint compound, sewer pipe joint compound, caulking compound, concrete surface curing compound, and roofing cement*, from Elgin, Ill., to points in Kentucky, Maryland, Missouri, Massachusetts, New Jersey, New York, Pennsylvania, Ohio, Rhode Island, and the District of Columbia; and (2) *equipment, materials, and supplies* used in the manufacture and processing of roadway paving expansion joints, asphalt composition vapor barrier, paving joint compound, sewer pipe joint compound, caulking compound, concrete surface curing compound, and roofing cement, from points in Kentucky, Maryland, Missouri, Massachusetts, New Jersey, New York, Pennsylvania, Ohio, Rhode Island, and the District of Columbia, to Elgin, Ill., under contract with W. R. Meadows, Inc., Elgin, Ill. **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 133349, filed December 16, 1968. Applicant: UNITED CONTAINER SERVICES, INC., Foot of Grace Street, Secaucus, N.J. 07094. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, in containers and trailers which have a prior or subsequent movement by water in foreign commerce, between all points in the New York, N.Y., commercial zone as defined by the Commission, in Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exemption provision provided by section 203(b) (8). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133360, filed December 12, 1968. Applicant: UNION TRACTOR COMPANY, INC., Post Office Box 1426, Havre, Mont. 59501. Applicant's representative: George Robert Crotty, Jr., Post Office Box 1346, 333 Great Falls National Bank Building, Great Falls, Mont. 59401. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Repair maintenance, and replacement parts and equipment* for heavy construction and agricultural machinery, from Torrence, Calif.; Cleveland, Defiance, and Bucyrus, Ohio; Chicago, Ill.; Oklahoma City, Okla.; and Fort Worth, Tex., to the port of entry on the international boundary line between the United States

and Canada, located at or near Sweet Grass, Mont., under contract with Union Tractor, Ltd., of Edmondton, Alberta, Canada. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Great Falls, Helena, or Havre, Mont.

MOTOR CARRIERS OF PASSENGERS

No. MC107583 (Sub-No. 45), filed December 9, 1968. Applicant: SALEM TRANSPORTATION CO., INC., 1222 Jerome Avenue, Bronx, N.Y. 10452. Applicant's representative: George H. Rosen, 265 Broadway, Post Office Box 348, Monticello, N.Y. 12701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage and effects*, in the same vehicle with passengers, in special and charter operations, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver, and not including children under 10 years of age who do not occupy a seat or seats, between U.S. Army Military Ocean Terminal, Bayonne, N.J.; McGuire Air Force Base, N.J.; Fort Dix, N.J.; Newark Airport, Newark, N.J., LaGuardia Airport, N.Y.; John F. Kennedy International Airport, N.Y.; Fort Hamilton, N.Y.; Brooklyn Army Terminal, N.Y.; and Fort Wadsworth, Staten Island, N.Y. **NOTE:** Applicant states it holds authority covering the aforesaid points issued in Docket No. MC 107583 and Docket No. MC 107583 (Sub-No. 24). Applicant also states that in application No. MC 107583 (Sub-No. 42), authority sought to increase limitation from 8 to 11 passengers is now awaiting disposition. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 133336, filed December 6, 1968. Applicant: CAROLINA TRANSIT LINES OF CHARLOTTE, INC., 224 Iverson Way, Charlotte, N.C. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Passengers and their baggage*, in the same vehicle with passengers, in round-trip charter operations, and (2) *Passengers and their baggage* in the same vehicle with passengers, in round-trip sightseeing and pleasure tours, in special operations, beginning and ending at points in North Carolina and South Carolina bounded by the following: Commencing at Salisbury, N.C., thence southeast along U.S. Highway 52 to Wadesboro, N.C., via Albemarle, N.C., thence along North Carolina Highway 742 and its continuance to Chesterfield, S.C., thence west along South Carolina Highway 9 to junction U.S. Highway 321 at Chester, S.C., thence north along U.S. Highway 321 to junction U.S. Highway 70 near Newton, N.C., thence along U.S. Highway 70 to Salisbury, N.C., via Statesville, N.C., including points on the indicated highway boundaries, and extending to points in the United States, including the District of Columbia (except Hawaii and Alaska). **NOTE:** If a hearing is deemed necessary,

applicant requests it be held at Charlotte, N.C.

APPLICATION OF WATER CARRIER

No. W-406 (Sub-No. 10) (Correction), OHIO BARGE LINE, INC., EXTENSION, ARKANSAS RIVER, filed October 28, 1968, published in the FEDERAL REGISTER, issue of November 28, 1968, and republished, in part, as corrected this issue. Applicant: OHIO BARGE LINE, INC., Post Office Box 126, Dravosburg, Pa. 15034. NOTE: The purpose of this partial republication is to include *pig iron* in the commodity description in (A) (1) which was inadvertently omitted in the previous publication. The rest of the application remains as previously published.

APPLICATION OF FREIGHT FORWARDER

No. FF 359 AUTO TRIP USA, INC., Freight Forwarder Application, filed December 11, 1968. Applicant: AUTO TRIP USA, INC., 147 West 42d Street, New York, N.Y. 10036. Authority sought under Part IV of the Interstate Commerce Act as a freight forwarder in interstate

or foreign commerce, though the use of facilities of common carriers by railroad, express, water, air, or motor vehicle in the transportation of *used passenger automobiles*, with or without baggage, personal effects, and sporting equipment, between points in the United States.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 11207 (Sub-No. 280), filed December 20, 1968. Applicant: DEATON, INC., 317 Avenue W, Post Office Box 1271, Birmingham, Ala. 35201. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty petroleum products containers*, from points in Alabama, Florida, Mississippi, and Tennessee, to the plantsite of Port Drum Co. at Port Arthur, Tex.

No. MC 116886 (Sub-No. 38), filed December 20, 1968. Applicant: HOWELL'S MOTOR FREIGHT, INCORPORATED, 2210 Winston Avenue SW., Post Office

Box 614, Roanoke, Va. 24004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, and, in connection therewith *equipment, materials, and supplies* used in conduct of such business (except commodities in bulk, in tank vehicles), between Roanoke, Richmond, Norfolk, and Bristol, Va.; Kingsport, Johnson City, Erwin, Fordtown, and Gray, Tenn.; Raleigh, Durham, Charlotte, and Asheville, N.C.; Columbia, S.C.; Augusta, Ga., and points in North Carolina, South Carolina, Georgia on and east of Interstate Highway 75, Virginia, West Virginia in and south of U.S. Highway 60, and Tennessee on and east of U.S. Highway 27.

By the Commission.

[SEAL]

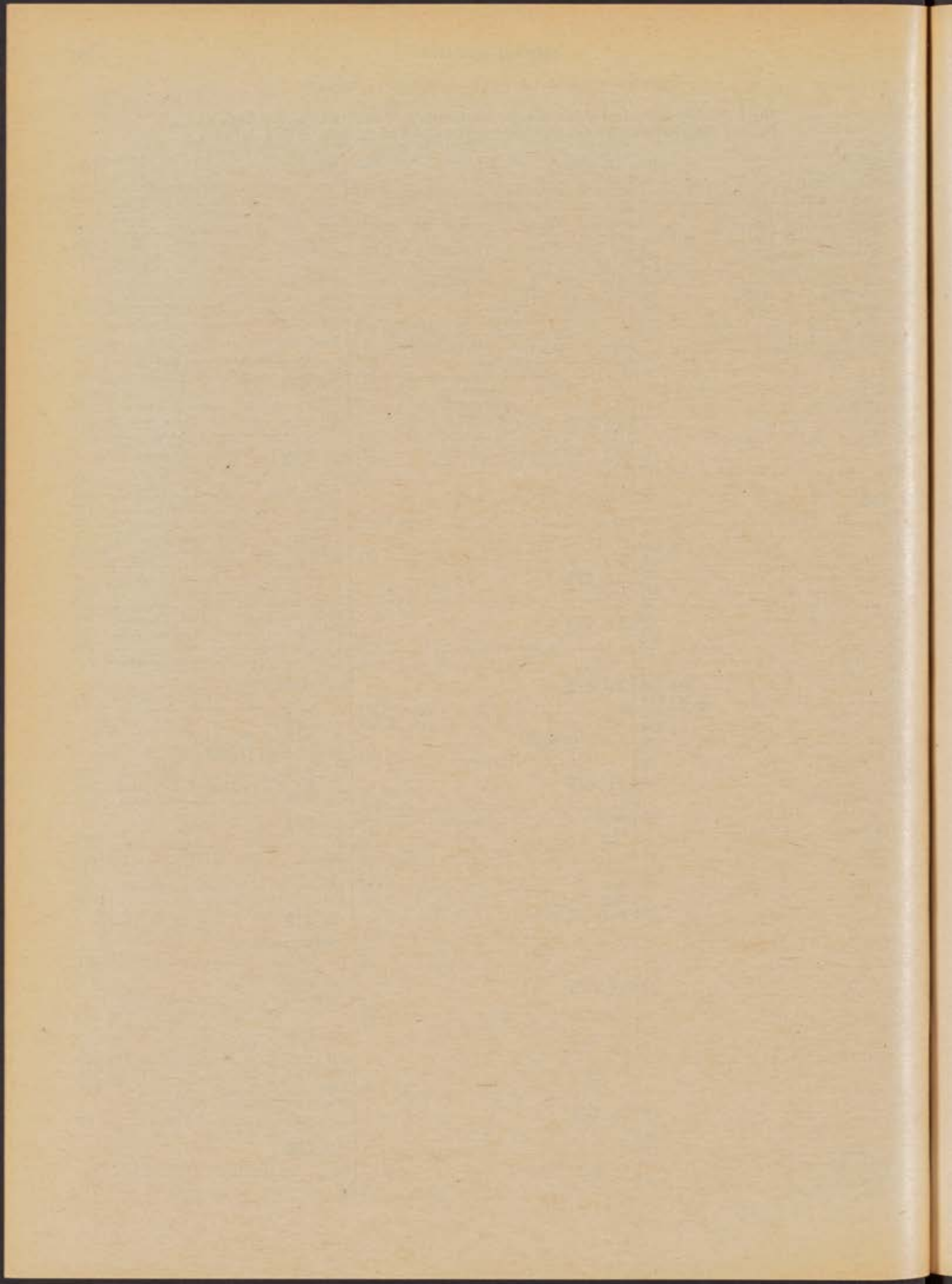
H. NEIL GARSON,
Secretary.

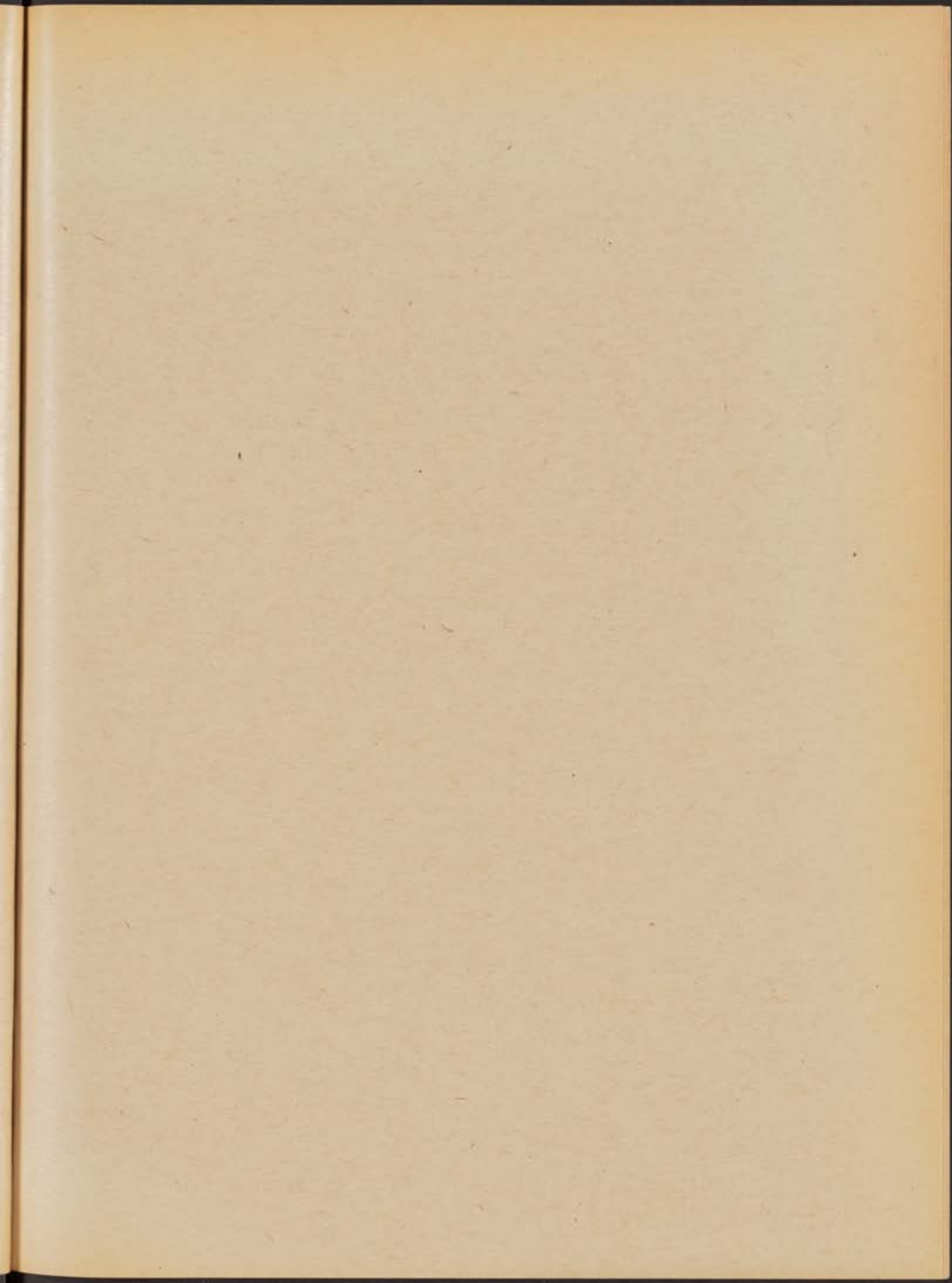
[F.R. Doc. 69-279; Filed, Jan. 8, 1969;
8:48 a.m.]

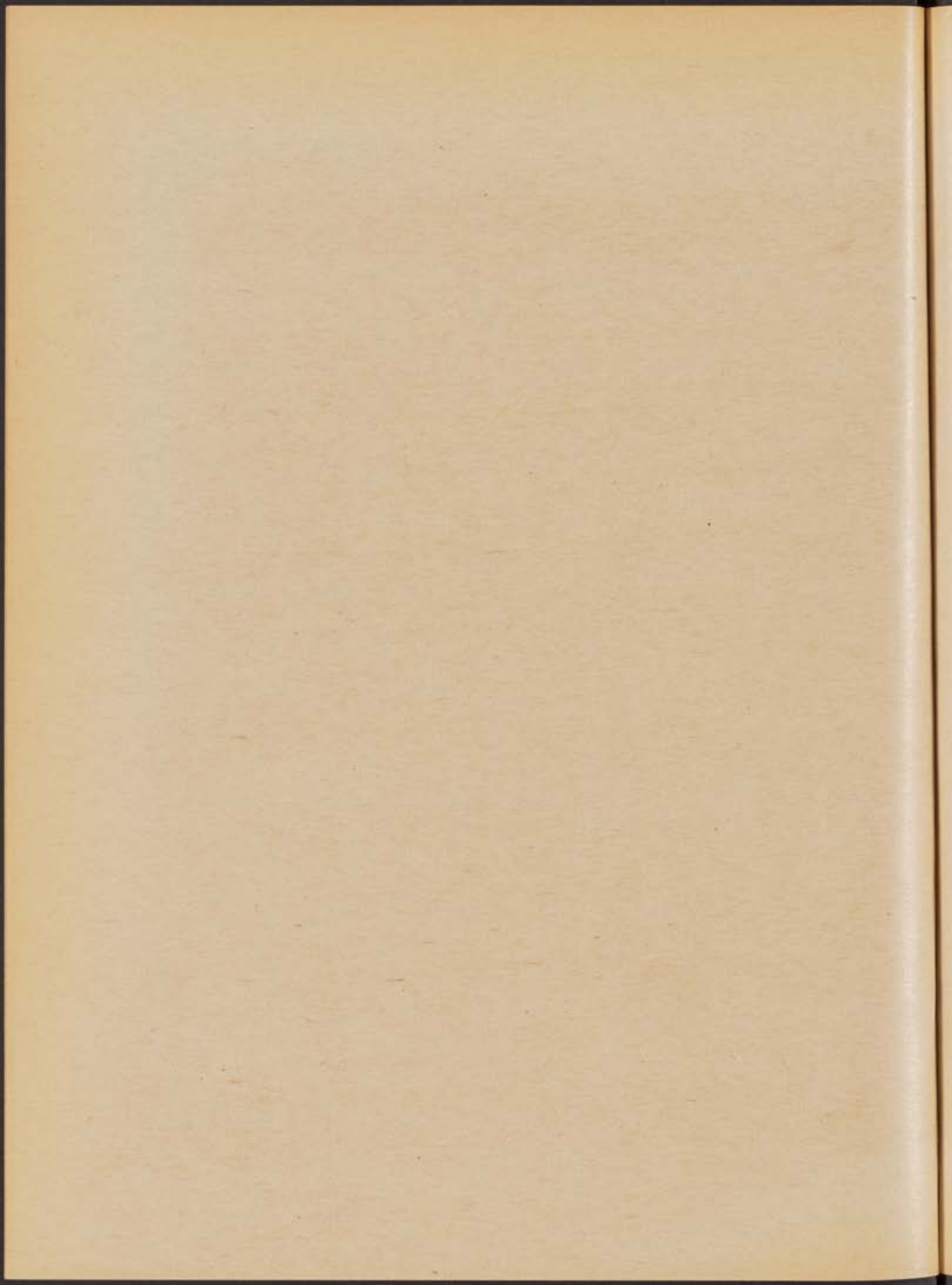
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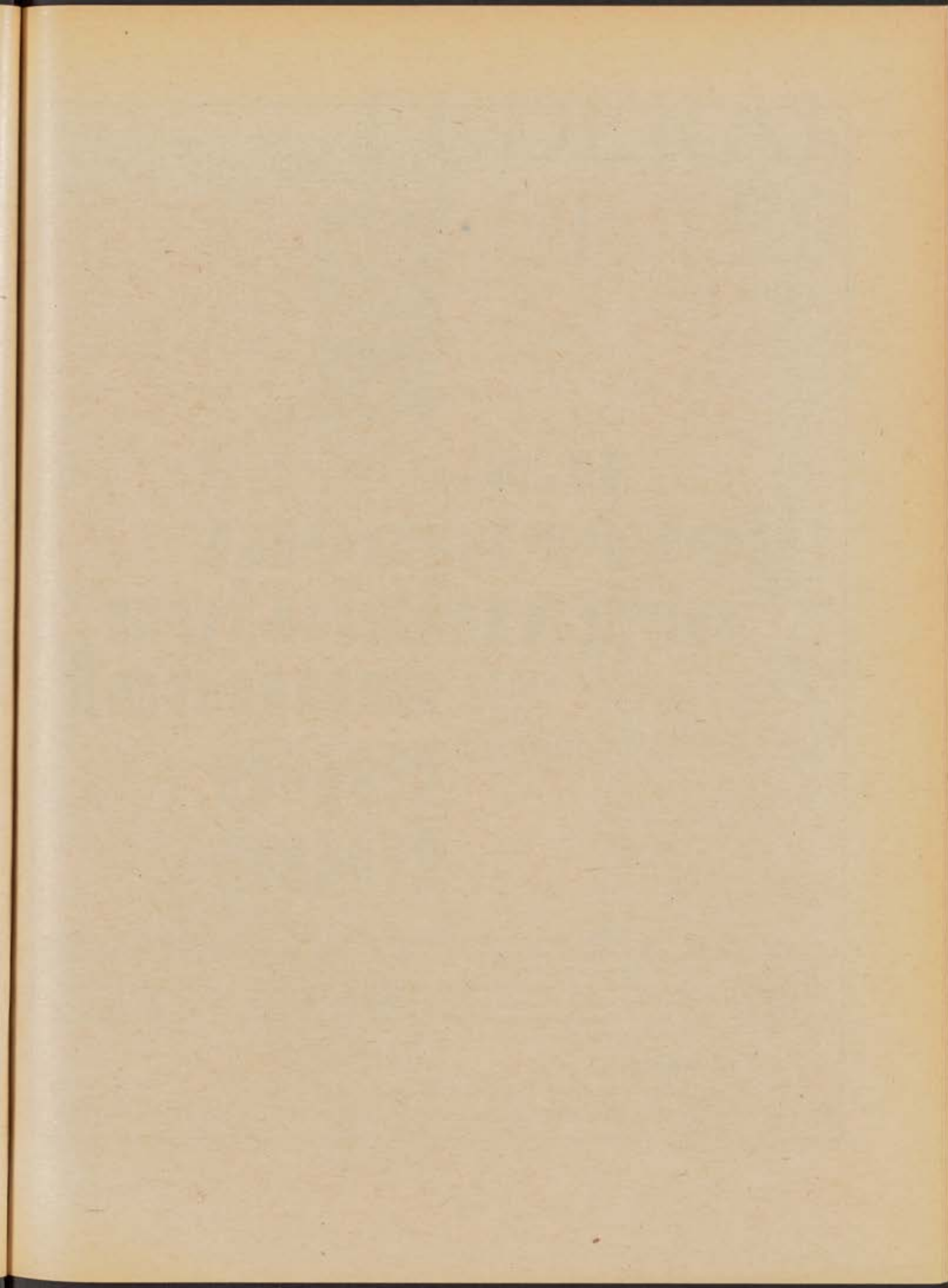
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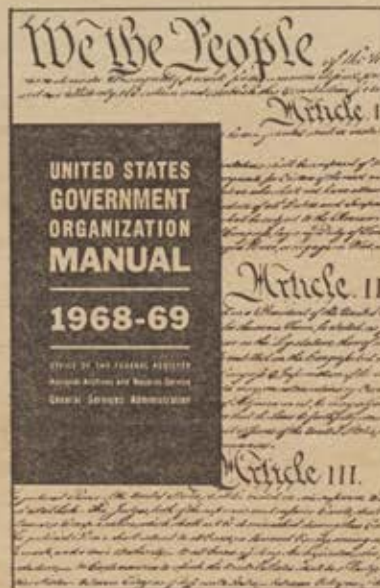
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