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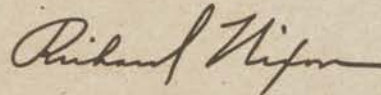
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Title 3—The President

EXECUTIVE ORDER 11655

Inspection of Income, Excess-Profits, Estate, and Gift Tax Returns by the Committee on Government Operations, House of Representatives

By virtue of the authority vested in me by section 55(a) of the Internal Revenue Code of 1939, as amended (26 U.S.C. (1952 Ed.) 55(a)), and by section 6103(a) of the Internal Revenue Code of 1954, as amended (26 U.S.C. 6103(a)), it is hereby ordered that any income, excess-profits, estate, or gift tax return for the years 1947 to 1972, inclusive, shall, during the Ninety-second Congress, be open to inspection by the Committee on Government Operations, House of Representatives, or any duly authorized subcommittee thereof, in connection with its studies of the operation of Government activities at all levels with a view to determining the economy and efficiency of the Government. Such inspection shall be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decisions 6132 and 6133, relating to the inspection of returns by committees of the Congress, approved by the President on May 3, 1955.



THE WHITE HOUSE,
March 14, 1972.

[FR Doc.72-4120 Filed 3-14-72; 3:38 pm]

Presidential Inauguration

The Inauguration

January 20, 1901

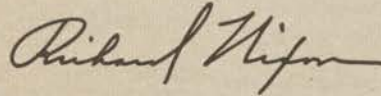
The inauguration of William McKinley as President of the United States took place on January 20, 1901, at the United States Capitol in Washington, D.C. The ceremony was a grand affair, attended by thousands of people, including members of Congress, the Supreme Court, and foreign dignitaries. McKinley was sworn in by Chief Justice Melville Fuller. The day was marked by a series of events, including a parade through the city and a luncheon at the White House. McKinley's inauguration was the last to be held in the Capitol building, as the next inauguration, in 1905, was held in the new White House.

The inauguration of McKinley was a significant event in American history, marking the beginning of his second term in office. McKinley was re-elected in 1897 and served until his assassination in September 1901. His death led to the ascension of Theodore Roosevelt to the presidency.

EXECUTIVE ORDER 11656

**Inspection of Income, Estate, and Gift Tax Returns by the Select
Committee on Crime, House of Representatives**

By virtue of the authority vested in me by section 6103(a) of the Internal Revenue Code of 1954, as amended (26 U.S.C. 6103(a)), it is hereby ordered that any income, estate, or gift tax return for the years 1956 to 1972, inclusive, shall, during the Ninety-second Congress, be open to inspection by the Select Committee on Crime, House of Representatives, or any duly authorized subcommittee thereof, in connection with its study and investigation of all aspects of crime affecting the United States, pursuant to House Resolution 115, 92nd Congress, agreed to March 9, 1971. Such inspection shall be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decision 6132, relating to the inspection of returns by committees of the Congress, approved by the President on May 3, 1955.



THE WHITE HOUSE,
March 14, 1972.

[FR Doc.72-4121 Filed 3-14-72; 3:38 pm]

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 1]

PART 719—RECONSTITUTION OF FARMS, ALLOTMENTS, AND BASES

Miscellaneous Amendments

On pages 1174 and 1175 of the *FEDERAL REGISTER* of January 26, 1972, there was published a proposed amendment to the regulations governing Reconstitution of Farms, Allotments, and Bases (7 CFR Part 719).

Interested persons were given 20 days to submit written data, views, or arguments regarding the proposed changes. The basis and purpose of the proposed amendment were set forth in the notice. After consideration of all comments received, the amendment as proposed is adopted, except that the authority for the issuance of the amendment is added and the last sentence of the proposed amendment to § 719.3(c)(2) is changed to read as set forth below.

Effective date. Since farmers are now making reconstitutions for the 1972 crop year, it is essential that this amendment be made effective as soon as possible. It is hereby found that compliance with the 30-day effective date provision of 5 U.S.C. 553 is impracticable and contrary to the public interest. Accordingly, this amendment shall become effective upon publication in the *FEDERAL REGISTER* (3-16-72).

Signed at Washington, D.C., on March 8, 1972.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

1. In § 719.2, paragraphs (m) and (p) are revised to read as follows:

§ 719.2 Definitions.

(m) **Landlord.** A person who rents or leases farmland to another person.

(p) **Owner.** A person who has legal ownership of farmland, including a person who is buying farmland under a purchase agreement.

2. In § 719.3, paragraph (b) and paragraphs (c)(2) and (d)(1) are revised to read as follows:

§ 719.3 Farm constitution.

(b) *Farms constituted for the first time or reconstituted hereafter.* With respect to the constitution and identification of land as a farm for the first time or the reconstitution of farms made hereafter, a farm shall include all land operated by one person as a single farming unit except that it shall not include land under any of the following conditions:

(1) Land under separate ownership unless the owners agree in writing;

(2) Field-rented tracts under a short-term agreement of 1 year or less (such tracts shall remain with the farm of which they are a part);

(3) Federally owned land under a restrictive lease.

(4) Federal- and State-owned wildlife land unless the former owner has possession of the land under a leasing agreement.

(5) Land covered by a whole farm conservation reserve contract unless all the other land included in the farm is also covered by a whole farm conservation reserve contract;

(6) Land covered by a whole farm cropland conversion program agreement unless all the other land included in the farm is also covered by a whole farm cropland conversion program agreement;

(7) Land covered by a cropland adjustment or cropland conversion program agreement unless (i) the specific commodity diverted under the agreement is also diverted under a cropland adjustment or cropland conversion program agreement covering the other land and having the same expiration date, or (ii) the other land does not have an allotment or base of the same commodity, or (iii) the farm operator agrees to a zero permitted acreage for the commodity under agreement.

(8) Land constituting a farm which is declared ineligible to participate in a set-aside program under the regulations governing the program.

(c) *Location of farm for administrative purposes.* * * *

(2) If the land in the farm is located in more than one county, the farm shall be administratively located in either of such counties as the county committee of the receiving county and the farm operator agree. The receiving county is the county in which the farm operator requests that the farm be located. If no agreement can be reached, the farm shall be administratively located in the county (i) where the principal dwelling is situated, or (ii) where the major portion of the farm is located, if there is no dwelling.

(d) *Required reconstitutions.* * * *

(1) A change has occurred in the operation of the land after the last constitution or reconstitution and as a result of such change the farm does not meet the conditions for constitution of a farm as set forth in paragraph (b) of this section: *Provided*, That no reconstitution shall be made if the county committee determines that the primary purpose of the change in operation is to establish eligibility to transfer allotments subject to sale or lease;

3. Section 719.4 is revised to read as follows:

§ 719.4 Guides for determining the land constituting a farm.

(a) **General.** In determining the constitution of a farm, consideration shall be given to provisions such as ownership and operation. A brief explanation of these provisions is outlined in this section to assist committees in properly determining what land is to be included in a farm.

(b) **Ownership.** The county committee shall require specific proof where there is doubt as to ownership.

(c) **Family members.** Land owned by different members of an immediate family living in the same household and operated as a single farming unit shall be considered as being under the same ownership in determining a farm.

(d) **Parent corporations and subsidiaries.** All land which is operated as a single farming unit and which is owned and operated by a parent corporation and subsidiary corporations of which the parent corporation owns more than 50 percent of the value of the outstanding stock (or which is owned and operated by such subsidiary corporations) shall be constituted as one farm.

(e) **Single farming unit.** Land which the committee determines is being operated by one person with cropping practices, equipment, labor, accounting system, and management substantially separate from that of any other unit shall be considered to constitute a single farming unit.

(f) **Operation.** In determining the constitution of a farm, the county committee shall satisfy itself that the operator will be in general control of the farming operations on the farm for the program year.

4. In § 719.8, paragraphs (b) (4) and (5) are revised to read as follows:

§ 719.8 Rules for determining allotments and bases where reconstitution is made by division.

(b) *Designation of allotments and bases by landowner.* * * *

(4) Where the part of the farm from which the ownership is being transferred was owned for a period of less than 3 years, the provisions of this paragraph shall not be applicable to such transfer unless the State committee finds that the primary purpose of the ownership transfer was not to retain or sell an allotment or base. In the absence of such a finding, and if the farm contains land which has been owned for a period less than 3 years, that part which has been owned for less than 3 years shall be considered as a separate farm and the allotments and bases shall be assigned to that part using the rules in paragraphs (c) through (f) of this section, as applicable. Such apportionment shall be made prior to any designation of allotments and bases with respect to the part which has been owned for 3 years or more.

(5) This method is not applicable to Burley tobacco.

(Secs. 375, 378, 379, 52 Stat. 66, as amended, 72 Stat. 995, as amended, 79 Stat. 1211, 7 U.S.C. 1375, 1378, 1379; secs. 601, 602, 706, 79 Stat. 1206, as amended, 1210, 7 U.S.C. 1801 note, 1838, 1305; sec. 105, 84 Stat. 1368, 7 U.S.C. 1441 note)

[FR Doc.72-3974 Filed 3-15-72; 8:52 am]

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

[Navel Orange Reg. 260]

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

Limitation of Handling

§ 907.560 Navel Orange Regulation 260.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), 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 insuffi-

cient, 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 March 14, 1972.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period March 17, 1972, through March 23, 1972, are hereby fixed as follows:

- (i) District 1: 954,000 cartons;
- (ii) District 2: 196,000 cartons;
- (iii) District 3: Unlimited.

(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: March 14, 1972.

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

[FR Doc.72-4151 Filed 3-15-72; 11:13 am]

[Valencia Orange Reg. 380]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.680 Valencia Orange Regulation 380.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia 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 Valencia

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 Valencia 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 Valencia 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 Valencia 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 March 14, 1972.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period March 17, 1972, through March 23, 1972, are hereby fixed as follows:

- (i) District 1: Unlimited;
- (ii) District 2: Unlimited;
- (iii) District 3: 106,380 cartons.

(2) As used in this section, "handler," "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: March 15, 1972.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Veg-
etable Division, Consumer and
Marketing Service.

[FR Doc.72-4152 Filed 3-15-72; 11:13 am]

[Valencia Orange Reg. 378]

**PART 908—VALENCIA ORANGES
GROWN IN ARIZONA AND DESIGNATED
PART OF CALIFORNIA**

Limitation of Handling

§ 908.678 Valencia Orange Regulation 378.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia 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 Valencia 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 Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The recommendations by the Valencia Orange Administrative Committee reflect its appraisal of the crop and current and prospective marketing conditions after consideration of the factors having a bearing thereon as required by said marketing agreement and order. The committee estimates that the 1971-72 season crop of Valencia oranges will be 50,500 carlots. It further estimates that the demand in regulated market channels will require about 40 percent of this volume, and the remaining 60 percent will be available for utilization in export, processing and other outlets. The volume and size composition of the crop are such that ample supplies of the more desirable sizes are available to satisfy the demand in regulated channels. Therefore, the smaller sizes of oranges should be eliminated from regulated market channels so as to assure consumers of desirable sizes of fruit and to improve returns to growers consistent with declared policy of the act.

(3) 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, after giving due notice thereof, to consider or similar designation they must meet the weight, count, and average count supply and market conditions for Valencia 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 are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia 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 March 7, 1972.

(b) *Order.* (1) During the period March 17, through April 13, 1972, no handler shall handle any Valencia oranges grown in District 1, which are of a size smaller than 2.32 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the Valencia oranges contained in any type of container may measure smaller than 2.32 inches in diameter.

(2) As used in this section, "handle", "handler", and "District 1", shall 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: March 13, 1972.

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

[FR Doc.72-4098 Filed 3-15-72; 8:55 am]

[Amtd. 1]

**PART 945—POTATOES GROWN IN
CERTAIN DESIGNATED COUNTIES
IN IDAHO AND MALHEUR COUNTY,
OREG.**

Limitation of Shipments; Correction

In § 945.330 *Limitation of shipments* (36 F.R. 12894, 37 F.R. 4951) paragraph (a) (2) (iv) is corrected to read in part as follows:

§ 945.330 Limitation of shipments.

• • • • •

(a) • • • • •

(2) • • • • •

(iv) When 50 pound containers (except master containers) of long varieties of potatoes are marked with a count, size,

ranges for the count designation listed below:

Dated: March 13, 1972.

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

[FR Doc.72-4037 Filed 3-15-72; 8:53 am]

**PART 991—HOPS OF DOMESTIC
PRODUCTION**

Salable Quantity and Allotment Percentage for 1972-73 Marketing Year

Notice was published in the February 16, 1972, issue of the FEDERAL REGISTER (37 F.R. 3440) regarding a proposal to establish a salable quantity and allotment percentage applicable to hops produced in Washington, Oregon, Idaho, and California for the 1972-73 marketing year beginning August 1, 1972. The allotment percentage and salable quantity herein established are based on the unanimous recommendation of the Hop Administrative Committee and other available information in accordance with the applicable provisions of Marketing Order No. 991, as amended (7 CFR Part 991), regulating the handling of hops of domestic production, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted.

The salable quantity and allotment percentage are based upon a recommendation of the committee made at their meeting of January 24, 1972, and derive from the following determinations for the marketing year beginning August 1, 1972:

(1) Total domestic consumption of 34,250,000 pounds of hops;

(2) Minus imports of 14 million pounds of hops to result in domestic consumption of U.S. hops of 20,250,000 pounds;

(3) Plus total U.S. exports of 29 million pounds of hops to equal 49,250,000 pounds total usage of U.S. hops;

(4) Minus a desirable inventory adjustment, as of September 1, 1973, of 1,209,000 pounds; and

(5) Plus an adjustment of 1,949,000 pounds to provide for allotments not produced plus 1,390,000 pounds to assure production of the quantity needed to meet market requirements, resulting in adjusted requirements for salable hops of 51,380,000 pounds.

After consideration of all relevant matter presented, including that in the notice, the information and recommendation submitted by the committee, the applicable provisions of the marketing order, and other available information, it is found that to establish a salable quantity and allotment percentage as

hereinafter set forth will tend to effectuate the declared policy of the act.

Therefore, the salable quantity and allotment percentage to be applicable to the 1972-73 marketing year (August 1, 1972-July 31, 1973) are established as follows:

§ 991.210 Allotment percentage and salable quantity for hops during the marketing year beginning August 1, 1972.

The allotment percentage during the marketing year beginning August 1, 1972, shall be 85 percent, and the salable quantity shall be 51,380,000 pounds.

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

Dated March 10, 1972, to become effective April 30, 1972.

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

[FR Doc.72-4036 Filed 3-15-72;8:53 am]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Animal and Plant Health Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 82—EXOTIC NEWCASTLE DISEASE; AND PSITTACOSIS OR ORNITHOSIS IN POULTRY

Areas Quarantined

Pursuant to the provisions of sections 1, 2, 3 and 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, sections 4, 5, 6 and 7 of the Act of May 29, 1884, as amended, and sections 3 and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 115, 117, 120, 123, 124, 125, 126, 134b, 134f), Part 82, Title 9, Code of Federal Regulations is hereby amended in the following respects:

In § 82.3, in paragraph (a) (1), subdivision (ii) is deleted and subdivision (i) relating to the State of California is amended to read:

§ 82.3 Areas quarantined.

(a) * * *

(1) *California.* (i) Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara and Ventura Counties.

(ii) [Deleted]

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 115, 117, 120, 123-126, 134b, 134f; 29 F.R. 16210, as amended, 36 F.R. 20707)

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment quarantines all of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura Counties in California because of the existence of exotic Newcastle disease. The amendment imposes certain restrictions necessary to prevent the interstate spread of exotic Newcastle disease, a communicable disease of poultry, and must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment 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 10th day of March 1972.

F. J. MULHERN,
Administrator,
Animal and Plant Health Service.

[FR Doc.72-3975 Filed 3-15-72;8:49 am]

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS, INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON

Restrictions on Importation of Poultry and Other Birds

On January 21, 1972, there was published in the FEDERAL REGISTER (37 F.R. 935-936) a notice with respect to proposed amendments of the regulations in Part 92, relating to Newcastle disease and interested persons were afforded an opportunity to present data, views, and arguments orally or in writing concerning the proposal.

Before this notice was published, public briefings were held in Beltsville, Md.; Miami, Fla.; and Chicago, Ill.; to which were invited importers and distributors of psittacine and mynah birds and other birds to inform them about finding Newcastle disease in imported birds. Additional public briefings were held in 13 other locations during September, October, and November 1971, across the country to inform all interested parties of this problem.

Such oral views were recorded and have been reviewed. In addition, the Department has received and considered numerous correspondence and telephone inquiries and comments in regard to the proposal, directly from interested parties and through Congressional offices.

During and after the time interval involved in the above 16 briefings, additional cases of Newcastle disease were found in or were traceable to imported

birds. Each case of Newcastle disease was diagnosed based on laboratory isolation and identification of the virus.

There is evidence linking spread of Newcastle disease from the above-mentioned infected imported birds to other imported and domestic birds and to outbreaks of Newcastle disease in domestic poultry.

Therefore, it is necessary to adopt regulations restricting importation of susceptible birds without delay.

After due consideration of all relevant material in connection with said notice and pursuant to the provisions of section 2 of the Act of February 2, 1903, as amended, and sections 2, 3, 4, and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 134a, 134b, 134c, and 134f) Part 92, Title 9, Code of Federal Regulations is hereby amended in the following respects:

(Sec. 2, 32 Stat. 792, as amended, secs. 2, 3, 4, and 11, 76 Stat. 129, 130, 132, 21 U.S.C. 111, 134a, 134b, 134c, 134f; 29 F.R. 16210, as amended, 36 F.R. 20707)

1. The present provisions in § 92.2 are designated as paragraph (a) and a new paragraph (b) is added to § 92.2 to read as follows:

§ 92.2 General prohibition.

(b) The provisions in this Part 92 relating to poultry shall also apply, unless otherwise specified in this part, to all species of psittacine birds and Greater and Lesser Hill Mynah birds (*Granula Linnaeus 1758* and *Eulabes Cuvier 1817*) of any ages.

2. In § 92.3, a new paragraph (f) is added to read:

§ 92.3 Ports designated for the importation of animals.

(f) Notwithstanding any other provisions of this section, all species of psittacine birds and Greater and Lesser Hill Mynah birds (*Granula Linnaeus 1758* and *Eulabes Cuvier 1817*) shall be imported only at a port of entry specified in § 92.3(b).

3. In § 92.4 the last sentence of paragraph (b) is amended to read:

§ 92.4 Import permits for ruminants, swine, and poultry and for animal semen.

(b) * * *. Ruminants, swine, poultry, and animal semen (and psittacine and mynah birds) for which a permit is required by these regulations will not be eligible for entry if a permit has not been issued; if unaccompanied by said permit; if shipment is from any port other than the one designated in the permit; if arrival in the United States is at any port other than the one designated in the permit; if the animals or animal semen are not handled as outlined in the application for the permit and as specified in the permit issued; or if the animals are aboard a means of conveyance other than the one specified in the import permit.

4. In § 92.5, paragraph (b) is amended to read:

§ 92.5 Certificate for ruminants, swine, and poultry.⁶

(b) *Poultry.* (1) All poultry, except eggs for hatching, offered for importation from any country of the world except Canada and Mexico as provided in §§ 92.26 and 92.38, shall be accompanied by a certificate of a salaried veterinary officer of the national government of the country of origin stating that such poultry and their flock or flocks of origin were inspected on the premises of origin immediately before the date of movement from such country and that they were then found to be free of evidence of communicable diseases of poultry, and that, as far as it has been possible to determine, they were not exposed to any such disease common to poultry during the 90 days immediately preceding the date of such movement and that these premises are not located in any area under quarantine during the preceding 90 days. Certificates for such poultry shall also state that the poultry have been kept in the country from which they are offered for importation for at least 90 days immediately preceding the date of movement therefrom or since hatched and that, as far as it has been possible to determine, no case of European fowl pest (fowl plague) or Newcastle disease occurred on the premises where such poultry were kept, or on adjoining premises, during that 90-day period. All eggs for hatching offered for importation from any part of the world, except as provided in §§ 92.26 and 92.38 shall be accompanied by a certificate of a salaried veterinary officer of the national government of the country of origin stating that the flock or flocks of origin were found upon inspection to be free from evidence of communicable diseases of poultry, that no Newcastle disease has occurred on the premises of origin or on adjoining premises during the 90 days immediately preceding the date of movement of the eggs from such country, and that as far as it has been possible to determine such flock or flocks were not exposed to such disease during the preceding 90 days.

(2) All species of psittacine birds and Greater and Lesser Hill Mynah birds (*Granula Linnaeus 1758* and *Eulabes Cuvier 1817*) offered for importation from any country of the world shall be accompanied by a certificate issued by a full-time salaried veterinary officer of the national government of the country from which the birds were shipped stating that all birds covered by the certificate had been kept under quarantine for a period of at least 45 days, under his immediate supervision in a Department-

approved facility in that country; that they were the only birds in the facility during the entire 45-day quarantine period; that during that quarantine period there was no evidence of Newcastle disease, ornithosis, or other communicable diseases common to poultry among the birds in quarantine and insofar as has been possible to determine, they were not exposed to such diseases; that such birds had not received any vaccination during such quarantine and they were determined not to have a serological titer against Newcastle disease of 1:20 or greater, based upon a hemagglutination-inhibition test made on a statistically valid representative sample consisting of at least 10 birds or 10 percent (whichever is greater) of the birds in quarantine; that in the case of birds of psittacine species, all feed given during the 45-day quarantine period was medicated with chlortetracycline and fed in accordance with guidelines of the U.S. Public Health Service of the Department of Health, Education, and Welfare as a precautionary treatment against ornithosis (*psittacosis*),⁶ and that Newcastle disease did not occur anywhere on the premises where the birds were kept or on adjoining premises during the 90 days immediately preceding the exportation of such birds and that these premises are not located in any area under quarantine during the preceding 90 days. Initial approval of such quarantine facilities and subsequent retention of such approval shall be conditioned on a determination, following personal inspections, by a veterinary inspector of Veterinary Services, that the facilities are adequate to effectuate the purpose of this part.

5. Section 92.8 is amended to read as follows:

§ 92.8 Inspection at the port of entry.

(a) Inspection shall be made at the port of entry of all horses, ruminants, swine, and poultry offered for importation from any part of the world, except as provided in §§ 92.24, 92.25, 92.30, and 92.33. All animals found to be free from communicable disease and not to have been exposed thereto within 90 days prior to the offer for importation shall be admitted subject to the other provisions in this part. Animals found to be affected with a communicable disease or to have been exposed thereto within 90 days prior to the offer for importation shall be refused entry, except as provided in § 92.28(c). Animals refused entry shall be handled thereafter and otherwise disposed of as the Deputy Administrator for Veterinary Services may direct in accordance with the provisions of section 2 of the Act of July 2, 1962 (21 U.S.C. 134a) or the provisions of section 8 of the Act of August 30, 1890 (26 Stat. 416; 21 U.S.C. 103). Such portions of the transporting vessel, and of its cargo, which have been exposed to any such animals or their emanations shall be disinfected

⁶ Such guidelines may be obtained from the Director, Center for Disease Control, U.S. Public Health Service, Atlanta, Ga. 30333.

in such manner as may be considered necessary by the inspector in charge at the port of entry, to prevent the spread of livestock or poultry disease, before the cargo is allowed to land.

(b) All species of psittacine birds and Greater and Lesser Hill Mynah birds (*Granula Linnaeus 1758* and *Eulabes Cuvier 1817*) imported from any part of the world shall be subject to inspection at the port of entry by a veterinary inspector of Veterinary Services and shall be permitted entry into the United States only at the following ports of entry: New York, N.Y.; Miami, Fla.; San Ysidro and Los Angeles, Calif.; Seattle, Wash.; and Honolulu, Hawaii, and for birds imported from Canada only, Detroit, Mich., and Buffalo, N.Y. In each case, the first U.S. port of arrival shall be one of these ports of entry.

6. In § 92.11, paragraph (c) is amended to read:

§ 92.11 Periods of quarantine.

(c) *Poultry.* (1) All poultry imported from any part of the world, except as provided in §§ 92.26(a) and 92.38(a) shall be quarantined for not less than 30 days, counting from the date of arrival at the port of entry. During their quarantine, such poultry shall be subject to such inspections, disinfections, blood tests, or other tests as may be required by the Deputy Administrator, Veterinary Services, to determine their freedom from disease or the infection of disease, and their freedom from exposure thereto.

(2) All species of psittacine birds and Greater and Lesser Hill Mynah birds (*Granula Linnaeus 1758* and *Eulabes Cuvier 1817*) imported from any part of the world shall be held for a minimum of 30 days at one of the ports of entry named in § 92.8(b) in facilities acceptable to Veterinary Services, which are owned and operated by the importer and located within the immediate port area isolated from poultry or birds other than those in quarantine. Each shipment received shall be held as one unit without additional birds added until the shipment is released. During the 30-day isolation period the importer shall comply with handling procedures specified by the poultry disease diagnostician of Veterinary Services at the port of entry who inspects the birds during such isolation. If birds are found free of evidence of communicable diseases of poultry by such diagnostician, he shall so certify them to the Veterinary Services port veterinarian who shall then issue an agriculture release for entry to U.S. Customs. If such birds are found to be infected with a communicable disease of poultry other than Newcastle disease, such birds shall be rejected for entry or shall be held for an additional period of isolation until it is determined by Veterinary Services that they can be released for entry into the United States. If the disease is determined to be Newcastle disease, all the birds in the shipment shall be destroyed and disposed of as directed by the Deputy Administrator of Veterinary Services.

⁶ For other permit requirements, the regulations issued by the U.S. Department of the Interior (Part 17, Title 50, Code of Federal Regulations) and the regulations issued by the U.S. Department of Health, Education, and Welfare (Subpart J-1 of Part 71, Title 42, Code of Federal Regulations) should be consulted.

ices in accordance with applicable laws. The importer shall immediately collect all birds which die in isolation and hold them in a frozen state, within the facility, and shall be accountable for all birds in the shipment without disposing of any carcass unless authorized to do so by a Veterinary Services poultry diagnostician.

7. In § 92.12, paragraph (a) is amended to read:

§ 92.12 Feed and attendants for animals in quarantine.

(a) Importers of all animals (including poultry) subject to quarantine under the regulations in this part shall arrange for their care, feed, and handling from the time of unloading at the quarantine port to the time of release from quarantine. At ports where facilities are not maintained by Veterinary Services, the importers shall provide suitable facilities for the quarantine of such animals, subject in all cases to the approval of the inspector in charge at the port. Such approval shall be required prior to the issuance of import permits. Owners shall keep clean, to the satisfaction of such inspector, the facilities occupied by their animals. If for any cause owners of animals refuse or neglect to arrange for their care, feed, and handling, the service may be furnished by Veterinary Services in the same manner as though the owner, or his agent, had made arrangements for such service as provided by paragraph (b) of this section, or the animals may be disposed of as the Deputy Administrator, Veterinary Services, may direct in accordance with applicable laws.

8. In § 92.19, paragraph (a) is amended to read:

§ 92.19 Import permit and declaration for animals and animal semen.

(a) For ruminants, swine, poultry, and animal semen, intended for importation from Canada, the importer shall first apply for and obtain from Veterinary Services an import permit as provided in § 92.4: *Provided*, That an import permit is not required for poultry (but is required for all species of psittacine and Greater and Lesser Hill Mynah birds, *Granula Linnaeus 1758* and *Eulabes Cuvier 1817*) if offered for entry at a land border port designated in § 92.3(b): *And provided, further*, That an import permit is not required for ruminants or swine, or for semen from ruminants or swine, offered for entry at a land border port designated in § 92.3(b) if such animal or the donor animal, in the case of semen: (1) Was born in Canada or the United States, and has been in no country other than Canada or the United States, or (2) has been legally imported into Canada from some other country and unconditionally released in Canada so as to be eligible to move freely within that country without restriction of any kind and has been in Canada after such release for 90 days or longer.

9. Section 92.26 is amended to read:

§ 92.26 Poultry from Canada.

(a) All poultry offered for importation from Canada shall be accompanied by a certificate issued or endorsed by a salaried veterinarian of the Canadian Government showing that such poultry have been inspected on the premises of origin and that, as far as it has been possible to determine, such poultry are free of evidence of any communicable disease and that Newcastle disease has not occurred on the premises of origin or on adjoining premises during the 90 days immediately prior to export to the United States and that insofar as can be determined such poultry was not exposed to such disease during the aforesaid 90-day period and that these premises are not located in any area under quarantine during the preceding 90 days.

(b) All species of psittacine birds and Greater and Lesser Hill Mynah birds (*Granula Linnaeus 1758* and *Eulabes Cuvier 1817*) that are offered for importation from Canada shall meet the requirements of paragraph (a) and the additional requirements in §§ 92.5(b)(2), 92.8(b), 92.11(c)(2), 92.12, and 92.19 to qualify for entry. Birds which do not meet these requirements shall be rejected entry and shall be disposed of as directed by the Deputy Administrator, Veterinary Services in accordance with applicable laws.

10. In § 92.27, a new paragraph (c) is added to read:

§ 92.27 Import permit and declaration for animals and animal semen.

(c) All poultry offered for importation from countries of Central America and the West Indies shall also meet the additional requirements in §§ 92.5(b), 92.8, 92.11(c), and 92.12 to qualify for entry. All poultry and birds which fail to meet these requirements shall be rejected entry and shall be disposed of as directed by the Deputy Administrator, Veterinary Services in accordance with applicable laws.

11. The present provisions of § 92.38 are designated as paragraph (a) and a new paragraph (b) is added to § 92.38 to read as follows:

§ 92.38 Poultry from Mexico.

(b) All species of psittacine birds and Greater and Lesser Hill Mynah birds (*Granula Linnaeus 1758* and *Eulabes Cuvier 1817*) that are offered for importation from Mexico shall meet the health certification requirements of paragraph (a) of this section and the additional requirements in §§ 92.5(b)(2), 92.8(b), 92.11(c)(2), and 92.12 to qualify for entry. Birds which do not meet these requirements shall be rejected entry and shall be disposed of as directed by the Deputy Administrator, Veterinary Services in accordance with applicable laws.

Effective date. The foregoing amendments shall become effective upon issuance.

The foregoing amendments differ from the proposal of January 21, 1972, as follows:

(1) Import restrictions are imposed based on freedom of premises of origin and adjoining premises rather than freedom of originating country from disease.

(2) Psittacine and mynah eggs for hatching are not included in these restrictions because importation of such eggs is presently prohibited by the U.S. Department of the Interior.

(3) A 45-day quarantine of all psittacine species and specified species of mynah birds in Department approved facilities in country of origin with treatment of psittacine species according to U.S. Public Health Services' requirements because of psittacosis with an additional 30-day isolation period under Department control at U.S. port of entry. Facilities for 30-day isolation not required to meet design criteria but must be approved by the Department. Facilities overseas must be approved by Department veterinary inspectors.

(4) No species of mynah birds were specified in the proposal of January 21. The above amendments are limited to the Greater and Lesser Hill mynahs (*Granula Linnaeus 1758* and *Eulabes Cuvier 1817*).

(5) Certification of freedom from disease and exposure thereto for 90 days prior to export rather than 60 days.

(6) Hemagglutination inhibition testing required during foreign quarantine and may be required in U.S. isolation period.

(7) U.S. ports of entry for psittacine and mynah birds limited to New York, Miami, San Ysidro, Los Angeles, Seattle, Honolulu, and through Detroit, Mich., and Buffalo, N.Y., from Canada only.

(8) Restrictions not placed on other nonregulated species of imported birds.

(9) Section 92.8 is amended to require port-of-entry isolation.

(10) Required inspection of hatching eggs, and newly hatched poultry, and poultry for slaughter from Canada and Mexico removed.

(11) Requires port-of-entry inspection of poultry and birds from Central America and West Indies.

The amendments reflect changes made pursuant to various suggestions and comments received from importers, distributors, and other interested persons. As pointed out above, it is essential in order to adequately protect the poultry of the United States that the foregoing restrictions on the importation of mynah and psittacine birds be placed in effect promptly. Under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that further public proceedings on the amendments are impracticable and contrary to the public interest and good cause is found for making the amendments effective less than 30 days after their publication in the FEDERAL REGISTER.

Under the regulations of the Secretary of Agriculture in 7 CFR 1.23, any interested person may file a petition for the amendment or repeal of any regu-

lations of the Department. All such petitions are promptly considered and petitioner notified of the decision concerning the petition.

Done at Washington, D.C., this 10th day of March 1972.

F. J. MULHERN,
Administrator,
Animal and Plant Health Service.

[FR Doc.72-4034 Filed 3-15-72;8:55 am]

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AND AFRICAN SWINE FEVER: PROHIBITED AND RESTRICTED IMPORTATIONS

Deletion of France From List of Countries Where African Swine Fever Exists

Pursuant to the provisions of section 2 of the Act of February 2, 1903, as amended (21 U.S.C. 111), the introductory paragraph of § 94.8 of Part 94, Title 9, Code of Federal Regulations, which relates to the importation of pork and pork products from countries where African swine fever exists, is hereby amended by deleting France from the list of countries where such disease exists. As amended, the introductory paragraph of § 94.8 reads as follows:

§ 94.8 Pork and pork products from countries where African swine fever exists.

African swine fever is potentially the most dangerous and destructive of all communicable swine diseases. The causative virus is highly virulent and may be present in pork and pork products originating in countries where the disease exists. The only known practical method of destroying the contagion of the disease in pork and pork products is by heat treatment. In view of these circumstances and in order to prevent the introduction and dissemination of the contagion of African swine fever, the regulations in this section are promulgated with respect to the importation of pork and pork products from the following countries where the disease exists:

All countries of Africa.
Cuba.
Italy.
Portugal.
Spain.

(Sec. 2, 32 Stat. 792, as amended; 21 U.S.C. 111; 29 F.R. 16210, as amended, 36 F.R. 20707)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER (3-16-72).

The foregoing amendment deletes France from the list of countries where African swine fever exists. The restrictions contained in § 94.8 of 9 CFR Part 94 applicable to countries where such

disease exists, will no longer apply to France. The importation of pork and pork products from France will continue to be subject to the prohibitions pertaining to meat products from countries, including France, where rinderpest and foot-and-mouth disease have been declared to exist, as set forth in § 94.1 through 94.7.

The amendment relieves certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to affected persons. This Department has investigated the disease conditions in France and it does not appear that additional information would be made available by public participation in a rule making proceeding. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of March 1972.

F. J. MULHERN,
Administrator,
Animal and Plant Health Service.

[FR Doc.72-4035 Filed 3-15-72;8:55 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 11, Amdt. 2]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of Small Business for SBA Loans

On February 19, 1972, there was published in the FEDERAL REGISTER (37 F.R. 3768) a notice that the Small Business Administration proposed to amend the definition of a small business for the purpose of SBA loans by revising the procedure for determining the size status of an applicant concern which is affiliated with one or more concerns engaged in industries subject to size standards different than that of the applicant, but which primarily sell to members of the affiliated group.

Interested parties were given fifteen (15) days in which to comment on the proposal. No significant adverse comment has been received and accordingly § 121.3-10 of Part 121 of Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by revising the fourth and sixth sentences thereof to read as follows:

§ 121.3-10 Definition of small business for SBA loans.

* * * If an applicant for an SBA loan has external-operating affiliates (i.e. affiliates which are primarily engaged in

selling to the general public or to concerns other than the applicant concern or an affiliate thereof) and such external-operating affiliates are engaged in industries subject to size standards different than that of the applicant concern, the applicant concern's size status shall be determined by computing the percentage that the size of the applicant concern including any internal-operating affiliates (i.e. affiliates primarily engaged in selling to the applicant or an affiliate thereof) is of the size standard for the industry in which the applicant together with its internal-operating affiliates is primarily engaged; and adding to it the percentage that the size of each of its external-operating affiliates is primarily engaged. * * * If a concern, including its internal-operating affiliates if any, is engaged in more than one industry, the applicable size standard shall be that for its primary industry. In determining which of the industries is the primary industry, consideration shall be given to these criteria among others: distribution among such industries of receipts, employment, and costs of doing business. * * *

Effective date. This amendment shall become effective on March 8, 1972.

Dated: March 8, 1972.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.72-3989 Filed 3-15-72;8:51 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 11201, Amdt. 39-1409]

PART 39—AIRWORTHINESS DIRECTIVES

Hawker Siddeley Model DH-125 Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the replacement of Modification 252052 seals, used in the windscreen de-icing handpump, with pre-Modification 252052 seals, or the replacement of the handpump with a handpump containing pre-Modification 252052 seals, on Hawker Siddeley Model DH-125 airplanes modified in accordance with Hawker Siddeley Modification 252052, was published in 36 F.R. 12910 on July 9, 1971.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

RULES AND REGULATIONS

HAWKER SIDDELEY AVIATION. Applies to Models DH-125-1A, -1A/522, -1A/R-522, -1A/S-522, -3A, -3A/R, -3A/RA, and -400A airplanes which have been modified in accordance with Hawker Siddeley Modification 252052.

To prevent possible seizure of the windscreen de-icing handpump No. M.2604, within the next 100 hours' time in service after the effective date of this AD, unless already accomplished, accomplish either of the following:

(a) Modify the pump by replacing the washers and seal with pre-Modification 252052 parts in accordance with Hawker Siddeley Service Bulletin No. 30-24-(2194), dated December 23, 1970, or later ARB-approved issue or FAA-approved equivalent; or

(b) Replace the pump with a new pump No. M.2601/1 in accordance with Hawker Siddeley Service Bulletin No. 30-24-(2194), dated December 23, 1970, or later ARB-approved issue or FAA-approved equivalent.

This amendment becomes effective April 15, 1972.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on March 9, 1972.

JAMES F. RUDOLPH,
Director,
Flight Standards Service.

[FR Doc.72-3957 Filed 3-15-72;8:48 am]

[Docket No. 11409, Amdt. 39-1408]

PART 39—AIRWORTHINESS DIRECTIVES

Hawker Siddeley Model DH-114 Series 2 "Heron" Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the replacement of the two main air reservoir assemblies, P/N C.51626, with new assemblies, P/N SAS.388-001, which contain new air bottles, P/N BAT. 205-001, by June 1, 1972, on Hawker Siddeley Model DH-114 Series 2 "Heron" airplanes was published in 36 F.R. 18532 on September 16, 1971.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received. However, a reference to the current service bulletin has been included in the parenthetical note at the end of the AD, and the phrase "manufactured from improved material" has been deleted from paragraph (a) of the AD inasmuch as the phrase is superfluous and might cause confusion. Since these revisions are editorial in nature and provide an updated reference, and impose no additional burden on any person, notice and public procedure thereon are unnecessary and the amendment may be adopted as revised.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION, LTD. Applies to Hawker Siddeley Model DH-114 Series 2 "Heron" airplanes.

Compliance is required on or before June 1, 1972.

To prevent possible failure of the air bottles, P/N B.2994, used in the two main air reservoir assemblies, P/N C.51626, of the pneumatic system, replace the main air reservoir assemblies, P/N C.51626, located in the fuselage nose with serviceable assemblies, P/N SAS.388-001, containing air bottles P/N BAT.205-001.

(Hawker Siddeley Technical News Sheet, Series: Heron (114) No. S.7, issues 1 and 2, dated June 21, 1971, and September 28, 1971, respectively, cover this same subject.)

This amendment becomes effective April 15, 1972.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on March 9, 1972.

JAMES F. RUDOLPH,
Director,
Flight Standards Service.

[FR Doc.72-3958 Filed 3-15-72;8:48 am]

[Airspace Docket No. 72-AL-4]

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

Designation and Revocation of Reporting Points

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to designate John Day, OR., VORTAC as a low and high altitude reporting point and revoke the Nenabank, AK., intersection reporting point.

It has been determined that there is a requirement for the designation of the John Day VORTAC as a high and low altitude reporting point to provide a position check on air traffic operating via this facility. In addition, it has also been determined that the Nenabank Intersection is no longer required for air traffic control purposes. Accordingly, action is being taken herein to designate the John Day reporting points and revoke the Nenabank Intersection reporting point.

Since these amendments are minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 25, 1972, as hereinafter set forth.

1. Section 71.203 (37 F.R. 2311) is amended by adding: "John Day, OR."

2. Section 71.207 (37 F.R. 2318) is amended by adding: "John Day, OR."

3. Section 71.211 (37 F.R. 2323) is amended by revoking: "Nenabank INT."

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on March 10, 1972.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc.72-3959 Filed 3-15-72;8:48 am]

[Airspace Docket No. 71-NE-11]

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

Alteration of Transition Area

On pages 1408 and 1409 of the FEDERAL REGISTER dated January 28, 1972, the Federal Aviation Administration published a notice of proposed rule making which would redesignate the Whitefield, N.H., 700-foot transition area (37 F.R. 2304) and designate a new Whitefield, N.H., 1,200-foot transition area.

Interested persons were given 30 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

In view of the following, the proposed regulations are hereby adopted effective 0901 G.m.t., May 25, 1972.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Burlington, Mass., on March 6, 1972.

FERRIS J. HOWLAND,
Director, New England Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Whitefield, N.H., 700-foot floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface, within an arc of a 25.5-mile radius circle centered on the Whitefield, N.H. Regional Airport (44°21'53" N., 71°33'07" W.) extending clockwise between the 012° and 160° bearings from the Whitefield Airport; within an arc of a 29.5-mile radius circle centered on the Whitefield Airport extending clockwise between the 160° and 218° bearings from the Whitefield Airport; within an arc of a 12.5-mile radius circle centered on the Whitefield Airport extending clockwise between the 218° and 294° bearings from the Whitefield Airport; within an arc of a 24-mile radius circle centered on the Whitefield Airport extending clockwise between the 294° and 337° bearings from the Whitefield Airport; within an arc of a 17-mile radius circle centered on the Whitefield Airport extending clockwise between the 337° and 012° bearings from the Whitefield Airport; within 3.5 miles each side of the 267° bearing from the Dalton, N.H. NDB extending from the 12.5-mile radius area to 11.5 miles west of the NDB, excluding that airspace contained within the Berlin, N.H. and North Conway, N.H. transition areas.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Whitefield, N.H., 1,200-foot

floor transition area described as follows:

That airspace extending upward from 1,200 feet above the surface within 5 miles each side of a direct line extending from the Dalton, N.H. NDB (44°21'43" N., 71°41'08" W.) to the North Conway, N.H. NDB (44°01'26" N., 71°06'59" W.); within 5 miles each side of a direct line extending from the Dalton, N.H. NDB to the Montpelier, Vt. VOR; within 5 miles each side of a direct line extending from the Dalton, N.H. NDB to the Lebanon, N.H. VOR; and within 4.5 miles north and 9.5 miles south of the 267° bearing from the Dalton, N.H. NDB extending from the Dalton, N.H. NDB to a point 18.5 miles west, excluding those portions that coincide with the Burlington, Vt. and Lebanon, N.H. 1,200-foot transition areas.

[FR Doc.72-3960 Filed 3-15-72;8:48 am]

[Airspace Docket No. 72-WA-8]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Changes to Waypoints

The purpose of these amendments to Part 75 of the Federal Aviation Regulations is to make minor corrections to several existing waypoints and to add two new waypoints for the purpose of improving navigational guidance.

Since these changes are minor in nature and no substantive change in the regulations is effected, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER (3-16-72), as hereinafter set forth.

Section 75.400 (37 F.R. 2400, 2500) is amended as follows:

a. In J855R all before "Volcano, NM. 35 06 22/106 39 29 Socorro, NM." is deleted and "Wichita Falls, TX. 33 59 14/98 35 35 Wichita Falls, TX., Crowell, TX. 34 08 33/99 45 50 Wichita Falls, TX., Texico, NM. 34 29 42/102 50 21 Texico, NM., Palma, NM. 34 54 19/105 18 29 Las Vegas, NM." is substituted therefor.

b. In J858R "Porter, KS. 39 18 03/94 59 53 Kansas City, MO." is deleted and "Potter, KS. 39 18 03/94 59 53 Kansas City, Mo." is substituted therefor.

c. In J861R "Elroy, AZ. 32 46 04/111 37 04 Phoenix, AZ." is deleted and "Eloy, AZ. 32 46 04/111 37 04 Phoenix, AZ." is substituted therefor.

d. In J901R "Seattle, WA. 47 26 08/122 18 30 Yakima, WA." is deleted and "Seat-

tle, WA. 47 26 08/122 18 30 Seattle, WA." is substituted therefor.

e. In J903R "Seal Beach, CA. 33 47 05/118 03 03 Oceanside, CA." is deleted and "Seal Beach, CA. 33 47 00/118 03 14 Oceanside, CA." is substituted therefor.

f. In J904R "Kingston, AZ. 35 40 57/115 40 43 Las Vegas, NV." is deleted and "Kingston, CA. 35 40 57/115 40 43 Las Vegas, NV." is substituted therefor.

g. In J935R "Albuquerque, NM. 35 02 38/106 48 57 Albuquerque, NM." is deleted and "Albuquerque, NM. 35 02 38/106 48 57 Socorro, NM." is substituted therefor.

h. In J936R "Mora, NM. 35 52 40/105 18 54 Las Vegas, NV." is deleted and "Mora, NM. 35 52 40/105 18 54 Las Vegas, NM." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on March 10, 1972.

H. B. HELSTROM,
Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.72-3961 Filed 3-15-72;8:48 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 19—CHEESES, PROCESSED CHEESES, CHEESE FOODS, CHEESE SPREADS, AND RELATED FOODS

Identity Standards: Anhydrous Milkfat and Dehydrated Cream as Optional Ingredients

In the matter of amending the standards of identity for pasteurized process cheese, pasteurized process cheese food, pasteurized process cheese spread, pasteurized neufchatel cheese spread with other foods, and cold-pack cheese food (21 CFR 19.750, 19.765, 19.775, 19.783, and 19.787):

A notice of postposed rule making in the above-identified matter was published in the FEDERAL REGISTER of October 9, 1971 (36 F.R. 19703) based on a petition filed by the National Cheese Institute, Inc., 110 North Franklin Street, Chicago, Ill. 60606, to provide for the optional use of anhydrous milkfat and dehydrated cream as ingredients.

Two comments were received in response to the proposal. Those commenting opposed use of anhydrous milkfat and dehydrated cream in process cheese products, stating that such ingredients have a limited shelf life, are not healthful, and would cheapen the finished food. No data were submitted by those commenting to support their position. The petition included supporting information which showed, among other things, that the requested high-quality, low-moisture, high-fat products are more stable, retain their wholesomeness longer, and are less subject to deterioration in storage than the presently permitted fluid cream. Further, the standards of identity presently permit the fat content of the final process cheese products to be adjusted upward with cream; the requested products, derived from cream, will be alternatively used for a similar purpose with no cheapening of the product. The Commissioner is of the opinion that the position of the petitioner is supported.

On the basis of information submitted in the petition, the comments received, and other relevant information, the Commissioner of Food and Drugs concludes that the adoption of the proposal will promote honesty and fair dealing and that it will be in the interest of consumers to amend the standards of identity for pasteurized process cheese (§ 19.750), pasteurized process cheese food (§ 19.765), pasteurized process cheese spread (§ 19.775), pasteurized neufchatel cheese spread with other foods (§ 19.783), and cold-pack cheese food (§ 19.787) to provide for the optional use of anhydrous milkfat and dehydrated cream as ingredients.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered*, That Part 19 be amended as follows:

1. In § 19.750(d) by revising subparagraph (2) to read as follows:

§ 19.750 Pasteurized process cheese; identity; label statement of optional ingredients.

* * *

(d) * * *

(2) Cream, anhydrous milkfat, dehydrated cream, or any combination of two or more of these, in such quantity that the weight of the fat derived there-

from is less than 5 percent of the weight of the pasteurized process cheese.

2. In § 19.765 by revising paragraph (d) to read as follows:

§ 19.765 Pasteurized process cheese food; identity; label statement of optional ingredients.

(d) The optional dairy ingredients referred to in paragraph (a) of this section are cream, milk, skim milk, cheese whey, any of the foregoing from which part of the water has been removed, anhydrous milkfat, dehydrated cream, albumin from cheese whey, and skim milk cheese for manufacturing.

3. In § 19.775 by revising paragraph (d) to read as follows:

§ 19.775 Pasteurized process cheese spread; identity; label statement of optional ingredients.

(d) The optional dairy ingredients referred to in paragraph (a) of this section are cream, milk, skim milk, cheese whey, any of the foregoing from which part of the water has been removed, anhydrous milkfat, dehydrated cream, albumin from cheese whey, and skim milk cheese for manufacturing.

4. In § 19.783(b) by revising subparagraph (5) to read as follows:

§ 19.783 Pasteurized neufchatel cheese spread with other foods; identity; label statement of optional ingredients.

(b) * * *

(5) Cream, milk, skim milk, cheese whey, any of the foregoing from which part of the water has been removed, anhydrous milkfat, dehydrated cream, and albumin from cheese whey.

5. In § 19.787 by revising paragraph (d) to read as follows:

§ 19.787 Cold-pack cheese food; identity; label statement of optional ingredients.

(d) The optional dairy ingredients referred to in paragraph (a) of this section are: Cream, milk, skim milk, cheese whey, any of the foregoing from which part of the water has been removed, anhydrous milkfat, dehydrated cream, skim milk cheese for manufacturing, and albumin from cheese whey. All optional

dairy ingredients used in cold-pack cheese food are pasteurized or made from products that have been pasteurized.

6. Due to cross-referencing, the amendments herein to the above cited cheese standards have the effect of also amending §§ 19.751, 19.755, 19.760, 19.763, 19.770, 19.776, 19.780, 19.781, and 19.788.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective 60 days after its date of publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be given by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: March 9, 1972.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[FR Doc.72-3953 Filed 3-15-72;8:51 am]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

YELLOW PRUSSIAN OF SODA

Section 121.1032 of the food additive regulations (21 CFR 121.1032) provides for the use of yellow prussiate of soda as an anticaking agent in salt at levels not to exceed 5 parts per million, except that it may be used at levels not to exceed 13 parts per million in fine salt.

The Commissioner of Food and Drugs has evaluated the data in a petition (FAP 1A2642) filed by the Salt Institute, 206 North Washington Street, Alexandria, Va. 22314, and other relevant material and concludes that the food additive regulations should be amended to provide for the use of yellow prussiate of soda as an anticaking agent in all grades of dry salt for human consumption in an amount not to exceed 13 parts per million. These data show that intermediate sizes of salt larger than fine salt but smaller than "salt" (granular salt) require more than 5 parts per million but not in excess of 13 parts per million yellow prussiate of soda to accomplish the intended anticaking effect.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.1032 is revised to read as follows:

§ 121.1032 Yellow prussiate of soda.

(a) The food additive yellow prussiate of soda (sodium ferrocyanide decahydrate; $\text{Na}_4\text{Fe}(\text{CN})_{10}\cdot 10\text{H}_2\text{O}$) contains a minimum of 99 percent by weight of sodium ferrocyanide decahydrate.

(b) The additive is used or intended for use as an anticaking agent in salt and as an adjuvant in the production of dendritic crystals of salt in an amount needed to produce its intended effect but not in excess of 13 parts per million calculated as anhydrous sodium ferrocyanide.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (3-16-72).

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

Dated: March 8, 1972.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[FR Doc.72-4002 Filed 3-15-72;8:51 am]

SUBCHAPTER C—DRUGS

PART 131—INTERPRETATIVE STATEMENTS RE WARNINGS ON DRUGS AND DEVICES FOR OVER-THE-COUNTER SALE

PART 144—ANTIBIOTIC DRUGS; EXEMPTIONS FROM LABELING AND CERTIFICATION REQUIREMENTS

Glycarbylamide; Revocation

Based on a notice of withdrawal of approval of new animal drug applications published in the FEDERAL REGISTER of September 30, 1971 (36 F.R. 19179) the Commissioner of Food and Drugs concludes that the antibiotic regulations should be amended by revoking provisions for the use of glycarbylamide (4,5-imidazole-dicarboxamide) in animal feed supplements for use in the prevention of outbreaks of coccidiosis and as an aid in stimulating growth in chicken flocks. In addition, recommended and required warning statements are deleted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 507, 512, 59 Stat. 463, as amended, 82 Stat. 343-51; 21 U.S.C. 357, 360b) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 131 and 144 are amended as follows:

1. In § 131.20 *Drugs for veterinary use; recommended warning and caution statements*: The entry "Glycarbylamide For Poultry" and the warning statement following it is deleted.

2. In § 131.21 *Drugs for veterinary use; warning and caution statements required by regulations*: Under the first entry, "Animal Feed Containing Penicillin, Streptomycin, * * *," the listing for "Glycarbylamide" and the warning statement that follows is deleted.

3. In § 144.26 *Animal feed containing certifiable antibiotic drugs* is amended in paragraph (b) by revoking subparagraph (37).

Within 30 days after publication hereof in the FEDERAL REGISTER any

person who will be adversely affected by the removal of any such drug from the market may file objections to this order stating reasonable grounds for their objections and may request a hearing on such objections. Objections and requests for a hearing should be filed in quintuplicate with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852. Objections and requests for a hearing which are received in response to this order may be seen in the above office during business hours, Monday through Friday.

Effective date. This order shall become effective 40 days after its date of publication in the FEDERAL REGISTER. If objections are filed, the effective date will be extended for a ruling thereon.

(Secs. 507, 512, 59 Stat. 463, as amended, 82 Stat. 343-51; 21 U.S.C. 357, 360b)

Dated: March 8, 1972.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[FR Doc.72-3954 Filed 3-15-72;8:51 am]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 7168]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Information To Be Furnished With Respect to Qualified and Nonqualified Plans of Deferred Compensation; Correction

In F.R. Doc.72-3582 appearing at page 5024 in the issue of Thursday, March 9, 1972, the following change should be made:

The date "December 3, 1971" appearing in the ninth line of paragraph (i) of § 1.404(a)-2 should read "December 31, 1971."

JAMES F. DRING,
Director,

Legislation and Regulations Division.

[FR Doc.72-4050 Filed 3-15-72;8:54 am]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER M—MISCELLANEOUS

PART 276—SOLICITATION AND SALE OF INSURANCE ON DEPARTMENT OF DEFENSE INSTALLATIONS

PART 278—MOTOR VEHICLE LIABILITY INSURANCE

The Secretary of Defense approved the consolidation of Parts 276 and 278 on January 21, 1972:

Sec.

- 276.1 Reissuance and purpose.
- 276.2 Objective and scope.
- 276.3 Applicability and terms.
- 276.4 General policies and responsibilities.
- 276.5 Definitions.
- 276.6 Policies on life insurance and accreditation procedures.
- 276.7 Policies on general forms of insurance.

AUTHORITY: The provisions of this Part 276 issued under 5 U.S.C. 301.

§ 276.1 Reissuance and purpose.

This part establishes standards of conduct in soliciting and selling all types of insurance on DOD installations. It continues the established annual DOD accreditation requirement for life insurance companies operating in overseas areas.

§ 276.2 Objective and scope.

(a) The policies and procedures contained in this part are designed to (1) promote uniformity of approach in the conduct of insurance solicitations and sales to military personnel on DOD installations on a worldwide basis, and (2) initiate protective measures for DOD installations where neither Federal nor State consumer protection policies govern.

(b) It sets forth (1) limitations in soliciting the sale of insurance to personnel on DOD installations; (2) standards governing the conduct of (i) DOD personnel when permitted to act in the capacity of insurance agents, and (ii) insurance companies, insurers and agents; and (iii) policies on the use of military personnel allotments in payment of premiums for life insurance.

§ 276.3 Applicability and terms.

(a) The provisions of this part apply to the Military Departments and the

Unified and Specified Commands (hereinafter referred to collectively as "DOD Components"). This part will be distributed to Defense Agencies, the Organization of the Joint Chiefs of Staff and the Offices of the Secretary of Defense for information and guidance.

(b) Terms related to life insurance are defined in § 276.5.

§ 276.4 General policies and responsibilities.

(a) DOD Components will develop sound internal insurance programs which are suitably underwritten to meet the varying requirements of personnel under their jurisdiction. These programs will be supported by implementing instructions which are consistent with the following general policies; the provisions of §§ 276.6 and 276.7; and Part 43 of this chapter.

(1) *Solicitation*: The conduct of all insurance business on DOD installations shall be by specific appointment and, where feasible, with disinterested third-party counseling provided, interviewing hours set aside and facilities supplied. The solicitation provisions of Part 43 of this chapter, as implemented by the Military Departments, will govern in all sales of insurance on DOD installations.

(2) *Accreditation standards* prescribed for insurance companies operating on DOD installations will be consistent with Federal, State, and other appropriate insurance statutes. In the absence of governing statutes, DOD Components will apply the standards outlined in § 276.6.

(3) *Supervision*: The offering and sale of insurance to DOD personnel assigned to or on assigned DOD installations will be appropriately supervised. Particular emphasis will be placed on establishing controls on regulating the activities of former military personnel conducting sales on military installations. In addition, DOD personnel will be expressly prohibited from representing any insurance company as an agent for the solicitation of insurance to personnel on a military installation with or without compensation. This is in addition to the policies outlined in Parts 40 and 43 of this chapter. The Veterans Administration supervises the Servicemen's Group Life Insurance (SGLI) program. The agency will assist in any situation involving SGLI and may request cooperation from installations in obtaining information about individual situations affecting the program.

(4) *Education and Orientation Programs*: DOD Components will prohibit (i) the use of an agent as a participant in any military-sponsored insurance education or orientation program; (ii) the designation of any agent from assuming or using titles such as "Battalion Insurance Counselor," "Unit Insurance Advisor," "SGLI Conversion Consultant," etc.; and (iii) conditions resulting from violation of the policy of "solicitation by prior appointment only" established in subparagraph (1) of this paragraph, and the following:

(a) The assignment of desk space for interviews to other than a specific pre-arranged appointment. During such appointment, the agent will not be permitted to display desk or other signs announcing name or company affiliation.

(b) The use of the "Daily Bulletin" or any other notice, official or unofficial, announcing the presence of an agent and his availability.

(c) The distribution, or availability for distribution, of literature other than to the person being interviewed.

(5) *Equal opportunity*. DOD Components will assure that (i) all agents are extended equal opportunity for interviews by appointment at the designated areas, and (ii) DOD personnel do not act in any capacity as liaison with agents to arrange appointments. (Where space and other considerations dictate the limiting of the number of agents using the designated interviewing area, the DOD installation commander may develop and publish local policy consistent with this concept.)

(b) The DOD Installation Commander shall deny or revoke permission to an insurance company or an agent to solicit military personnel assigned to or on an installation when the provisions of this part and Part 43 of this chapter have been violated. The procedures outlined in Part 43 of this chapter will govern in such revocations.

(c) The Assistant Secretary of Defense (Manpower and Reserve Affairs) shall be responsible for overall administration of the DOD Insurance Program and for assuring its effective implementation throughout the DOD.

§ 276.5 Definitions.

For the purpose of this part, terms used herein shall be interpreted as follows:

(a) *Insurer*. An insurance company accredited hereunder by the DOD.

(b) *Association*. Any organization which has been established, whether or not the word "Association" appears in its title, and which—

(1) Is composed of and serving exclusively members of the armed forces of the United States (on active duty, in a Reserve status, in a Retired status, or individuals who entered into such associations while on active duty) and their dependents;

(2) Operates either as a profit or non-profit organization under criteria set forth in the Internal Revenue Code, whether by mail or through an agency sales force, or both; and

(3) Offers its members life insurance coverage, either (i) as part of the membership dues, or (ii) as a separately purchased plan made available through an Insurance Carrier or the Association as a self-insurer, or a combination of subdivisions (i) and (ii) of this subparagraph.

(c) *Insurance carrier*. An insurance company accredited by the DOD and issuing insurance through an Association or reinsuring or coinsuring such insurance.

(d) *Solicitation*. The conduct of a private business, including the offering and sale of insurance on a military installation, is a privilege as distinguished from a right, and the control of which is a responsibility vested in the installation commander subject to compliance with this part and Part 43 of this chapter.

(e) *Agent*. An individual who receives remuneration as a member, representative, or salesman for an Insurer or an Insurance Carrier.

(f) *Insurance policy*. A policy or certificate of insurance issued by an Insurer or by an Insurance Carrier or evidence of insurance coverage issued by self-insured Association.

(g) *State*. The 50 political jurisdictions of the United States, the District of Columbia, the territories and possessions of the United States.

(h) *DOD personnel*. DOD personnel as used in this part, unless the context indicates otherwise, means all civilians, officers, and employees including special Government employees of all the offices, agencies, and departments carrying on functions on a Defense installation (including nonappropriated fund activities) and all active duty officers and enlisted members of the Army, Navy, Air Force, and Marine Corps (officers include commissioned and warrant).

§ 276.6 Policies on life insurance and accreditation procedures.

(a) *Life insurance policy content prerequisites.* (1) Insurance policies, other than certificates or other evidence of insurance issued by a self-insured Association, offered and sold to personnel on a military installation worldwide must—

(i) Comply with the insurance laws of the State in which the installation is located and the procedural requirements of this part;

(ii) Contain no restrictions by reason of military service or military occupational specialty of the insured, unless such restrictions are clearly indicated on the face of the policy;

(iii) Plainly indicate on the face of the policy any extra premium charges imposed by reason of military service or military occupational specialty; and

(iv) Not provide for a variation in the amount of death benefit or premium based upon the length of time the policy has been in force, unless any such variations are clearly described therein and appear on the face of the policy as well.

(2) Premiums shall reflect only the actual premiums payable for life insurance coverage.

(b) *Use of the Allotment of pay system.* (1) Allotments of military pay for life insurance premiums will be made in accordance with § 59.2(a)(2) of this chapter and the requirements of this paragraph.

(2) For personnel in pay grades E-1, E-2, and E-3, at least seven (7) days should elapse for counseling between the signing of a life insurance application and the certification of an allotment unless the first two monthly premiums have been paid in advance. The purchaser's commanding officer may grant a waiver to this requirement for good cause, such as the purchaser's imminent permanent change of station. Normally, all insurance contracts should be accompanied by advance payment of the first 2 monthly premiums unless the policy is to be made effective after the establishment of the allotment.

(c) *Associations—general.* The recent growth and general acceptability of quasi-military associations offering various insurance plans to military personnel is acknowledged. Some associations are not organized within the supervision of insurance laws of either the Federal or State Governments. While some are organized for profit others function as non-profit associations under Internal Revenue Service regulations. Department of

Defense policy will permit only Internal Revenue Service-designated nontaxable or nonprofit associations to receive the military allotment of pay for life insurance under this part.

(1) Regardless of the manner in which insurance plans are offered to members, the management of the Association is responsible to see that all aspects of its insurance programs comply fully with the instructions contained herein and the spirit of this part.

(2) An agent for an Insurance Carrier, while soliciting on a military installation, must comply with Part 43 of this chapter.

(d) *The Accreditation Program—(1) Life Insurance Company and Association Accreditation Program for the United States, its Territories and Possessions.*

(i) The Department of Defense considers any life insurance company as automatically accredited which is licensed under the insurance laws of the State in which the installation is located and entitled to the allotment of pay.

(ii) The Department of Defense considers the Insurance Carrier of an Association as accredited and eligible to receive the allotment of pay if the Insurance Carrier currently appears on the fiscal year list of accredited companies authorized to solicit the sale of life insurance on military installations in overseas areas. Associations involved in self-insured plans as of the effective date of this part are considered as automatically accredited.

(2) *Insurance Company and Agent Accreditation Program for Foreign Areas—(i) Application instructions—(a) Applications filed annually.*

During the months of February and March of each year insurance companies may apply for solicitation privileges for personnel assigned to U.S. military installations in foreign areas for the fiscal year beginning the following July 1.

(b) *Application prerequisites.* A letter of application (in duplicate), signed by the President, Vice-President, or designated official will be forwarded to the Assistant Secretary of Defense (Manpower and Reserve Affairs), Attention: Directorate, Personal Commercial Affairs, ODASD(MPP), the Pentagon, Washington, D.C. 20301. The letter will contain information set forth below, submitted in the order listed. (Where not applicable so state.)

(1) Foreign countries and the commands (e.g., European Command, Pacific Command, etc.) where it is desired to solicit on U.S. military installations.

(2) Management plan for the supervision and control of sales personnel, limited in numbers to one General Agent (or company manager or director) and no more than 30 agents for each overseas area. If warranted, the number of agents may be further limited by the overseas command concerned. (If solicitation is by mail, so state.)

(3) List of States and other jurisdictions in which the Insurance Company is licensed, the effective and terminal dates of such licensing, and a list of the fiscal years in which accredited by the DOD under the provisions of this part and prior issuances thereof.

(4) A statement that the Insurance Company has complied with, or will comply with, the applicable laws of the country or countries wherein it proposes to solicit (by "laws of the country" is meant all national, provincial, city, or country laws or ordinances of any country, as applicable).

(5) An authenticated copy of the current annual statement as filed with the insurance department of the State of domicile.

(6) A current report of examination from an insurance department of a State.

(7) A statement that the policies to be offered for sale—

(i) Conform to the standards prescribed herein, and

(ii) Contain only the standard provisions such as those prescribed by the Life Insurance Act of the District of Columbia (chapters 3-8, title 35, District of Columbia Code).

(8) The amount of gross paid-in and contributed surplus, unassigned surplus, and paid-up capital, or only unassigned surplus if the company is a nonstock firm. In computing the amount of unassigned surplus, include as liabilities all debts due or to become due, contingent or otherwise, as provided in the Act and a statement that the amount of unassigned surplus and paid-up capital has been computed by the method also prescribed in the Act.

(9) A statement that none of its officers, directors, or principal stockholders, or any member of their immediate families, receives or has any contract to receive commissions, directly or indirectly, from business currently transacted by the Insurance Company. If the Insurance Company cannot so state, a disclosure and justification for such contracts are required. (For the purposes of this part, a stockholder who owns, directly or beneficially, in excess of 5 per-

cent of the total stock issued and outstanding shall be considered a principal stockholder.)

(10) A statement that the Insurance Company has not made any loan, secured or otherwise (except policy loans), to any director, officer, or principal stockholder, or to any member of their immediate families within the last year, and that there is not currently outstanding any loans to such person made prior to that period. If the Insurance Company cannot so state, a disclosure and justification for such contracts are required.

(11) A statement that the Insurance Company will assume full responsibility for the acts of its agents with respect to solicitation in accordance with Part 43 of this chapter and this part.

(12) A statement that the Insurance Company will, upon notification of accreditation, supply the appropriate major component commander(s) with the name, age, legal residence, citizenship, and present address of each agent who will solicit overseas; the State or States in which the agent(s) are licensed; the date of licensing; expiration dates; and the area in which each agent will solicit.

(i) The requirement for a State license may be waived on behalf of an accredited agent, provided a request is made by the Insurance Company to the appropriate overseas commander, who has been continuously residing and successfully selling life insurance in foreign areas and forfeits his eligibility for a State license, through no fault of his own, due to the operation of State law (or regulation) governing residence or domicile requirements, or requiring that the agent's company be licensed to do business in that State.

(ii) The request for a waiver shall contain the name of the State or jurisdiction which would not renew the agent's license.

(13) The following formats (except Format F), which will be supplied to all Insurance Companies applying for overseas accreditation, must be completed and attached as enclosures to the application:

Format A, "Analysis of Assets."

Format B, "Lapse Ratio and Military Business Statement."

Format C, "Operations Statement."

Format D, "Insurance in Force."

Format E, "Selected Financial Information."

Format F, "Experience Ratios and Analysis—Ordinary" (to be submitted to DOD only when requested).

(14) With respect only to such Insurance Companies as may desire to apply for an increase in the adjusted net gain from operations by reason of the combat credit unit, a certified statement setting forth (i) the aggregate number and amount of death claims incurred with respect to insured military personnel and included in death claims paid or incurred in the current annual statement; (ii) the aggregate number and amount of normally expected death claims for insured military personnel, according to the valuation basis of the insurer, as set forth in its annual statement with respect to the insurance affected (such expected claims may be developed by applying median mortality factors to quinquennial attained age groups); and (iii) the aggregate number of insured military personnel and the corresponding amount of insurance in force.

(15) The enclosure of a check for \$125 payable to the Treasurer of the United States in payment of the required application fee for life insurance companies for each of the first full 5-year application periods or where continuous successful operation for the last 5 years is not recorded. All others will pay a \$25 fee (Part 288 of this chapter).

(16) Any explanatory or supplemental comments that will assist in evaluating the application. For example, where mergers are involved, statistics of both companies will be considered in establishing accreditation eligibility.

(17) Where the Department of Defense Contract Insurance Counselor requires detailed facts or statistics over and beyond that normally involved in accreditation processing, it will be incumbent upon the applicant to provide the DOD Contract Insurance Counselor with the necessary information by separate arrangements.

(18) A statement that the General Agent and other accredited agents are appointed consistent with the prerequisites established in subdivision (iii) of this subparagraph.

(19) A statement as to whether or not the General Agent and/or agents will be permitted to offer life insurance and security sales simultaneously.

(ii) *Financial and operational criteria.*

(a) The Insurance Company must have demonstrated continuous successful operation in the life insurance business for a period of not less than five (5) years on December 31 of the year immediately preceding the date of filing the application; provided, however, that an Insurance Company or a division of

an existing Insurance Company organized to write life insurance and affiliated or connected with an Insurance Company already writing the same and/or other lines of insurance may be granted a waiver of the otherwise mandatory 5-year requirement if the Insurance Company to which it is affiliated or connected has been in business for a minimum of 20 years and has a record of financial stability and sound management. In the event of a merger, the operating result and all other financial data of both the surviving and the absorbed company will be evaluated within the terms and intent of this part.

(b) "Continuous successful operation" in the absence of information to the contrary is assumed: *Provided:*

(1) The aggregate adjusted net gain from operations is positive for the 5-year period defined above, after dividends to policyholders.

(i) The adjusted net gain, for each full calendar year of such 5-year period, is the net gain from operations after dividends to policyholders and Federal income taxes (excluding tax on capital gains) and excluding capital gains and losses, as reported in the Annual Statements of the company; such gain may be increased by an expense credit unit, to be determined by the DOD, and applied to the net increase of the amount of insurance in force in the event of an unusual, sound, and bona fide increase in new business. Group insurance shall be excluded in determining such expense credit units.

(ii) The adjusted net gain may be increased by a combat credit unit, to be determined by the DOD, in conjunction with the expense credit unit hereinbefore referred to, and applied to death claims incurred by insured military personnel in excess of the expected incidence of such claims according to the valuation basis of the Insurance Company as set forth in its Annual Statement with respect to the insurance affected.

(2) The Insurance Company's ethical standards and stability in management control are satisfactory as evidenced by (i) cooperation with the DOD which includes the commanders in the field and compliance with solicitation regulations; (ii) the absence of substantiated complaints concerning operations and sales techniques and unwarranted discrimination in underwriting practices by reason of military service, rank or grade or military occupational specialty; and (iii) other relevant and evidential material.

(c) For original accreditation applications, the Insurance Company must (1) be licensed to do business in one or more of the States, a territory or the District of Columbia; (2) meet the minimum standards for initial licensing under current laws where domiciled even though doing business under statutes previously enacted; and (3) either possess paid-up capital of \$500,000 and unassigned paid-up surplus (the excess of admitted assets over liabilities and capital) of \$250,000 if a capital stock company, or an unassigned surplus (the excess of admitted assets over liabilities) of \$750,000 if a nonstock company. If the amounts currently required by the state of domicile are larger, such amounts will govern.

(iii) *General agents and agents.* Unified and/or Specified Commanders will apply the principles prescribed for the Secretaries of the Military Departments. Additionally:

(a) An agent must be a U.S. citizen and possess a current State license.

NOTE: Unified or Specified Commanders may waive these requirements for indigenous personnel accredited as of the effective date of this part.

(b) General Agents and agents will represent only one accredited commercial insurance company. General Agents must serve under direct contract to and the sole control of the accredited company.

(c) An agent must have at least one (1) year of successful life insurance underwriting in the United States or its territories, generally within the five (5) years preceding the date of application, in order to be initially employed for overseas solicitation and designated as an accredited agent.

(d) After being accredited, Insurers and Insurance Carriers will be furnished letter instructions by the Department of Defense for agent accreditation procedures in overseas commands.

(e) Appropriate overseas commanders will exercise further agent control procedures as deemed necessary.

(f) An agent, once accredited in an overseas area, may not change his affiliation from the staff of one General Agent to another, unless the losing company certifies in writing that the release is without justifiable prejudice. Unified or Specified Commanders will have final authority to determine justifiable prejudice.

(g) Where the accredited Life Insurance Company's policy permits, an over-

seas accredited life insurance agent—if duly qualified to engage in security activities either as a registered representative of a member of the National Association of Securities Dealers or an associated person of a broker/dealer registered with the Securities and Exchange Commission only—may offer life insurance and securities for sale simultaneously. In cases of commingled sales, the allotment of pay for the purchase of securities cannot be made to the Insurer or the Insurance Carrier.

(iv) *Application for reaccreditation.* As an exception to subdivision (i) (b) of this subparagraph, Insurance Companies accredited continuously in the DOD overseas program for at least the last five (5) fiscal years immediately preceding the date of filing for renewal of accreditation and whose annual statements for the period ending December 31 of the immediately preceding year prior to such filing reflect net gain from operations after dividends to policyholders and Federal income taxes (excluding tax on capital gains) and excluding capital gains and losses need only file a letter of application, signed by the President, Vice-President, or designated officer thereof. The application shall include the following:

(a) A statement that the Insurer meets and agrees to the qualifications stated herein, and a list of the fiscal years in which previously accredited in the DOD overseas program.

(b) A statement that the Insurer has had no reportable change in status or disclosing the change of status, if applicable, and an authenticated copy of the current annual statement filed with the insurance department of the state of domicile.

(c) One copy each of Formats B and C and a check for \$25 payable to the Treasurer of the United States; where this exception is not applicable, submit Formats A through E (in duplicate) and a check for \$125 payable to the Treasurer of the United States (Part 288 of this chapter).

(d) A statement as to whether or not the General Agent and/or agents will be permitted to offer life insurance and security sales simultaneously.

(v) *Announcement of findings.* (a) Advice of approval by the DOD upon annual applications for accreditation of Insurers and Insurance Carriers will be announced as soon as practicable to each applicant and by roster release annually

in June to the appropriate overseas commander.

(b) In the event accreditation is denied, specific reasons for such findings shall be submitted to the applicant.

(1) Upon receipt of notification of an unfavorable finding, the Insurance Company shall have thirty (30) days from the receipt of such notification (forwarded and certified mail, return receipt requested) in which to request reconsideration of the original decision. Such requests must be accompanied by substantiating data or information in rebuttal of the specific reasons upon which the adverse findings are based.

(2) Action by the ASD (M&RA) on appeal is final.

(3) If the applicant is presently accredited as an Insurer, up to ninety (90) days from final action will be granted in which to close out overseas operations pertaining to the DOD.

(c) Upon receiving the annual letter of accreditation, each Insurer or Insurance Carrier will send to the applicable Unified or Specified Commander a verified list of agents currently accredited for overseas solicitation. Where applicable, the Insurer or Insurance Carrier will also include the names of new agents for whom original accreditation and permission to solicit on base is requested. Information copies of each of the foregoing mailings will be supplied to the Directorate, Personal Commercial Affairs, ODASD (MPP), Office of the Assistant Secretary of Defense (Manpower and Reserve Affairs), the Pentagon, Washington, D.C. 20301.

(d) Material changes affecting the corporate status and/or financial conditions of the Insurer or Insurance Carrier which may occur during the fiscal year of accreditation must be reported at the time of occurrence. Accreditation may be terminated for failure to report materials changes.

§ 276.7 Policies on general forms of insurance.

(a) *Automobile insurance.* (1) General requirements: Operators or owners of privately owned vehicles allowed driving or parking privileges on military installations will comply with the requirements, if any, of the State or host nation in which the installation is located unless excused therefrom by Federal, State, or host nation law.

(2) Driving and parking privileges on military installations will be authorized

by the Unified or Specified Commander and/or the Military Department involved. Where the Military Departments impose controls for on-base privately owned vehicle registration, proof of insurance coverage need only be certified in writing by any registrant.

(3) Motor vehicle liability insurance counseling:

(i) General: Commanders will provide counseling for military personnel under their command on the purchase of motor vehicle liability insurance and publish, periodically, information on driver responsibility under State and local laws.

(ii) Importance of a safe driving record will be stressed in counseling, including the information that some insurers offer coverage with substantial savings in premiums to individuals who have removed themselves from extra risk classifications requiring premium surcharges by successfully completing driver training courses or by maintaining accident-free driving records which can be authenticated.

(iii) Assistance in obtaining assigned risk insurance will be given to military personnel, particularly young motor vehicle operators, who are otherwise unable to obtain automobile liability insurance coverage. Military personnel should be advised that assigned risk coverage may be available at premiums less than those offered in the voluntary market by some insurers.

(iv) Courses in driver training: Installation commanders are responsible for administering an effective driver training program commensurate with personnel and budgetary limitations.

(4) Cooperation with State and local authorities:

(i) Installation commanders will cooperate with State and local officials responsible for administering State and local laws and regulations relating to the insurance and operation of motor vehicles.

(ii) Cooperation may be extended to school officials, automobile associations, Armed Forces-State Traffic Safety Workshop Program, commercial private driver training course operators, and to civic groups concerned with public highway safety.

(b) *Health Insurance.* (1) "Personal Plans" being offered through personal commercial solicitation must conform to the licensing requirements for both the insuring company and its agents (Part 43 of this chapter).

(2) "Government-Sponsored Plans" will be processed in accordance with Part 104 of this chapter.

(c) All Other Plans of Insurance:

(1) Life insurance procedures are enumerated in § 276.6.

(2) All other insurance plans made available to DOD personnel through personal commercial solicitation must comply with Part 43 of this chapter.

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

[FR Doc.72-3977 Filed 3-15-72;8:52 am]

Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

SUBCHAPTER E—PESTICIDE PROGRAMS

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Parathion or Its Methyl Homolog

A notice was published by the Environmental Protection Agency in the FEDERAL REGISTER of January 5, 1972 (37 F.R. 93), proposing establishment of a tolerance for residues of the insecticide parathion (O,O-diethyl-O-p-nitrophenyl thiophosphate) or its methyl homolog on alfalfa hay at 5 parts per million and fresh alfalfa at 1.25 parts per million. No comments or request for referral to an advisory committee were received. It is concluded that the proposal should be adopted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), § 180.121 *Parathion or its methyl homolog: tolerances for residues* is amended by:

1. Inserting the two new paragraphs "5 parts per million in or on alfalfa hay" and "1.25 parts per million in or on alfalfa (fresh)" before the paragraph "1 part per million * * *" and

2. Deleting the word "alfalfa" from the paragraph "1 part per million * * *".

Any person who will be adversely affected by the foregoing order may at any

time within 30 days after its date of publication in the FEDERAL REGISTER file with the Objections Clerk, Environmental Protection Agency, Room 3175, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C., 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (3-16-72).

(Sec. 408(a), 68 Stat. 514; 21 U.S.C. 346a(e))

Dated: March 10, 1972.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator
for Pesticides Programs.

[FR Doc.72-4000 Filed 3-15-72;8:52 am]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Linuron

A notice was published by the Environmental Protection Agency in the FEDERAL REGISTER of January 11, 1972 (37 F.R. 337), proposing establishment of a tolerance for residues of the herbicide linuron (3-(3,4-dichlorophenyl)-1-methoxy-1-methylurea) in or on celery at 0.5 part per million. No comments or requests for referral to an advisory committee were received.

It is concluded that the proposal should be adopted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), § 180.184 is amended by revising the paragraph "0.5 part per million * * *", as follows:

§ 180.184 Linuron; tolerances for residues.

0.5 part per million in or on celery; parsnips (with or without tops) and parsnip tops; and the forage, hay, and straw of barley, oats, rye, and wheat.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Objections Clerk, Environmental Protection Agency, Room 3175, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (3-16-72).

(Sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(c))

Dated: March 10, 1972.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator
for Pesticides Programs.

[FR Doc. 72-3999 Filed 3-15-72; 8:52 am]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5167]

[Utah 14586]

UTAH

Partial Revocation of Public Water Reserve No. 107

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The Executive order of April 17, 1926, creating Public Water Reserve No. 107, as construed by Interpretation No. 160 of April 8, 1932, is hereby revoked so far as it affects the following described lands:

SALT LAKE MERIDIAN

T. 4 S., R. 23 E., (Protraction Survey Diagram No. 7A)

Secs. 23, 24, and 25, all land within a quarter mile of unnamed springs in Red Canyon.

The overall area of the lands described aggregates approximately 1,920 acres in Uintah County.

The lands are within the boundaries of the Dinosaur National Monument as established by the Act of June 8, 1906, 34 Stat. 225, as amended by the Act of September 8, 1960, 74 Stat. 857.

HARRISON LOESCH,
Assistant Secretary of the Interior.

MARCH 9, 1972.

[FR Doc. 72-3984 Filed 3-15-72; 8:50 am]

[Public Land Order 5167]

[Sacramento 4581]

CALIFORNIA

Addition to National Forest

By virtue of the authority contained in the Act of July 9, 1962, 76 Stat. 140, 43 U.S.C. section 315g-1 (1970), it is ordered as follows:

Subject to valid existing rights, the following described lands, acquired in an exchange made pursuant to section 8 of the Taylor Grazing Act of June 28, 1934, 48 Stat. 1272, as amended, 43 U.S.C. section 315g (1970), are hereby added to and made a part of the Toiyabe National Forest and hereafter shall be subject to all laws and regulations applicable to said National Forest.

MOUNT DIABLO MERIDIAN

T. 20 N., R. 18 E.,
Sec. 30, Lot 14.

The area described aggregates 80 acres in Sierra County.

HARRISON LOESCH,
Assistant Secretary of the Interior.

MARCH 9, 1972.

[FR Doc. 72-3985 Filed 3-15-72; 8:50 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 19231; FCC 72-217]

PART 1—PRACTICE AND PROCEDURE

PART 15—RADIO FREQUENCY DEVICES

Biomedical Radio Telemetry Systems

Report and order. In the matter of amendment of Part 15 of the Commission's rules to exclude from the duty cycle requirement biomedical radio telemetry systems operating above 70 MHz. Docket No. 19231, RM 1727, RM 1739.

1. A combined notice of inquiry and proposed rule making in this proceeding was adopted by the Commission on May 19, 1971 (36 F.R. 9567, May 26, 1971). In the notice the Commission proposed to restrict operation of biomedical telemetry devices to selected frequency bands and to eliminate the duty cycle requirement for these devices which is currently applicable to miniature transmitters operating above 70 MHz under Part 15, except the band 88-108 MHz. The bands proposed are 73-74.6 MHz, 174-216 MHz, and 608-614 MHz. The Commission considered that interference

to biomedical telemetry devices would be minimal in the proposed bands.

2. Part 15 of our rules now permits the operation of telemetering devices (and wireless microphones) in the FM broadcasting band 88-108 MHz. They are not limited in their duty cycle but emission bandwidths must be confined within a 200 kHz segment and they are not permitted to radiate in excess of 50 microvolts per meter at distances of 50 feet or more from the device. These devices must be type approved by the Commission. With the exception of these devices (telemetering and wireless microphones) and garage door openers, all low power communication devices using frequencies above 70 MHz are required by Part 15 to observe a duty cycle such that transmissions do not exceed 1 second in length and that each transmission be followed by a silent period of at least 30 seconds. See § 15.211(a)(3) of the Commission's rules.

3. Since June 1970, the Commission granted waivers to some 11 manufacturers of biomedical equipment authorizing the sale and use of such equipment until June 30, 1971, and extended them until March 15, 1972, without the duty cycle limitation, provided such equipment met all the emission requirements in § 15.211(a). This action permitted cardiac patients to be monitored on a continuous basis. The granting of these waivers was viewed by the Commission as only an interim measure. It is the Commission's view that the public interest would be better served by finding a generally interference-free environment in which they can be accommodated where, at the same time, it is improbable that they will cause interference to other users of the spectrum.

4. Devices operating under Part 15 are not permitted to cause harmful interference to duly authorized radio stations nor can they claim protection from such stations. Although the biomedical telemetering devices in question were developed originally to monitor cardiac patients, they also are being used now to watch over fetuses and newborn infants, to monitor patients recovering from surgery, and in other applications. Their use will undoubtedly be extended to other medical areas. Consequently, the Commission is concerned with the degree to which these devices might be susceptible to interference and the consequent adverse effects upon user patients. Manufacturers generally state that interfering signals have no direct effect on the patient since he is equipped only with a transmitter. Such signals would affect the receiver, however, triggering an alarm calling for the monitoring attendant to examine the patient and thus impairing the effectiveness of the overall system. As pointed out in the notice, repeated false alarms could lead to a "crying wolf" situation. On the other hand, strong signals could "swamp" out desired signals and render the receiver inoperative.

5. Comments from 27 parties have been filed in this proceeding. Twenty of these comments were submitted by companies that either presently manufacture or in-

tend to manufacture biomedical telemetry devices. The remaining seven comments were filed by four professional societies and trade associations, one service company, one publisher, and one physician representing a hospital. See the list in Appendix A.¹

6. The majority of comments dealt with the operating frequency and field strength limitations. Several comments concerned the amortization period which would require users to convert to equipment operating in the proposed frequency bands.

Operating frequency. 7. Eleven of the 20 manufacturers that filed comments presently have biomedical telemetry designs which operate on frequencies which are in the vicinity of the band 174-216 MHz. Nine companies stated that if final rules required a frequency design change, they would prefer the range 174-216 MHz. It seems reasonable to assume that the economic impact due to redesign costs would be low if most companies chose the band 174-216 MHz. Environmental Metrology Corp. and Hamilton Standard called attention to high redesign costs if they were to use the band 608-614 MHz.

8. Many of the comments dealt with the geographic limitations to which the user of biomedical devices would be subject when operated in the proposed bands. Observing the required zone of protection essentially precludes operation on the bands 73-74.6 MHz and 608-614 MHz in and around most large cities, it is pointed out, and use of the 174-216 MHz band is limited by television stations that operate in this band. The Commission recognizes this problem. In paragraph 15 of the notice, the Commission stated that the usage pattern by licensed stations in these bands is relatively stable and that once installed and operating in a particular local environment, the probability is low that a biomedical telemetry system will cause or receive harmful interference from authorized stations. The Commission, however, does not intend to be restricted in its allocations within the broadcast band.

9. Discussing operation in the band 174-216 MHz, Spacelabs, Inc., stated that even in a worst case situation, in a city using TV Channels 7, 9, 11, and 13,² a potential for 40 channels of biomedical telemetry exists. This manufacturer made interference tests at eight frequencies: 174, 180, 186, 192, 198, 204, 210, and 216 MHz—frequencies in those areas of the VHF TV spectrum that lie between the peaks of modulation energy of each station. The results of these interference tests showed no degradation in the performance of the biomedical telemetry systems. The tests were made at close proximity to a television receiver to evaluate effects of oscillator leakage. Based upon these tests, Spacelabs, Inc., is confident that the frequency band 174-216 MHz will insure excellent perform-

ance without interference from TV transmission. These tests appear to bear out the Commission's contention, as stated in the notice, that these biomedical devices will be subject to a minimal amount of interference in the band 174-216 MHz.

10. It is apparent that in the bands 73-74.6 MHz and 608-614 MHz telemetering would be more severely restricted due to necessary protection of radio-astronomy operations.³ As pointed out in several of the comments, the protection zones around radio observatories encompass portions of several major metropolitan areas, including San Francisco, Los Angeles, Denver, Detroit, Baltimore, Washington, D.C., and Boston. Moreover, the separation distance was determined on the basis of existing Part 15 radiation limits which at least one manufacturer believes are too low for satisfactory operation in the 73-74.6 MHz band. Higher levels, however, would require even wider separation and further reduce the potential usefulness of the band for telemetering. Other problems raised in the comments concerning the use of the radio-astronomy bands include the rather narrow bandwidth of the 73-74.6 MHz band and the high cost of equipment redesign for operation in the 608-614 MHz band. Considering all of these factors, therefore, the Commission has decided not to adopt its original proposal to permit low power biomedical telemetering in the bands 73-74.6 MHz and 608-614 MHz. Geographical use of the 174-216 MHz band should adequately meet the requirements for such operation for the foreseeable future.

11. With respect to channeling, the Commission recognizes that the number of useful channels depends to a large extent, upon the bandwidth required for each channel, which in turn is dictated by the type of modulation which is used. The Commission, however, is intentionally not imposing any specific modulation requirements in order to give manufacturers a maximum freedom in equipment design.

12. A number of requests were received from individual manufacturers for continued use of current operating frequencies which do not fall within the frequency bands that had been proposed. No adequate technical justification has been provided. On the contrary, it would appear that these requests are largely based on economic considerations—the desire to avoid the cost of redesign. The Commission cannot find it in the public interest to permit biomedical telemetry devices to operate on any frequency selected by the designer.

Field strength of transmitted signal.

13. As stated in paragraph 4, above, the consensus expressed in the comments favored the use of the band 174-216 MHz. However, a number of the respondents were concerned with the harmful interference to biomedical telemetry systems that could be caused by the VHF TV Channels 7 through 13. These re-

spondents argued that to minimize the possibility of interference from adjacent channel TV stations, biomedical telemetry systems should be authorized to operate with higher fields than are now permitted by § 15.211(a) of Part 15.⁴ Specifically, seven requests were included in the comments asking for higher field strengths ranging from 300 $\mu\text{V}/\text{m}$. to 1,000 $\mu\text{V}/\text{m}$. at 100 feet.

14. The Commission, after careful consideration of the comments received, believes that a relaxation of the field strength limitation in the band 174-216 MHz would be inappropriate at the present time but might become a matter for future consideration in a separate proceeding.

Amortization of existing equipment.

15. The question of an amortization period for hospitals and other institutions using equipment sold under waivers granted to a number of manufacturers was raised by six parties. Mennen-Greatbatch, Hamilton Standard, and American Optical suggest that at least 10 years be provided for amortization of existing equipment. Laser Systems suggested 20 years. Spacelabs, supported by the General Electric Co. as a user of Spacelab equipment, suggested an indefinite amortization period. This problem has been anticipated and in our notice of proposed rule making, an amortization period of 5 years had been proposed. Each of these comments pointed out that 5 years was not sufficient time in which to amortize existing biomedical telemetry systems, and that to impose such a requirement would impose an unnecessary financial burden on these hospitals and institutions. The Commission takes cognizance of these arguments. Many hospitals and educational institutions have historically suffered from severe budget limitations. Forcing too early an expenditure for the conversion of biomedical telemetry devices would compound this problem. Therefore, the Commission is providing for a 10-year amortization period instead of the 5-year period as proposed in the notice.

16. Laser Systems, in its comment, requests the Commission to provide a 6-month grace period after rules are adopted to permit time to deplete current inventories. The information supplied in this proceeding indicates that most manufacturers are presently supplying equipment on frequencies just below or just above the band 174-216 MHz. While manufacturers will be put to some expense to convert their present inventory to this new band, the Commission does not believe this will be unduly burdensome.

17. In view of the foregoing: *It is ordered*, That pursuant to the authority contained in sections 4(i), 302, and 303 (f) and (r) of the Communications Act of 1934, as amended, Parts 1 and 15 are amended effective April 30, 1972, as set forth below.

18. *It is further ordered*, That the waivers heretofore granted to the manu-

¹ Filed as part of the original document.

² Channel 7 occupies the band 174-180 MHz; Channel 9, 186-192 MHz; Channel 11, 198-204 MHz; and Channel 13, 210-216 MHz.

³ The 608-614 MHz band, although allocated to UHF TV, is currently reserved for radio astronomy until Jan. 1, 1974.

⁴ In the frequency band 174-216 MHz, the field strength permitted under § 15.211(a) is 150 $\mu\text{V}/\text{m}$. at 100 feet.

facturers listed below excluding their biomedical telemetry equipment from the duty cycle requirement of § 15.211(a)(3) are further extended to April 30, 1972:

Medtronix, Inc., New Glarus, Wis.
American Optical Corp. Medical Division, Bedford, Mass.
Mennen-Greatbatch Electronics, Inc., Clarence, N.Y.
Care Electronics, Inc., Huntsville, Ala.
Spacelabs, Inc., Washington, D.C.
Laser Systems and Electronics Inc., Washington, D.C.
Bio Sentry Telemetry, Inc., Gardena, Calif.
Cardiac Electronics, Clarence, N.Y.
Statham Instruments, Inc., Oxnard, Calif.
Dallons Instruments, El Segundo, Calif.
Vanguard Medical Products Co., Tariffville, Conn.
Travenol Laboratories, Inc., Morton Grove, Ill.
Abbott Medical Electronics Co., North Chicago, Ill.

19. It is further ordered, That the proceeding in Docket 19231 is terminated. (Secs. 4, 302, 303; 48 Stat., as amended, and 82 Stat., 1066, 290, 1082; 47 U.S.C. 154, 302, 303)

Adopted: March 8, 1972.

Released: March 13, 1972.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, Secretary.

Parts 1 and 15 of Chapter I, Title 47, of the Code of Federal Regulations are amended as follows:

1. Section 1.1120 is amended by adding a new item 7 in the fee schedule under "Certification" to read as follows:

§ 1.1120 Schedule of fees for equipment type approval, type acceptance and certification.

CERTIFICATION		
Item	Filing fee	Grant fee
7. Application for certification of a transmitter used for biomedical telemetry under Part 15.....	\$10	\$25

2. Section 15.4 is amended by adding a new paragraph (k) to read as follows:

§ 15.4 General definitions.

(k) *Biomedical telemetry device.* A low power communications device consisting of one or more transmitters which is used to transmit, within a restricted area, via a radio frequency field, measurements of either human or animal biomedical phenomena to a receiver.

3. New §§ 15.216-15.218 are added to read as follows:

* Commissioners Johnson and Reid concurring in the result; Commissioner H. Rex Lee absent; Commissioner Wiley dissenting.

§ 15.216 Biomedical telemetering devices.

(a) Biomedical telemetering devices may be operated without the duty cycle limitation in § 15.211(a)(3) in the frequency band 174-216 MHz.

(b) The field strength of emissions on the fundamental operating frequency shall not exceed 150 microvolts per meter at 100 feet.

(c) Harmonic and other spurious emissions falling outside the band 174-216 MHz shall be suppressed by at least 20 db below the level of the emission at the fundamental operating frequency.

(d) The transmitter part of the biomedical telemetering device shall be certificated. The procedure for certification is identical to that for a radio control for a door opener as set out in §§ 15.260-15.266 inclusive and §§ 15.270-15.272 inclusive, except that the reference to FCC Technical Report T-7001 in § 15.264(b) shall not apply. Measurements shall be made pursuant to § 15.218.

(e) The receiver part of the biomedical telemetering device shall be certificated according to the requirements of Subpart C of this part.

(f) Biomedical telemetering equipment operating on frequencies above 70 MHz, except in the band 88-108 MHz, manufactured after April 30, 1972, must comply with the technical specifications in this section.

(g) Biomedical telemetering equipment on frequencies above 70 MHz, except in the band 88-108 MHz, in use prior to April 30, 1972, may be continued in use until April 30, 1982: *Provided*, That such equipment meets emissions requirements of § 15.211(a). In the event normal operation of such equipment causes harmful interference the use of the equipment shall be discontinued.

§ 15.217 Identification of a certificated biomedical device.

(a) Each transmitter unit and each receiver unit of a biomedical device shall be identified with an appropriate label containing the following information:

(1) The name of the grantee of certification or the trade name specified in the application for certification

(2) The model number as given in the application for certification

(3) The following statement:

This device complies with FCC Rules Part 15. Operation is subject to the following two conditions: (1) This device may not cause harmful interference, and (2) this device must accept any interference that may be received, including interference that may cause undesired operation.

(4) The date of manufacture: This information may be inscribed as the month and year of manufacture, or coded at the manufacturers option: *Provided*, That the key to such code be submitted with the application for certification.

(b) If the transmitter part of the device is intended to be surgically implanted or otherwise inserted into the body, the identification required by paragraph

(a) of this section may be inscribed on the container in which such transmitter is delivered to the purchaser.

(c) The label shall be permanently attached to each part of the device except as provided in paragraph (b) of this section, and shall be readily visible by prospective purchasers.

(d) The label may be attached only after the device (transmitter and receiver units) has been certificated by the Commission.

§ 15.218 Measurements for certification.

(a) Measurements shall be made with a field strength meter in an open field.

(b) For transmitters operating at or below 216 MHz, the spectrum shall be scanned from the lowest frequency generated in the device up to 1,000 MHz.

[FR Doc.72-4014 Filed 3-15-72;8:55 am]

[FCC 72-209]

PART 2—FREQUENCY ALLOCATION AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Extension of Termination Date

Order. In the matter of amendment of § 2.106 of the Commission's rules and regulations concerning extension of termination date of footnote US96.

1. Footnote US96 to the Table of Frequency Allocations, § 2.106 of the Commission's rules and regulations, specifies conditions under which certain frequencies in the non-Government band 1990-2110 MHz may be used by Government earth stations in support of the Apollo Space Program, primarily during launchings. The footnote carried a termination date of December 31, 1970, which coincided with the originally planned completion date of the Apollo Program. However, the Program has since been rescheduled for completion in 1973, and the National Aeronautics and Space Administration has requested that the termination date of footnote US96 be extended to December 31, 1973.

2. The Commission believes the requested extension to be entirely reasonable and consistent with national objectives. Moreover, there are no indications that non-Government use of the band has been curtailed in any way by the limited Government operations permitted under footnote US96. Therefore, since all other conditions of the footnote remain unchanged, extension of the termination date would appear to have no adverse effect on non-Government entities and the request is being adopted without prior public notice.

3. Accordingly, it is ordered, That, effective March 22, 1972, § 2.106 of the rules is amended as set forth below. Authority for this action is contained in section 4(i) and 303 of the Communications Act of 1934, as amended, and the effective date provisions of (5 U.S.C. 553) are waived.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Adopted: March 8, 1972.

Released: March 10, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

Part 2 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

In § 2.106 footnote US96 is amended to read as follows:

US96 In the band 1990-2110 MHz, the frequencies 2106.4 MHz and 2101.8 MHz may be authorized for Government earth station transmission in connection with Project Apollo, until December 31, 1973, at the following sites only:

Cape Kennedy, Fla. (28°28'54" N., 80°34'35" W.).

Corpus Christi, Tex. (27°39'19" N., 97°22'49" W.).

Goldstone, Calif. (35°23'20" N., 116°50'53" W.).

Guam, Mariana Islands (13°18'34" N., 144°44'10" E.).

Kaui, Hawaii (22°07'31" N., 159°40'16" W.).

Full power operation shall occur only when spacecraft launched as a part of Project Apollo are in actual flight. During such operation, the carrier shall be fully modulated at all times to ensure dispersal of the transmitted power, and transmission shall not occur using antenna elevation angles of less than 3° above the horizontal plane. Operations at all other times shall be confined to laboratory tests or subdued radiation spacecraft tests, subject to the condition that no harmful interference is caused to TV broadcast auxiliary stations.

[FR Doc.72-4011 Filed 3-15-72;8:54 am]

[Docket No. 19201; FCC 72-215]

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Stations; Utica and Hamilton, N.Y.

Report and order. In the matter of amendment of § 73.202, *Table of Assignments*, FM Broadcast Stations (Utica and Hamilton, N.Y.), Docket No. 19201, RM-1473, RM-1567.

1. The Commission invited comments herein on proposals to amend the FM Table of Assignments, § 73.202(b) of the rules, by substituting Channel 254 for Channel 235 at Utica, N.Y., and by assigning Channel 237A at Hamilton, N.Y.³ This action was taken in consideration of petitions for rule making filed by WIBX, Inc. (WIBX) (RM-1473), and by James

R. Ravencraft (Ravencraft) (RM-1567) on conflicting FM proposals to assign Channel 254 at Utica and Hamilton. WIBX, the Utica Channel 235 (WIBQ-FM) permittee, proposed the substitution of Channel 254 for Channel 235 at Utica. It also suggested Channel 237A for a Hamilton assignment if its Utica proposal is adopted. Ravencraft, a prospective applicant for an FM station in the Hamilton area, proposed the assignment of Channel 254 at Hamilton and opposed Channel 237A for a Hamilton assignment.

2. WIBX filed comments supporting its proposal to substitute Channel 254 for Channel 235 at Utica. It also advised, in response to the show cause order, that it is agreeable to modification of its WIBQ-FM permit to specify operation on Channel 254 instead of Channel 235 at Utica if the substitution is made. Ravencraft filed comments opposing the Utica Channel 254 proposal and in further support of his conflicting proposal for the assignment of Channel 254 at Hamilton. He also alternatively proposed, if Channel 254 is substituted for Channel 235 at Utica and no other Class B FM channel is available for assignment at Hamilton, that Channel 237A be assigned to Cazenovia, N.Y., rather than to Hamilton, as proposed. John Woods, president of Woods Communications Corp. (WRUN-FM), Utica, also filed a statement to show that Hamilton is within the predicted 1 mv/m contour of Station WRUN-FM.

3. As the notice informed, Channel 254 is technically feasible for assignment and use in full conformity with mileage separation requirements at either Utica or Hamilton but not in both communities since the distance between them is less than 25 miles. It also appears that no other unused Class B FM channel is available for assignment in lieu of Channel 254 to either community and that Channel 235, if replaced, as proposed, by Channel 254 at Utica, would also not then be technically feasible for assignment in the Hamilton area because of the proximity of adjacent channel assignments and stations at Syracuse and South Bristol Township, N.Y. If Channel 235 is deleted from Utica, however, Channel 237A will be technically feasible for assignment and use at either Hamilton, as proposed in the notice, or at Cazenovia, some 17 air miles northwest of Hamilton, as alternatively proposed by Ravencraft.

4. We have considered the further showings made by WIBX and Ravencraft in support of their conflicting proposals to assign Channel 254 at Utica and Hamilton. They contain no new argument of substance not previously considered, and for the same reasons, basically, that we decided that rule making was warranted on the Utica Channel 254 proposal and not on the Hamilton Channel 254 proposal, we now conclude that only the proposal to substitute Channel 254 for Channel 235 at Utica merits adoption.

5. Utica Channel 254 proposal: The substitution of Channel 254 for Channel

235 at Utica is requested by WIBX to avoid potential second harmonic interference from its new Utica station on Channel 235 to reception of the Syracuse Channel 9 television station (WNYS-TV) in the Utica area. The Syracuse station puts a signal of Grade A signal strength over Utica and has a substantial audience in the Utica area. It appears from the WIBX showing that the Channel 235 interference problem could take considerable time to correct and add to the initial problems of the new WIBX station becoming established as a fourth FM commercial outlet at Utica (1970 population, 90,802) and providing the Utica area with a new service. The potential interference problem does not, however, in itself persuade us that the requested channel substitution is warranted.

6. As stated in the notice, we do not consider second harmonic interference reason for changing an FM assignment since it can be corrected and changes for this reason could unduly limit the use and development of the FM service. In instances where we have made requested channel substitutions to avoid a potential second harmonic interference problem, the substitutions were found to be warranted not only because of the avoidance of the interference problem but because they also would make for improved channel utilization or have other public interest advantages and would not adversely affect overall assignment efficiency. The substitution of Channel 254 for Channel 235 at Utica is also warranted, in our view, because it will not adversely affect assignment efficiency and the public interest advantages of the proposal are not limited to the avoidance of a potential Channel 235 interference problem.

7. The Utica Channel 235 assignment is short-spaced by approximately 4 miles with a Canadian station (CKCH-FM) at Hull, Province of Quebec. The substitution of Channel 254 for this short-spaced assignment is technically feasible, would not affect any existing assignment or station, and would have no significant preclusionary effect upon other assignments. While a Channel 254 assignment would have some preclusionary effect on Channels 253 and 257A, the permissible site area for Channel 253 is now quite limited and in an area where there are 11 FM assignments within 25 miles. Also, in most of the area where a Channel 257A assignment would be precluded, both Channels 232A and 237A would become available for assignment by deleting Channel 235 from Utica. Hamilton and Cazenovia are in the area where Channel 237A could be assigned and where it appears that no other available Class A channel could be assigned. We therefore believe that the requested channel substitution at Utica has public interest value beyond the elimination of the prospect of a probable Channel 235 second harmonic interference problem for a fourth new station at Utica to contend with in becoming established. Deletion of the short-spaced Channel 235 Utica assignment will also serve our FM

² Commissioner H. Rex Lee absent.

³ See notice of proposed rule making, memorandum opinion and order and order to show cause, released Apr. 14, 1971 (FCC 71-353), and published Apr. 20, 1971, in the FEDERAL REGISTER at 36 F.R. 7468. In this document the Commission also denied the Ravencraft request for rule making on its proposal to assign Channel 254 at Hamilton and ordered WIBX, Inc., to show cause why its permit for Station WIBQ-FM, Utica, N.Y., should not be modified to specify operation on Channel 254 instead of Channel 235 if the channel substitution is made.

objectives by making available two additional Class A assignments in areas where channel availabilities to meet the needs of smaller communities for local outlets are in short supply. An important consideration is that one of the channels made available by the channel substitution, Channel 237A, could be assigned in the Hamilton area where this record demonstrates that there are additional needs for local service.

8. Conflicting Hamilton Channel 254 proposal. Ravenscraft's objections to a Utica Channel 254 assignment center on the fact that the assignment would make Channel 254 technically unavailable for assignment to Hamilton, as he requests for a wide area service. However, since the establishment of the FM assignment plan, it has been our policy to assign wide coverage Class B channels, such as Channel 254, only to sizeable communities or urban centers, and to assign more limited coverage Class A channels to relatively small communities, such as Hamilton (1970 population 3,636), except when a deviation from this policy is clearly warranted. As we stated in denying rule making on his proposal, adherence to this policy is important and necessary to achieving the overall objectives of the FM assignment plan for a fair and equitable distribution of available channels to meet present and future needs, and particularly in the crowded Northeastern section of the country where available FM channels are at a premium.

9. We are, of course, aware, as Ravenscraft points out, that we have, on occasion, in some cases assigned wide coverage Class B channels to small communities in deviation from our basic FM assignment policy. However, we do not agree that any of them serve as precedent for adopting his Hamilton Class B proposal. Significant considerations which we decided, on balance, warranted deviation from our FM Class B assignment policy in those cases were that the small community and area to be served by the requested Class B assignment were isolated and far from large population centers and that a substantial area would receive a first or second aural broadcast service. Of significance also in some of them was that a Class A channel could not be assigned and that the requested Class B assignment for a small community would not have a preclusionary effect upon the assignment of the channel to a sizeable community where it would be likely to be put to use.

10. Ravenscraft argues that we have also taken population shifts into account in departing from Class B assignment policy, citing the "Carbondale, Illinois," FM case, as an example,² and urges that we do so here. He points to 1970 U.S. census figures which show that Utica (1970 population, 91,611) and Oneida County (1970 population 272,037), in which Utica is located, have had respective declines of -8.8 percent and -3.3 percent in population since 1960; whereas, they show that Hamilton (1970 population, 3,636) and Madison County (1970 population,

62,864), in which Hamilton is located, and which, together with the northern portion of Chenango County, would be within the predicted coverage area of his contemplated Hamilton Class B facility, have had respective increases of 8.6 percent and 15.1 percent in population since 1960.

11. Population growth or decline is, of course, an important factor considered in making any assignment and, in FM cases, in determining whether a community is of a size to warrant an FM channel of any or a particular class in conformity with our FM assignment policy. This factor is not, however, in our view, a justifiable reason for making an assignment in deviation from our FM assignment policy, and it was not so considered in the cited "Carbondale" case. As our decision in that case reveals, the growth factor (based on a showing that Carbondale has increased in population from 14,670 in 1960 to 20,516 in 1964 as a result of growth and annexation) was a significant consideration for the decision that Carbondale was of a size to warrant a first Class B assignment in conformity with our Class B assignment policy and not in departure therefrom, and particularly because of another consideration, that it was the largest community in the area where the requested Class B assignment was technically feasible for assignment. In any event, it is plain in this case that Utica, despite a decline in population over the 1960-70 period, is still of a size, and we think, of importance to be considered for a fourth Class B assignment by the population criteria used for making FM assignments.³ Hamilton, on the other hand, even though it has had a substantial population increase over the same period, is still too small to be considered for a Class B assignment except as an exception to our general policy of assigning wide-coverage Class B channels only to urban centers.

12. We cannot reach that decision with respect to Hamilton. None of the considerations we consider as possible overriding justification for assigning a wide-coverage channel to a small community in deviation from general assignment policy (see paragraph 7 above) constitute reason, in our view, for assigning Channel 254 to Hamilton. In the first place, this requested Class B assignment at Hamilton would preclude use of Channel 254 at Utica where we have concluded that it would have technical and public interest advantages over the present Utica Channel 235 assignment. Second, a Hamilton Class B assignment cannot be justified for reason that a Class A channel cannot be assigned there, since the deletion of Channel 235 at Utica will make Channel 237A available for assignment at Hamilton or elsewhere in the area. Third, a Class B assignment at Hamilton is not, on balance, warranted, in our judgment, because of any need to serve an area exceptionally isolated from sizeable urban centers or a substan-

tial area without aural services. The area which would be within the 1 mv/m contour of Ravenscraft's proposed Channel 254 operation at Hamilton (Madison County and the northern portion of Chenango County) is not far from sizeable urban centers to the north, northeast and northwest (Syracuse, Rome, Utica) and south (Binghamton), and all of Madison County is a part of the Syracuse standard metropolitan statistical area. Stations in those cities and in other nearby communities, three of which are in Madison County,⁴ provide aural services in the area which would be served by a Hamilton Class B station. Using the criteria which we have specified for use in making reasonable projections of FM service,⁵ the proposed Hamilton Class B station would provide no area with a first FM service and only an area involving 128 square miles with 2,597 persons with a second FM service.

13. While Ravenscraft argues that the mountainous and rugged terrains in the predicted coverage area of his proposed Hamilton Class B operation hinder or prevent adequate reception of services from existing nearby stations, it would seem that a Hamilton Class B station could face a similar problem in serving the reaches of its predicted coverage area. In any case, Ravenscraft's showing provides no basis for assuming that there is any substantial lack of adequate aural services from existing stations throughout the area which would be served other than, possibly, in the Hamilton area itself. From his showing, it does appear, however, that a Class A channel could adequately serve the Hamilton area.

14. While, for the above reasons, we remain of the view that the public interest is, on balance, best served by not deviating from our basic FM assignment policy by assigning Channel 254 at Hamilton, it is in accord with that policy and would serve the public interest, we believe, to assign a Class A channel to the Hamilton area.

15. Hamilton and Cazenovia 237A proposals. Except for Colgate University's low-power educational FM station (WRCU-FM), there is no local aural facility or assignment at Hamilton. It appears from Ravenscraft's showings that Hamilton is a growing community of a size and importance which has a need for local programming directed to its needs and interests which is not being adequately satisfied by its local FM station or by other aural services received in the area; that another local FM station would serve a need; and that, because of the terrain in this area, there is interference to reception of nearby FM stations, and AM service to the area, particularly at night, is of unacceptable quality.

⁴ Station WOIV-FM at De Ruyter, some 15 miles west of Hamilton; Station WMCR, a daytime only, one kilowatt station, at Oneida, about 25 miles north of Hamilton, and WRCU-FM, a low-power educational FM station, at Hamilton, licensed to Colgate University.

⁵ Roanoke Rapids and Goldsboro, North Carolina, 9 FCC 2d 672 (1967).

² In re Carbondale, Illinois, Docket No. 17627, 10 FCC 2d 409, 11 RR 2d 1616 (1967).

³ Our FM assignment policy provides for two to four Class B assignments in communities with populations ranging from 50,000 to 100,000.

16. In the notice, we therefore proposed Channel 237A for a Hamilton assignment, contingent upon the proposed substitution of Channel 254 for Channel 235 at Utica. While Ravenscraft expressed disinterest in this Class A proposal for Hamilton, being of the view that a Class A operation there would have too small a coverage area to be economically feasible, we, nevertheless, felt that others unaware of this possibility for an FM assignment at Hamilton should have an opportunity to comment on the proposal also before decision.

17. In his comments Ravenscraft alternatively proposes (assuming that Channel 254 or another Class B channel is not assigned at Hamilton) that Channel 237A be assigned at Cazenovia, a community with a 1970 population of 3,031, some 17 air miles northwest of Hamilton, rather than at Hamilton. He urges that a Class A facility at Cazenovia could provide better service to more people than one at Hamilton because there are summits within 4 miles of Cazenovia exceeding 1,800 feet where a transmitter site could be located whereas there are none within that distance of Hamilton in excess of 1,700 feet. Consequently, he states that a Class A Cazenovia station operating from a site on one of the summits to the southeast of Cazenovia could provide a good quality signal to Cazenovia, Hamilton, and Morrisville (1970 population 2,295), situated 11 miles east of Cazenovia and 7 miles northeast of Hamilton. Except for the low-power educational FM station at Hamilton, none of these communities have a local broadcast outlet, and other than Oneida, which already has local service, they are the three largest communities in Madison County. A Hamilton Class A station, he maintains, might not be able to put a strong signal into Cazenovia and would serve 36,487 persons as compared to 56,449 persons by a Cazenovia Class A facility. Also, he avers that a Class A facility at Hamilton would serve 21,278 residents of Madison County (33.85 percent) as compared to 39,175 (62.32 percent) Madison County residents by a Cazenovia Class A facility.

18. Ravenscraft further urges that service to all three of these communities would be preferable to service to only one of them since, while Hamilton is the largest of the three, they are all important, growing, rural centers in the most rapidly growing portions of the county and have similar economic and ethnic characteristics to Hamilton. This is demonstrated by his showing. Another advantage claimed for his Cazenovia proposal is that it would permit the station to draw upon all three communities for advertising to support it. He also stresses that the proposal would permit the station to provide all three communities with local programming needed accurately to provide information on specific road conditions in the area during the winter months, to publicize local community gatherings, local marketing conditions,

*During the 1960-1970 period, Cazenovia had a growth rate of 17.3 percent, Morrisville, 76.1 percent and Hamilton, 8.6 percent.

and to serve as an outlet for candidates running for public office locally and in the county, as well as for Congress. Ravenscraft also states that if Channel 237A is assigned to Cazenovia, he will expeditiously proceed to apply for authority to construct and operate a facility on the channel which will provide a first truly local service to Cazenovia, Hamilton, and Morrisville, as well as their surrounding rural populations.

19. The advantages stated for assigning Channel 237A at Cazenovia rather than at Hamilton are persuasive. Not only does it appear that a Cazenovia assignment may lead to the early inauguration of a new FM service to meet the need for local service in this area but that it has more potential for serving more people and the needs of the three largest communities in the area, as well as for an efficient and economically feasible operation. Therefore, since by our action herein deleting Channel 235 from Utica, Channel 237A is technically feasible for assignment and use at Cazenovia, and the assignment of the channel there would have no significant preclusionary effect upon the use of FM channels elsewhere, we have decided that the public interest would be served by adoption of this proposal.

20. In view of the foregoing, and pursuant to the authority contained in sections 4(i), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended: *It is ordered*, That effective April 21, 1972, the FM Table of Assignments, § 73.202(b) of the rules, is amended to read as follows for the cities listed below:

City	Channel No.
Cazenovia, N.Y.-----	237A
Utica, N.Y.-----	245, 254, 282, 297

21. *It is further ordered*, That the proposal to assign Channel 254 to Hamilton, N.Y., is denied.

22. *It is further ordered*, That effective April 21, 1972, the outstanding construction permit of WIBX, Inc., for the construction of Station WIBQ-FM on Channel 235 at Utica, N.Y., is hereby modified to specify operation on Channel 254 in lieu of Channel 235, subject to the following condition:

(a) The permittee shall submit to the Commission by May 12, 1972, all necessary information to comply with the applicable technical rules for modification of authorization to cover the operation of Station WIBQ-FM on Channel 254 at Utica, N.Y.*

*In instituting rule making on WIBX's proposal for substituting Channel 254 for Channel 235 at Utica, we declined to consider in the proceeding a WIBX request to waive mileage separation requirements to permit WIBX operation on Channel 254 from its authorized Channel 235 transmitter site, which is approximately nine-tenths of one mile short-spaced with the adjacent Channel 255 station (WJOY-FM) at Burlington, Vermont. It is not our practice to consider such requests in rule making cases, such as this Utica case, where the proposed assignment for a community can be made and used there in conformity with all FM minimum spacing requirements. Our practice is to con-

23. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: March 8, 1972.

Released: March 13, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,*

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-4012 Filed 3-15-72;8:54 am]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER C—ACCOUNTS, RECORDS, AND REPORTS

[No. 33687, Sub-No. 3]

PART 1243—QUARTERLY OPERATING REPORTS—RAILROADS

Prescription of Forms

Order. At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 16th day of February 1972.

On December 3, 1971, notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23078) advising all interested persons that the Commission had under consideration a proposal amending 49 CFR 1243.1, Form R&E, Revenues and Expenses, and 49 CFR 1243.2, Form IBS, Selected Income and Balance Sheet Items, to provide that all Class I railroads, excluding Class I switching and terminal companies, subject to the provisions of Part I of the Interstate Commerce Act, be required to file revised quarterly reports in accordance with quarterly report forms to be designated Form RE&I, Quarterly Report of Revenues, Expenses and Income, and Form CBS, Quarterly Condensed Balance Sheet, effective with the quarterly reporting period beginning January 1, 1972. After consideration of all relevant matters submitted by interested persons, the reports proposed are hereby adopted with modifications, as shown by the forms and instructions attached to and made a part of this order.¹ Wherefore, and good cause appearing:

It is ordered, That quarterly operating reports for railroads, Form RE&I, Quarterly Report of Revenues, Expenses and Income, and Form CBS, Quarterly Condensed Balance Sheet, as shown in the attachments hereto,² are adopted and prescribed.

Consider such requests, if made, in connection with an application for the assignment. Since WIBX states in its comments and response to our Show Cause Order that it was then of the intention to seek authority to operate on Channel 254 from its authorized Channel 235 site at Utica, if this is still its intention, its waiver request should be resubmitted for consideration with the other information called for by this paragraph.

*Commissioner H. Rex Lee.

¹Forms and instructions filed as part of the original document.

It is further ordered, That the reporting requirements prescribed hereby are applicable to all Class I railroads, except switching and terminal companies, as defined in Title 49, Chapter X, Subchapter C, Subpart A, § 1240.1, Code of Federal Regulations.

It is further ordered, That the reporting requirements prescribed hereby are effective with reports for the quarter beginning January 1, 1972.

It is further ordered, That §§ 1243.1 and 1243.2, Title 49, Chapter X, Subchapter C, Part 1243, Code of Federal Regulations be revised to read as follows:

§ 1243.1 Revenues, expenses and income.

Commencing with reports for the 3 months beginning January 1, 1972, and for subsequent quarters thereafter, until further ordered, all Class I railroads, except switching and terminal companies, as defined in § 1240.1 of this chapter, subject to the provisions of Part I of the Interstate Commerce Act, be, and they are hereby, required to compile and file quarterly reports of revenues, expenses and income in accordance with quarterly report Form RE&I, and instructions thereon. Such quarterly reports shall be filed, in duplicate, in the Bureau of Accounts, Interstate Commerce Commission, Washington, D.C. 20423, within 30 days after the end of the quarter to which they relate.

§ 1243.2 Condensed balance sheet.

Commencing with reports for the 3 months beginning January 1, 1972, and for subsequent quarters thereafter, until further ordered, all Class I railroads, except switching and terminal companies, as defined in § 1240.1 of this chapter, subject to the provisions of Part I of the Interstate Commerce Act, be, and they are hereby, required to compile and file quarterly reports of balance sheet items in accordance with quarterly report Form CBS, and instructions thereon. Such quarterly reports shall be filed, in duplicate, in the Bureau of Accounts, Interstate Commerce Commission, Washington, D.C. 20423, within 30 days after the end of the quarter to which they relate.

(49 U.S.C. 12, 20)

It is further ordered, That notice of this order shall be given to the public by depositing a copy thereof in the Office of the Secretary of this Commission at

Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

And, it is further ordered, That the proceeding be, and it is hereby, discontinued.

By the Commission, Division 2.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.72-4049 Filed 3-15-72;8:54 am]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Charles Sheldon Antelope Range and Stillwater National Wildlife Refuge, Nev.; Correction

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER (3-16-72).

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

General conditions. Fishing shall be in accordance with applicable State regulations. Portions of refuges which are open to fishing are designated by signs and/or delineated on maps. The maps are available at the respective refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 3737, Portland, OR 97208.

NEVADA

Correction: Special condition should read as follows:

Special condition for Charles Sheldon Antelope Range and Stillwater National Wildlife Refuge. Refuges closed to fishing during the migratory water-fowl hunting season.

JOHN D. FINDLAY,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

MARCH 8, 1972.

[FR Doc.72-4018 Filed 3-15-72;8:52 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[7 CFR Part 1421]

FLAXSEED

Support Program for 1972 Crop

Notice is hereby given that the Commodity Credit Corporation, under the authority of sections 301, 401, and 403 of the Agricultural Act of 1949, as amended (63 Stat. 1051, as amended; 7 U.S.C. 1447, 1421, and 1423), and sections 4 and 5 of the Commodity Credit Corporation Charter Act, as amended (62 Stat. 1070, as amended; 15 U.S.C. 714b, 714c), is considering certain provisions of the loan and purchase program for 1972 crop flaxseed. Expedition of the determination of these provisions is necessary due to the early harvesting of the flaxseed crop in southeast Texas.

Subsequent to the publication in the FEDERAL REGISTER of a notice of proposed rule making relating to the support level for 1972-crop flaxseed, 36 F.R. 24069, the national average loan and purchase rate for No. 1 flaxseed was established at \$2.50 per bushel. The Commodity Credit Corporation is preparing to make determinations and issue regulations governing: (1) Area and dates of availability of the program; (2) the schedule of deductions for storage charges; (3) the maturity date of loans; and (4) basic county support rates and premiums and discounts. The regulations covering such matters for the 1971 crop of flaxseed were published at 36 F.R. 9001 and 13261.

Prior to making any of the foregoing determinations, consideration will be given to data, views, and recommendations which are submitted in writing to the Director, Oilseeds and Special Crops Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. All submissions must, in order to be sure of consideration, be received by the Director no later than 15 days from the date of publication of this notice in the FEDERAL REGISTER.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.) (7 CFR 1.27(b)).

Signed at Washington, D.C., on March 10, 1972.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.72-4024 Filed 3-15-72;8:52 am]

Rural Electrification Administration

[7 CFR Part 1701]

RURAL TELEPHONE FACILITIES

Proposed Specifications for Telephone Ringers

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to issue REA Bulletin 345-64 to announce a new REA Specification PE-47 for telephone ringers. On issuance of REA Bulletin 345-64, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the new specification may submit written data, views, or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 30 days from the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

A copy of the new REA Specification PE-47 may be secured in person or by written request from the Director, Telephone Operations and Standards Division.

The text of REA Bulletin 345-64 announcing the issuance of the new specification is as follows:

REA BULLETIN 345-64

SUBJECT: REA Specification for Ringers.
I. Purpose. To announce a new REA Specification PE-47 for telephone ringers.

II. General. A. This specification supersedes "REA-Ringer Performance Objectives," dated September 1967, and all previous REA ringer requirements. The requirements herein are applicable to frequency selective and straight-line ringers. Tone ringers or other special ringing devices are not included.

B. The intent of these requirements and tests is to determine if a given make and type ringer is adequate for use on cable loops ranging from very short nonloaded types to repeated D66 loaded loops of up to 26 miles in length and 4,300 ohms resistance when connected in a prescribed manner. Compliance with these requirements must be demonstrated for a ringer to be listed as acceptable by REA.

III. Availability of specification. Copies of PE-47 will be furnished by REA upon request.

Dated: March 13, 1972.

E. F. RENSHAW,
Assistant Administrator—Telephone.

[FR Doc.72-4040 Filed 3-15-72;8:53 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 3]

OXYGEN AND ITS DELIVERY SYSTEMS

Proposed Statement of Policy

Shortly after the enactment of the Durham-Humphrey Amendment (Public Law 82-215), the Food and Drug Administration expressed the opinion that in light of the general use of medicinal gases such articles should be regarded as prescription drugs and, therefore, should be labeled with the prescription legend. Subsequently, members of the Compressed Gas Association, New York, N.Y., pointed out that, because of the special uses of compressed oxygen, there are many circumstances under which it would be impractical to insist that oxygen be administered under the supervision of a physician. Many groups, e.g., rescue squads, fire departments, and other first aid type services, retain oxygen delivery devices for use in emergencies when a physician would not ordinarily be present. After thorough consideration of the points raised by the Compressed Gas Association, the Food and Drug Administration agreed in September of 1953 that it would be appropriate to label compressed oxygen for drug use with the following statement: "For emergency use only by trained personnel for oxygen deficiency and resuscitation. Do not use high concentrations more than 5 hours without a 1-hour interruption. For other medical uses only as directed by a physician. Use only with pressure reducing equipment and apparatus designed for oxygen."

There has been an increase in the utilization of oxygen in medical applications as a life support medium in emergency escape systems, and, in recent years, small over-the-counter devices containing oxygen have appeared on the market. Many of these over-the-counter devices are not suitable for any medical or emergency use. These developments have prompted the Commissioner of Food and Drugs to clarify the requirements for the labeling of devices intended to deliver oxygen for drug use.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502 (a), (f), (j), 701(a), 52 Stat. 1050, 1051, 1055; 21 U.S.C. 352 (a), (f), (j), 371(a)) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend Part 3 by adding a new section, as follows:

§ 3. Notice to manufacturers, packers, and distributors of oxygen intended for drug use and to manufacturers of medical and emergency oxygen administration devices.

(a) **Definitions.** The following definitions shall apply to this section:

(1) "Oxygen for medical and emergency oxygen deficiency applications" means oxygen meeting The U.S. Pharmacopeia (U.S.P.) specifications and intended for administration by medically trained personnel and includes oxygen which is administered under the direction of a medical practitioner at elevated pressures (e.g. in a hyperbaric chamber or similar device used in the therapeutic treatment of man or animal). It also means oxygen meeting the U.S.P. specifications which, in the absence of qualified medical personnel, may be administered by properly instructed personnel for emergency resuscitation or for protection against oxygen-deficient atmosphere.

(2) "Oxygen for environmental use" means oxygen meeting the U.S.P. specifications and used to support life artificially in environments which are normally deficient. This definition includes, but is not limited to, space and space simulation capsules, deep submersibles, etc. It specifically excludes oxygen used in chambers or devices for the medical therapeutic treatment of man or animal.

(3) "Oxygen for industrial use" means oxygen not intended for breathing.

(4) "Oxygen for aircraft use" means oxygen in fixed or portable oxygen containers or systems intended for commercial or private aircraft use, meeting the U.S.P. specifications, and having the special moisture and/or other limiting characteristics required for aviators breathing oxygen.

(5) "Bulk oxygen container" means any oxygen container or group of containers interconnected as a single unit having the capacity to contain a volume of gaseous or liquified oxygen U.S.P. in excess of 410 standard cubic feet at 70° F. and 1 atmosphere.

(6) "Portable oxygen container" means any oxygen container having the capacity to contain a maximum volume of oxygen U.S.P. not exceeding 410 cubic feet.

(7) "Emergency oxygen administration unit" consists of a portable oxygen container, as defined in subparagraph (6) of this paragraph, containing oxygen U.S.P.; a dispensing device which consists of pressure reducing equipment capable of maintaining a constant flow of at least 6 liters of oxygen per minute for a minimum of 15 minutes; content indicator; and a mask or other means of administering the oxygen to the patient.

(b) **Labeling.** (1) Unless exempted under paragraph (c) of this section, all containers of oxygen intended for medical and emergency oxygen deficiency applications must bear the following label statements:

(i) Containers shall indicate that the contents consist of "Oxygen U.S.P." and

shall state the available volume of oxygen U.S.P. in liters at 70° F. (or 21.1° C.) and 1 atmosphere.

(ii) The indications for use statement shall be "For oxygen deficiency or emergency resuscitation when used by personnel properly instructed in oxygen administration. For other medical applications only as directed by a physician." (For other medical applications, the Food and Drug Administration would not object to the label statement "For Professional Use Only" if the product so labeled is distributed solely to physicians or other practitioners licensed under State law to administer oxygen for such medical application.)

(iii) The warning statement shall be

WARNING

Uninterrupted use of high concentrations of oxygen for more than 5 hours may be harmful.

Do not attempt to use on patients who have stopped breathing, unless used in conjunction with resuscitative equipment.

Keep Out of Reach of Children.

Contents under high pressure and can vigorously accelerate combustion. Keep free from oil and grease. Do not use or store near heat or open flame and use only with equipment conditioned for oxygen service.

(iv) The name and place of business of the manufacturer, packer, or distributor must be stated.

(v) If the container is disposable, the label must also bear the statement "Disposable Container. Federal Law Prohibits Refilling. Do Not Puncture or Discard Container into Fire or Incinerator."

(vi) Pursuant to section 510 of the Federal Food, Drug, and Cosmetic Act, if the container is nondisposable and may be refilled, the label must also bear the statement "Federal Law Requires that this Container be Refilled with Oxygen U.S.P. Only by Establishments Registered as a Drug Producer in Accordance with the Federal Food, Drug, and Cosmetic Act."

(2) Oxygen containers intended for use with an oxygen dispensing device shall contain adequate directions for application of masks, bags, or other devices intended for use as accessories with the container and shall have the following statement affixed to the container: "For medical use only with _____
Warning: The amount of oxygen contained may be insufficient for effective medical use unless used with the device indicated and for the purpose indicated in the device labeling." The blank is to be filled in with a description of the type of device intended for use as an accessory.

(c) **Exemptions from labeling.** The following oxygen equipment containers and devices are exempted from the labeling and packaging requirements in paragraph (b) of this section provided they comply with other applicable provisions of the Federal Food, Drug, and Cosmetic Act:

(1) Self-contained breathing apparatus which are regulated by the U.S. Bureau of Mines under 30 CFR Part 11, provided the name and place of business of the manufacturer, packer, or distribu-

tor and a declaration of contents appear on the labeling.

(2) Portable and fixed oxygen containers and systems intended for use only in supplementing environmental oxygen aboard aircraft and which are specifically regulated by the Federal Aviation Administration, provided the name and place of business of the manufacturer, packer, or distributor and a declaration of contents appear on the labeling.

(3) Systems containing oxygen for environmental use as defined in paragraph (a) (2) of this section.

(4) Containers of oxygen for industrial use as defined in paragraph (a) (3) of this section and labeled to reflect this use.

(5) Bulk oxygen containers as defined in paragraph (a) (5) of this section.

(d) **Regulatory proceedings.** Emergency oxygen administration units or other over-the-counter devices containing oxygen may be made the subject of regulatory proceedings if:

(1) They fail to bear the required labeling appropriate for their intended uses as set forth above.

(2) They are labeled, represented, advertised, or promoted to the general public for any condition other than those specified in paragraph (b) (1) (ii) of this section.

(3) They do not incorporate a means of indicating in liters the volume of contents remaining in the container.

(4) They are incapable of supplying an oxygen flow rate of at least 6 liters of oxygen U.S.P. per minute for at least 15 minutes.

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: February 29, 1972.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc.72-3889 Filed 3-15-72; 8:45 am]

Public Health Service

[42 CFR Part 59]

FAMILY PLANNING SERVICES

Proposed Grants for Low Income Families

On September 15, 1971, regulations relating to grants for family planning services under section 1001 of the Public Health Service Act (42 U.S.C. 300) were adopted as Subpart A of Part 59. While, for good cause found, notice of proposed rule making, public rule making procedures, and delay in effective date were omitted, the preamble to the regulations invited comments from interested persons.

A number of comments were received and due consideration has been given to all material presented. In light of the comments and subsequent review, a number of revisions are now being proposed in the regulations as adopted.

Inquiries may be addressed, and data, views, and arguments concerning the proposed revisions may be presented in writing, in triplicate, to Director, National Center for Family Planning Services, Health Services and Mental Health Administration, 5600 Fishers Lane, Rockville, MD 20852. All comments received in response to this publication will be available for public inspection in the Office of the Grants and Contracts Officer, National Center for Family Planning, Room 12A-54, Parklawn Building, 5600 Fishers Lane, Rockville, MD, weekdays between 9 a.m. and 5 p.m. All relevant material received not later than 30 days after publication of these regulations in the FEDERAL REGISTER will be considered.

Part 59 would be amended in the manner set forth below.

Dated: March 7, 1972.

EDGAR N. DUNCAN,
Acting Administrator, Health
Services and Mental Health
Administration.

Approved: March 9, 1972.

ELLIOT L. RICHARDSON,
Secretary.

1. Section 59.2(e) would be amended to read as follows:

§ 59.2 Definitions.

(e) "Low income family" means a social unit composed of one or more individuals living together as a household and whose total annual income is not in excess of—

- (i) \$2,500 in the case of one such individual.
- (ii) \$3,400 in the case of two such individuals.
- (iii) \$4,200 in the case of three such individuals.
- (iv) \$5,000 in the case of four such individuals.
- (v) \$5,800 in the case of five such individuals.
- (vi) \$6,400 in the case of six such individuals.
- (vii) \$7,000 in the case of seven or more such individuals.

For the purpose of calculating the above referred to annual income, income includes—and shall be calculated as follows:

(1) Both earned and unearned income
(i) remuneration of services performed as an employee or net earnings from self-employment; (ii) unearned income means all other income including support and maintenance furnished in cash or otherwise, including family assistance benefits, State supplementary payments, payments received as annuity, pension, retirement, or disability benefit, including veteran's or workmen's compensation, old-age survivors and disability in-

surance, railroad retirement, unemployment benefits, support or alimony payments, rents, dividends, interest and royalties, regularly recurring payments which are intended to replace earned income, whether for a temporary or indefinite period of time, gifts, prizes, awards, inheritances, and the proceeds from any life insurance policy which exceeds the amount expended by family members for expenses of the insured individual's last illness or burial, not to exceed \$1,500.

(2) Exclusion from income: The following items shall be excluded from calculations in determining the income of a family:

(i) The earned income of each child in the family who is a student regularly attending a school, college, or university, or a course of vocational or technical training designed to prepare him for gainful employment;

(ii) (a) The total unearned income of all members of a family in a calendar quarter which is received too infrequently or irregularly to be included, up to a limit of \$60 per quarter, and

(b) The total earned income of all members of a family in a calendar quarter which is received too infrequently or irregularly to be included up to a limit of \$30 per quarter;

(iii) An amount of earned income of a member of the family equal to the cost incurred by a family member for child care deemed necessary to securing or continuing in manpower training, vocational rehabilitation, employment, or self-employment;

(iv) Food stamps or any other assistance which is based on need and provided in a form other than cash by a public or private agency.

(v) (a) Any incentive allowance from the Department of Labor to individual members of the family participating in manpower training (up to \$30 per month per individual).

(b) Any incentive allowance (not to exceed \$30 per month per individual) from the Department of Labor or the Department of Health, Education, and Welfare to individual members of the family who are unemployed and unable to work solely because of an illness or incapacity and who are receiving vocational rehabilitation services from the appropriate State agency administering or supervising the administration of the approved State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act;

(c) Allowances paid by a State or political subdivision to a member of a family participating in a Federal income maintenance program (not to exceed \$30 per month);

(vi) Any portion of any grant, scholarship, or fellowship received for use in paying the cost of tuition and fees at any educational (including technical or vocational education) institution;

(vii) Home produce raised by a member of the family for consumption by the household;

(viii) One-third of any payments received for the support of children who

are family members, or alimony paid to family members; and

(ix) Any amounts received for the foster care of a child who is not a member of the family but who is living in the same home as the family and was placed in such home by a public or nonprofit private child-placement or child-care agency.

Notwithstanding any other provision, the total amount which may be excluded under subdivisions (i), (ii), and (iii) of this subparagraph in determining the income of any family for any year shall not exceed the lesser of—

\$2,000 plus \$200 for each member of the family in excess of four, or
\$3,000 or a proportionately smaller amount for a shorter period.

2. In § 59.5, paragraph (a) (5) and (8) and paragraph (b) would be revised to read as follows:

§ 59.5 Project requirements.

(a) * * *

(5) No charge will be made for services provided to any person from a low income family except to the extent that payment will be made by a third party (including a Government agency) which is authorized or is under legal obligation to pay such charge. In such case, effort must be made to obtain such third party payments. Where the cost of services is to be reimbursed under Title XIX of the Social Security Act, a written agreement with the Title XIX agency is required. Reimbursement may be either to the project or in lieu thereof directly to the provider in accordance with the above referred to written agreement. If charges are to be made for services to persons other than those from low income families, such charges must be in accordance with a schedule submitted and approved as part of the project plan: *Provided, however*, That such charges must be made for services to such persons to the extent that payment will be made by a third party which is authorized or is under legal obligation to pay such charges, and effort must be made to obtain such third party payments.

(8) Acceptance by any individual of services provided by the project will be solely on a voluntary basis and such individuals will not be subjected to any coercion to receive services or to employ or not employ any particular method of family planning and acceptance of such services will not be a prerequisite to eligibility for, or receipt of, any other service, or assistance from, or to participation in, any other program of the applicant; and

(b) Provision of any opportunity for participation by persons broadly representative of all significant elements of the population to be served and by others in the community knowledgeable about such needs, in the development, implementation, and evaluation of the project.

[FR Doc. 72-3972 Filed 3-15-72; 8:51 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 71-SO-181]

FEDERAL AIRWAY SEGMENT

Proposed Revocation

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would revoke VOR Federal airway No. 3 east alternate segments between Daytona Beach, Fla., and Jacksonville, Fla., and from Jacksonville, Fla., to Savannah, Ga.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

As parts of this proposal relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 of and Annex 11 to the Convention on International Civil Aviation, which pertain to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the In-

ternational Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

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

The FAA proposes to revoke V-3 east alternate segments from Daytona Beach, Fla., to Jacksonville, Fla., and from Jacksonville, Fla., to Savannah, Ga. The latest peak day airway traffic survey showed one aircraft movement on the Daytona Beach to Jacksonville segment and no aircraft movements on the segment between Jacksonville and Savannah. In addition, it has been determined that those airway segments are no longer required for air traffic control purposes. Accordingly, it appears that the retention of these airway segments as a continuous designation of airspace is no longer justified.

This amendment is proposed under the authority of section 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510), Executive Order 10854 (24 F.R. 9565) and section 6 (c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on March 9, 1972.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 72-3962 Filed 3-15-72; 8:48 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 69-7; Notice 17]

OCCUPANT CRASH PROTECTION

Head Injury Criterion

The purpose of this notice is to propose an amendment to the head injury criterion in S6.2 of Motor Vehicle Safety Standard No. 208, Occupant Crash Protection, 49 CFR 571.208.

The proposed criterion differs from its predecessors in that it is based on average acceleration. Expressed verbally, the criterion is that the resultant acceleration at the center of gravity of the head during the crash shall be such that when the average acceleration (expressed in g's) during any time interval is raised to the 2.5 power and multiplied by the length of the interval in seconds, the product shall not exceed 1,000. In mathe-

matical terms: The resultant acceleration at the center of gravity of the head shall be such that the expression:

$$\left[\frac{1}{t_2 - t_1} \int_{t_1}^{t_2} a \, dt \right]^{2.5} (t_2 - t_1)$$

where a is the resultant acceleration expressed as a multiple of g (the acceleration of gravity), and t_1 and t_2 are any two points in time during the crash, shall not exceed 1,000.

The intent of the standard's head injury criterion is to set limits on the acceleration exposure of the head that reflect the available biomechanical data in terms that can be satisfactorily measured by a test dummy. The rule published November 3, 1970 (35 F.R. 16927), specified an acceleration level of 70g, that could not be exceeded for a cumulative duration of more than 3 milliseconds, and a maximum peak acceleration of 90g. In the issuance of March 10, 1971 (notice 9, 36 F.R. 4600), the criterion for head injury was changed to the SAE Severity Index system originally developed by C. W. Gadd. The Severity Index is computed by taking the head acceleration at each instantaneous point during the crash event, raising it to the 2.5 power and integrating over the entire time interval. The acceptable index level established in the standard was 1,000, on the basis of data from head impact tolerance studies at Wayne State University and whole-body acceleration tolerance data from A. M. Eiband.

The Severity Index format had several advantages over the earlier criteria. It derived more closely from human data, it took into account the effects of acceleration outside the intervals of peak acceleration, and it had obtained a degree of acceptance in the biomechanical research community and in the automotive industry, as evidenced by its appearance in the SAE Handbook as Recommended Practice J885a.

There are indications, however, that the Severity Index has some shortcomings as a predictor of head injury. The Severity Index is an additive measure, that is, it treats the acceleration exponentially, multiplies by the time duration ($a^2 \cdot t$) and adds the resulting products to arrive at the index number. The Severity Index is calculated on the basis of the entire event, including the initial deceleration as the occupant is stopped and the subsequent acceleration as he rebounds against the seat back. This impact-rebound sequence is characteristic of the performance of most restraint systems.

Recent data suggest that head acceleration exposure is not always additive relative to head injury. For example, in human volunteer tests conducted by the NHTSA at Holloman Air Force Base, the volunteers were not injured in air bag tests at speeds up to 30 m.p.h., but the Severity Indices calculated from the test data exceeded 1,000 in several cases, where it was the addition of the rebound phase that produced the excessive Severity Index. The addition of the two phases does not, therefore, appear to be appropriate.

In considering a substitute for the whole-event Severity Index, the NHTSA has utilized, *inter alia*, the original data from which the Severity Index was derived. The Wayne State study, a direct source of head injury (skull fracture) data, was based on "effective acceleration," i.e., average acceleration. A similar procedure was followed in the Eiband evaluation of whole-body acceleration tolerance data from human volunteer tests. The formulation of the Severity Index does not employ average acceleration. The new approach employs an average acceleration formulation similar to that used in the original presentation of injury tolerance data. It thus avoids the inappropriate accumulation of independent subinjury exposures which is inherent in the Severity Index.

Although the use of average acceleration avoids the additive effects of the Severity Index, there must be limits to the period over which the acceleration is to be averaged. Otherwise, the average can be lowered to unreasonable levels. The proposed amendment therefore establishes as the criterion the highest value achieved by raising the average acceleration over any interval to the 2.5 power and multiplying by the duration of the interval. By and large, this value will be achieved over the interval that includes the highest acceleration peak, which may fall in either the initial portion or the rebound portion of the crash. Isolated peaks generally would not combine to produce a maximum, due to the averaging effect of the lesser accelerations in between. However, successive accelerations with sharp peaks close together could produce a high value. Each of those results seems appropriate from what is known of the mechanics of head injury. Although the proposed computation would be difficult if performed by traditional analytical methods, it is routine when performed by electronic computer, as is commonly available to those who currently conduct this type of testing.

It is therefore proposed that S6.2 in Motor Vehicle Safety Standard No. 208 (49 CFR 571.208) be amended to read as follows:

S6.2 The resultant acceleration at the center of gravity of the head shall be such that the expression

$$\left[\frac{1}{t_2 - t_1} \int_{t_1}^{t_2} a \, dt \right]^{2.5} (t_2 - t_1)$$

where a is the resultant acceleration expressed as a multiple of g (the acceleration of gravity), and t_1 and t_2 are any two points in time during the crash, shall not exceed 1,000.

Interested persons are invited to submit comments on the proposed amendments. Comments should identify the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5221, 400 Seventh Street SW., Washington, DC 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on April 17, 1972, will be con-

sidered, and will be available for examination in the docket at the above address both before and after the closing date. To the extent possible, comments filed after the above date will also be considered by the Administration. However, the rule making action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The Administration will continue to file relevant material, as it becomes available, in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new materials.

Proposed effective date. Thirty days after publication of a final rule in the *FEDERAL REGISTER*.

This notice of proposed rule making is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1392, 1407, and the delegations of authority at 49 CFR 1.51 and 501.8.

Issued on March 13, 1972.

ROBERT L. CARTER,
Acting Associate Administrator,
Motor Vehicle Programs.

[FR Doc. 72-4045 Filed 3-14-72; 8:52 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19463; FCC 72-216]

TELEVISION BROADCAST STATIONS

Table of Assignments; McGill, Nev., and Richfield, Utah

In the matter of amendment of § 73.606, *Table of Assignments*, Television Broadcast Stations (McGill, Nev., and Richfield, Utah), Docket No. 19463, RM-1760.

1. On February 26, 1971, the Nevada Educational Communications Commission (NECC) filed a brief petition with this Commission requesting the reassignment of Channel 13 from Richfield, Utah to McGill or Ely-McGill, Nev., and the replacement of Channel 13 at Richfield, Utah, with Channel 8, to be reassigned from McGill, Nev. Channel 13 as assigned to McGill or Ely-McGill, it is proposed, is to be reserved for noncommercial educational use. No other revisions in our Television Table of Assignments were proposed by NECC. On February 16, 1971, a letter captioned "Petition for Rule Making" which deals with television service in the Ely-McGill area of Nevada was received from Mr. David I. Hansen. In light of the nature of the NECC petition and the contents of Mr. Hansen's "petition" we will treat Mr. Hansen's "petition" as a comment in this rule making proceeding.

2. White Pine County, Nev., has a population of 10,150 persons. It contains the two communities of Ely (population

4,176) and McGill (population 2,164).¹ Although television Channels 3 and 6 are assigned to Ely and 8 to McGill the only television services the communities receive are from translator operations licensed to the White Pine Television District No. 1, broadcasting on Channels 7 (KQ7DV, rebroadcasting the programming of KCPX-TV, Salt Lake City, Utah, an ABC affiliate), 9 (KQ9DW, rebroadcasting the programming of KUTV-TV, Salt Lake City, Utah, a NBC affiliate) and 11 (K11ED, rebroadcasting the programming of KSL-TV, Salt Lake City, Utah, a CBS affiliate). Richfield, Utah presently has assigned Channels 13 and *19. Channel 13 has no application pending for its use.

3. Although Channels 3 and 6 assigned to Ely and 8 assigned to McGill are not occupied by television stations, at the present time there are mutually exclusive applications for translator operations on each. The main purpose of the NECC petition is to provide for a wide coverage educational television service in the McGill area while not disturbing the present translator service to the area on Channels 7, 9, and 11, or possible future translator service on Channels 3, 6, and 8. Mr. Hansen's comment is primarily concerned with the provision of translator service to the Ely-McGill area. He would provide for petitioner's educational service by having a UHF channel assigned in the area.

4. The petitioner's proposal is intended to bring to Ely and McGill their first noncommercial educational television service on a VHF channel in a manner least likely to disturb present or proposed translator operations in those communities. NECC contemplates a state-wide network of educational television by use of Channel *10 in Las Vegas, Channel *5 at Reno, and Channel *13 at McGill, together with a series of translator stations to carry this service to small, remote communities throughout Nevada. The proposed McGill television station would begin as a "satellite" of the proposed Reno station, eventually to originate its own programs. The petitioner points out that Nevada is a sparsely populated State and that the proposed educational television network will go a long way toward providing educational opportunities which are not now available.

5. Although petitioner could have applied for an existing channel assignment (3, 6, or 8) for its proposed television station at McGill,² it chose to forego that

¹ Population statistics cited are from the 1970 U.S. Census.

² We are proposing the assignment of Channel *13 to McGill rather than the alternative to Ely-McGill because there is no apparent reason for hyphenating the assignment. Since no reason for hyphenating has been given we will follow our normal policy of avoiding establishing hyphenated assignments. Any station located at McGill will easily serve Ely in light of the topography and proximity of the two communities. They are separated by approximately 12 miles. The proposed transmitter site of petitioner is approximately 1 mile from McGill.

action in order to avoid disruption of existing translator service in the area. We believe that the proposal has merit because it would accomplish the purpose of bringing badly needed educational television to the area without adversely affecting existing commercial television service. In short, the proposal seems to represent the best way to provide the maximum amount of commercial television program service while providing a new noncommercial educational television service.

6. In view of the foregoing, we consider it in the public interest to explore the subject proposal of petitioner to reassign Channel 8 from McGill, Nev., to Richfield, Utah, and Channel 13 from Richfield, Utah to McGill, Nev., and to reserve Channel 13 at McGill as a noncommercial educational station. Therefore, we propose the following revision in our Television Table of Assignments (§ 73.606 of the Commission's Rules and Regulations) with respect to the cities listed below:

City	Channel No.	
	Present	Proposed
McGill, Nev.	8	*13
Richfield, Utah	13,*19	8,*19

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

8. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before April 21, 1972, and reply comments on or before May 2, 1972. All submissions by parties to this proceeding or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

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

10. All findings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its Headquarters in Washington, D.C. (1919 M Street, NW.).

Adopted: March 8, 1972.

Released: March 10, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,*

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-4013 Filed 3-15-72;8:54 am]

* Commissioner H. Rex Lee absent.

FEDERAL POWER COMMISSION

[18 CFR Part 141]

[Docket No. R-432]

MONTHLY REPORT OF COST AND QUALITY OF FUELS FOR STEAM- ELECTRIC PLANT

Notice of Proposed Alternatives in Rule Making

MARCH 9, 1972.

The purpose of this notice is to inform the public that the Commission is considering certain options in this rule-making proceeding and to afford interested parties the opportunity to comment thereon.

On November 26, 1971, notice was given (36 F.R. 23163) that, pursuant to 5 U.S.C. 553 and sections 202, 301, 304(a), 309, and 311 of the Federal Power Act (49 Stat. 848, 849, 854, 855, 856, 858, 859; 67 Stat. 461; 16 U.S.C. 824a, 825, 825c, 825h, 825j) the Commission proposed to amend Part 141—Statements and Reports (Schedules) in Subchapter D—Approved Forms, Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations, by adding a new § 141.61 prescribing collection of monthly fuel costs and quality determinants of fuel received at steam generating plants of electric utilities through proposed FPC Form No. 423.

The stated reasons for promulgation of the proposed Form No. 423 were: (a) To provide monthly information on the availability and cost of fossil fuels to electric utility companies for use in current analyses of the energy and fuel supply situation and the effects on the cost of electric power; (b) to provide timely data on a comparable basis for each type of fuel by quality determinants, thus facilitating the evaluation of developments in fuel supply which may affect the reliability of electric service, emergency preparedness, and the environmental improvement programs for the different air quality control regions in the United States; and (c) to assist the Commission generally in the proper administration of the Federal Power Act.

The notice invited written comment from interested parties by December 27, 1971. Comments were received from: five Members of Congress, all of whom approve the data collection but disapprove of the proposed confidentiality; 42 utilities and related organizations, of whom nine rejected the proposal as unnecessary, inadvisable and unworkable, five approved, seven would approve if certain modifications were made in the form, and 21 expressed no conclusive position; two industry associations, one of which objected to confidentiality while the other was inconclusive; the Sierra Club, Friends of the Earth, the Public Interest Research Group, the Office of Emergency Preparedness, the Environmental Protection Agency, the Public Service Commission for the State of New York, and Foster Associates, Inc.—a private consulting firm, all of which objected to the proposed confidentiality of the form.

On December 29, 1971, Staff Counsel issued a Notice of Staff Conference (36 F.R. 25432) to be held January 17, 1972. The purpose of the conference was to allow commenting parties to elaborate on the positions taken in their respective filings.

Represented at the conference were Senator Metcalf, Congressman Moorhead, Congressman Conte, the Environmental Protection Agency, the Office of Emergency Preparedness, the Office of Management and Budget, the Tennessee Valley Authority, the National Electric Reliability Council, the membership of the East Central Area Reliability Coordination Agreement, Edison Electric Institute, American Public Power Association, the National Coal Association, the Sierra Club, Friends of the Earth, the Public Interest Research Group, Foster Associates, Inc., and 18 utility companies.¹

All parties present had the right to speak to the record, to question those who spoke to the record, and to submit additional written material for inclusion into the record.

In addition to those mentioned above, comments were filed out of time by 12 others. We view those comments as having been filed under an application to file out of time and will accept them all for the purposes of this rule making.

Utility companies generally objected to the form on the grounds that: (1) The Commission has no need for the data; (2) the report duplicates information already provided on FPC Form Nos. 1, 4, and 67; (3) the report is burdensome; (4) the time allotted for reporting should be more than 35 days; and (5) submission of the form would be contrary to proprietary interests even if the information were collected on a confidential basis.

The group approving of the form generally did not discuss items (1) through (4), but took exception to the confidentiality requirement primarily upon the basis of an asserted right of the public to be informed.

Having considered the comments filed both in writing and orally at the Staff Conference of January 17, 1972, the Commission is considering alternative actions with respect to issuance of the

¹ Alabama Power Co., American Electric Power Service Corp., Carolina Power & Light Co., Consumers Power Co., The Detroit Edison Co., Duke Power Co., Florida Power Corp., Georgia Power Co., Gulf Power Co., Mississippi Power Co., The Montana Power Co., Pennsylvania Power & Light Co., Public Service Electric & Gas Co., Rochester Gas & Electric Corp., Southern California Edison Co., Southern Electric Generating Co., Utah Power & Light Co., and Wisconsin Electric Power Co.

final rule. Specifically, the two options being considered are:

(1) Issuance of the rule and form as originally noticed and set out as Attachment A hereto² except for revision in the instruction for reporting "purchase type" to distinguish between new or newly renegotiated contract purchases and other contract purchases and striking all requirements for confidentiality; and

(2) Issuance of the rule as originally noticed but striking all requirements for confidentiality and substitution of the form attached hereto as Attachment B³ for the form attached to the original notice.

The form as originally noticed called for reporting, on a plant-by-plant basis, the cost per million B.t.u. for each unit of fuel by fuel quality determinants received at each plant during the reporting month. The form in the second alternative differs from the form as originally noticed in several respects. The new form is divided into two parts. Part I is identical with the form as originally noticed except that: (a) Column 11 on the original form requiring the reporting separately for each plant of the cost per million B.t.u. for each separate unit of fuel received is deleted; (b) the instruction for reporting "purchase type" is revised to distinguish between new or newly renegotiated contract purchases, price escalations under existing contracts, and all other contract purchases; and (c) the instruction for reporting the "source" of each delivery is revised to eliminate any reference to name of mine and county for coal and to name of supplier for oil. Part II requires the reporting of cost per million B.t.u. for fuel deliveries in each Standard Metropolitan Statistical Area aggregated for each type of fuel and type of purchase (instead of separately for each plant) by sulphur content and other quality determinants. The second alternative also indicates that the time allotted for reporting will be 45 days instead of 35 days as originally proposed.

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than April 6, 1972, data, views, comments or suggestions in writing concerning all or part of the rule making options proposed herein. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. In addition, interested persons wishing to have their comments considered in the clearance of either of the proposed FPC Forms No. 423

pursuant to 44 U.S.C. 3501-3511 may, at the same time, submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Policy, Office of Management and Budget, Washington, D.C. 20503. Submittals to the Commission should indicate the name, title, mailing address and telephone number of the person to whom communications concerning the proposal should be addressed, and whether the person filing them requests a conference with the staff of the Federal Power Commission to discuss the proposed amendment. The staff, in its discretion, may grant or deny requests for conference.

The authority for this notice is the same as that cited in the notice of November 26, 1971, as set out above.

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 72-3964 Filed 3-15-72; 8:51 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 230, 240, 270, 275]

[Releases Nos. 33-5234, 34-9494, IC-6999,
1A-310]

EXEMPTION OF CERTAIN VARIABLE LIFE INSURANCE CONTRACTS AND THEIR ISSUERS FROM FEDERAL SE- CURITIES LAWS

Notice of Proposed Rule Making

Notice is hereby given that the American Life Convention and the Life Insurance Association of America (Petitioners), on behalf of themselves and 355 life insurance company members, have filed a Petition for Issuance and Amendment of Rules and Rule Making Proceeding Therefor (Petition), pursuant to the Administrative Procedure Act (5 U.S.C. section 553(e)) (Public Law 89-554, 80 Stat. 383) and Rule 4(a) of the Commission's rules of practice (17 CFR 201.4). The Petition requests exemption of certain variable life insurance contracts, related interests and participations therein, and the issuers thereof and their related persons from the Securities Act of 1933 (Securities Act) (15 U.S.C. 77a et seq.), the Securities Exchange Act of 1934 (Exchange Act) (15 U.S.C. 78a et seq.), the Investment Company Act of 1940 (Investment Company Act) (15 U.S.C. 80a-1 et seq.) and the Investment Advisers Act of 1940 (Advisers Act) (15 U.S.C. 80b-1 et seq.).

The Petition requests the Commission to exercise its statutory authority to issue and amend rules which would eliminate any question as to compliance with the Federal securities laws in connection with the issuance of certain variable life insurance contracts. All interested persons are referred to the Petition on file with the Commission for a description

of variable life insurance, sample contracts and a statement of the reasons advanced in support of the proposed rules and amendment which are set out below.

VARIABLE LIFE INSURANCE

Variable life insurance, as discussed in the Petition, refers to insurance contracts in which the death benefit and other benefits vary to reflect the investment experience of a separate account maintained by a life insurance company. The premiums for such contract may be either fixed or variable; Petitioners anticipate, however, that the more usual form of variable life insurance will provide for fixed premiums. The variable feature of the policy, Petitioners allege, will not relieve the insurance company of any of the mortality and expense risks it normally bears under a life insurance contract.

The Petition asserts that neither the Commission nor the courts have yet had occasion to determine the applicability of the Federal securities laws to a life insurance contract which provides a death benefit that varies with the investment experience of a separate account. As a result, Petitioners claim, life insurance companies have been reluctant to develop and introduce variable life insurance without satisfactory resolution as to the applicability of the Federal securities laws.

Accordingly, Petitioners propose the issuance and amendment of definitional and exemptive rules which would afford exemptions from the Federal securities laws for variable life insurance contracts possessing certain specified characteristics, related interests and participations therein, and the issuers and related persons thereof. The text of such rules is set forth below.

PROPOSED RULES

The proposed rules would exempt from the Federal securities laws variable life insurance contracts which possess the following specified characteristics which Petitioners contend are designed to assure that the basic predominant purpose and function of variable life insurance is to provide protection against death: (1) Provision for life insurance coverage for the whole of life and assumption by the insurance company of the mortality and expense risks thereunder, (2) provision for an initial stated amount of death benefit and guaranteed payment of a death benefit at least equal to such amount, (3) provision that the amount payable upon the death of the insured under the policy in any year will be no less than a specified minimum multiple of the gross premium payable in that year by a person who meets standard underwriting requirements, and (4) the contract is, in the entirety, a life insurance contract subject to regulation under the State insurance laws of any State in which the contract is offered, including all required approvals by the insurance commissioner of such State.

Petitioners submit that such rules may be issued and amended by the Commission pursuant to section 19(a) of the Securities Act (15 U.S.C. 77s(a)), sec-

² Attachments A and B filed as part of the original document.

³ This change has also been made in the original proposed form by altering paragraph (2) of the instructions to read the same as paragraph (3) of the instructions in the new form.

tions 3(a)(12) and 23(a) of the Exchange Act (15 U.S.C. 78c(a)(12), 78w(a)), sections 6(c) and 38(a) of the Investment Company Act (15 U.S.C. 80a-6(c), 80a-37(a)) and sections 202(a)(11) and 211(a) of the Advisers Act (15 U.S.C. 80b-2(a)(11), 80b-11(a)).

I. *Proposed Rule 157 under the Securities Act.* This rule would define the exemptive term "insurance policy" as used in section 3(a)(8) of the Securities Act (15 U.S.C. 78c(a)(8)) to include a variable life insurance contract as defined in proposed Rule 3c-4 under the Investment Company Act.

The text of the proposed rule is as follows:

Part 230 of Chapter II of Title 17 of the Code of Federal Regulations is proposed to be amended by adding a new § 230.157 reading as follows:

§ 230.157 Definition of "insurance policy" in section 3(a)(8) (of the Securities Act.)

The phrase "insurance policy," in section 3(a)(8) of the Act, shall include any variable life insurance policy as defined in § 270.3c-4 of this chapter under the Investment Company Act of 1940, and any interest or participation in a separate account, as referred to in said § 270.3c-4 of this chapter, issued in connection with such a policy.

The statutory authority for such rule and the standard under which it must be examined is found in section 19(a) of the Securities Act. This section confers upon the Commission rule making authority necessary to carry out the provisions of the Securities Act.

II. *Proposed Rule 3a12-4 under the Securities Exchange Act.* This rule would include a variable life insurance contract within the terms "exempted security" or "exempted securities" as defined in section 3(a)(12) of the Exchange Act and thus such contract would be exempt from the operation of those provisions of the Exchange Act which, by their terms, do not apply to such "exempted securities."

The text of the proposed rule is as follows:

§ 240.3a12-4 Exemption of variable life insurance policies and of interests or participations thereunder.

Any variable life insurance policy, as defined in § 270.3c-4 of this chapter under the Investment Company Act of 1940, and any interest or participation in a separate account, as referred to in said § 270.3c-4 of this chapter issued in connection with such a policy, shall be exempt from the operations of such provisions of the Act as by their terms do not apply to an "exempted security" or to be "exempted securities."

III. *Proposed amendment to Rule 15c1-4 under the Securities Exchange Act.* Petitioners also propose that Rule 15c1-4 be amended so as to include variable life insurance contracts within that group of securities as to which a broker or dealer need not send to its customers written notification disclosing certain enumerated acts.

The text of the proposed amendment to Rule 15c1-4 is indicated below.

Section 240.15c1-4 is proposed to be amended by adding, in the parenthetical phrase, after the words "Series E, F, and G" a new clause. As so proposed to be amended § 240.15c1-4 would read as follows:

§ 240.15c1-4 Confirmation of transactions.

The term "manipulative, deceptive, or other fraudulent device or contrivance," as used in section 15(c)(1) of the Act, is hereby defined to include any act of any broker or dealer designed to effect with or for the account of a customer any transaction in, or to induce the purchase or sale by such customer of, any security (other than U.S. Tax Savings Notes, U.S. Defense Savings Stamps, or U.S. Defense Savings Bonds, Series E, F, and G, or any variable life insurance policy, as defined in § 270.3c-4 of this chapter under the Investment Company Act of 1940, and any interest or participation in a separate account, as referred to in said § 270.3c-4 of this chapter, issued in connection with such a policy) unless such broker or dealer, at or before the completion of each such transaction, gives or sends to such customer written notification disclosing (a) whether he is acting as a broker for such customer, as a dealer for his own account, as a broker for some other person, or as a broker for both such customer and some other persons; and (b) in any case in which he is acting as a broker for such customer or for both such customer and some other person, either the name of the person from whom the security was purchased or to whom it was sold for such customer and the date and time when such transaction took place or the fact that such information will be furnished upon the request of such customer, and the source and amount of any commission or other remuneration received or to be received by him in connection with the transaction.

Statutory authority for the foregoing rules under the Exchange Act, is contained in sections 23(a) and 3(a)(12). Section 23(a) provides that the Commission shall have power to make rules as may be necessary for the execution of the functions vested in it by the Exchange Act. Further, section 3(a)(12) provides that the Commission may, by rule and regulation, include other securities within the terms "exempted security" or "exempted securities" as it deems necessary or appropriate in the public interest or for the protection of investors, either unconditionally or upon specified terms and conditions or for stated periods.

IV. *Proposed Rule 3c-4 under the Investment Company Act.* This rule would define the exemptive term "insurance company" as used in section 3(c)(3) of the Investment Company Act (15 U.S.C. 80a-3(c)(3)) to include a separate account which would be employed as the funding medium for variable life insurance contracts. For this purpose, the rule would define a variable life insurance

contract to be any contract of insurance issued by an insurance company which, so long as premiums are paid when due, provides a death benefit which varies to reflect the investment experience of a separate account established and maintained by such insurance company and which possesses four provisions described above.

The text of the proposed rule is as follows:

Part 270 of Chapter II of Title 17 of the Code of Federal Regulations is proposed to be amended by adding a new § 270.3c-4 reading as follows:

§ 270.3c-4 Definition of "insurance company" for purposes of section 3(c)(3) of the Investment Company Act.

(a) The term "insurance company," in section 3(c)(3) of the Act, shall include a separate account established and maintained by an insurance company:

(1) The assets of which separate accounts are derived solely from the sale of variable life insurance policies, as herein defined, and advances made by the insurance company in connection with the operation of such separate account; and

(2) Which separate account is not used for variable annuity contracts or for the investment of funds corresponding to dividend accumulations or other policy liabilities not involving life contingencies.

(b) For the purpose of this section, a "variable life insurance policy" shall mean any policy of insurance issued by an insurance company which, so long as premiums are paid when due, provides a death benefit which varies to reflect the investment experience of a separate account established and maintained by such insurance company and:

(1) Provides for life insurance coverage for the whole of life, and the mortality and expense risks thereunder are assumed by such insurance company;

(2) Provides for an initial stated amount of death benefit and guarantees payment of a death benefit at least equal to such amount;

(3) Provides that the amount payable upon the death of the insured under such policy in any year will be no less than a minimum multiple of the gross premium payable in that year (exclusive of that portion allocable to any incidental insurance benefit) by a person who meets standard underwriting requirements, as shown in the following table:

Issue Ages	Multiples
0-5	80
6-10	71
11-15	63
16-20	55
21-25	47
26-30	40
31-35	33
36-40	27
41-45	21
46-50	15
51-55	13
56-60	11
61-65	9
66-70	8
71 and over	7; and

(4) In its entirety is a life insurance contract subject to regulation under the insurance laws of any State in which such policy is offered, including all required approvals by the insurance commissioner of such State.

Petitioners cite sections 38(a) and 6(c) of the Investment Company Act as authority for Commission rule making under the Investment Company Act. Thus, this proposed rule should be considered in light of the standards set forth in those sections. Section 38(a) provides the Commission with authority to make, issue, amend, and rescind rules necessary or appropriate to the exercise of the powers conferred upon the Commission elsewhere in the Investment Company Act, including rules and regulations defining accounting, technical, and trade terms used in the Investment Company Act.

Section 6(c) of the Investment Company Act provides, in pertinent part, that by rules and regulations the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions from any provision of the Investment Company Act or rule thereunder if and to the extent 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 Investment Company Act.

V. Proposed Rule 202-1 under the Investment Advisers Act of 1940. This rule would exclude from the term "investment adviser," and insurance company, or any affiliated company thereof to the extent that any advisory services performed are incidental to the conduct of the business of issuing any variable life insurance contract as defined in proposed Rule 3c-4 under the Investment Company Act or any interest or participation in a separate account issued in connection with such contract.

The text of the proposed rule is as follows:

Part 275 of Chapter II of Title 17 of the Code of Federal Regulations is proposed to be amended by adding a new § 275.202-1 reading as follows:

§ 275.202-1 Exclusion of issuers of variable life insurance policies and of interests or participations thereunder.

The term "investment adviser," in section 202(a)(11) of the Act, shall not include an insurance company, or any affiliated company thereof as defined in section 2(a)(2) of the Investment Company Act of 1940, to the extent that

performance of advisory services is incidental to the conduct of the business of issuing any variable life insurance policy, as defined in § 270.3c-4 of this chapter under the Investment Company Act of 1940, and of any interest or participation in a separate account, as referred to in said § 270.3c-4 of this chapter, issued in connection with such a policy.

The statutory authorization under which the proposed rule is to be considered is found in sections 211(a) and 202(a)(11) of the Advisers Act. Section 211(a) provides that the Commission shall have authority to make, issue, amend, and rescind such rules and regulations as are necessary or appropriate to the exercise of the functions and powers conferred upon the Commission elsewhere in the Advisers Act.

Section 202(a)(11) provides that the term "investment adviser" does not include such persons as the Commission may designate by rule if such persons are not within the intent of the section.

Petitioners urge that the issuance and amendment of such rules by the Commission would be appropriate under the Commission's rule making powers, as set forth in the above sections.

Petitioners state that they do not concede that the Federal securities laws are applicable to the policies, interests, and participations, issuers and persons and reserve all rights on these legal questions. However, they state that they have filed their petition to eliminate, in appropriate cases, any questions as to compliance and urge that such rules may be issued and amended by the Commission in the exercise of its administrative discretion in light of the statutory standards and without extended controversy on the legal questions.

It appears to the Commission that it is appropriate in the public interest that a rule making proceeding be held with respect to the petition:

Therefore, it is ordered, Pursuant to Rule 4(b) of the rules of practice (17 CFR 201.4(b)) of the Securities and Exchange Commission that a rule making proceeding with respect to the petition shall commence on April 10, 1972, at 11 a.m. at the offices of the Commission, 500 North Capitol Street NW., Washington, DC 20549, to be conducted before the Commission, any member or members thereof, or a person designated by it to administer oaths and affirmations and to perform other duties in connection with the proceeding as prescribed by law.

Interested persons may appear in person. Such persons should notify the Commission of their desire to appear on or before March 24, 1972. They should file at that time a brief description, in the

form of a written statement and summary, of the evidence they wish to present including the amount of time which it is anticipated that the presentation will take. However, presentation may be limited to written submissions whenever it is deemed that oral testimony would unduly prolong the proceeding.

The purpose of the proceeding will be to determine whether or not the rules proposed by petitioners be adopted, and in that connection, to receive testimony and relevant data concerning the proposed nature, operation and sale of variable life insurance contracts. Thereafter, the Commission (1) may determine whether or not variable life insurance contracts, related interests and participations therein, and the issuers thereof, and their related persons, are subject, in whole or in part, to the Federal securities laws and, if so, the extent to which such contracts, interests, and participations, issuers and persons, should be exempt, in whole or in part, or upon the imposition of appropriate conditions, from the Federal securities laws; or (2) in the alternative, without arriving at a conclusion as to whether such contracts, interests, and participations, issuers and persons, are subject to the Federal securities laws, may, in light of the statutory standards, issue and amend rules which would exempt, in whole or in part, or upon the imposition of appropriate conditions, from the Federal securities laws such contracts, interests, and participations, issuers and persons.

The Commission invites all interested persons to submit their views and comments by means of written submissions for inclusion in the proceeding. Written statements of views and comments in respect of the proposed rules should be submitted to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, on or before March 24, 1972. A copy of such views 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 the petitioners at 1701 K Street NW., Washington, DC 20006. All such communications will be made available for public inspection.

(Secs. 19(a), 48 Stat. 85, 15 U.S.C. 77s; 3(a)(12), 23(a), 48 Stat. 882, 901, 15 U.S.C. 78c(a)(12), 78w(a); 6(c), 38(a), 54 Stat. 800, 841, 15 U.S.C. 80a-6(c), 80a-37(a); 202(a)(11), 211(a), 54 Stat. 847, 855, 15 U.S.C. 80b-2(a)(11), 80b-11(a))

By the Commission.

[SEAL]

RONALD F. HUNT,
Secretary.

FEBRUARY 15, 1972.

[FR Doc.72-3925 Filed 3-15-72;8:47 am]

Notices

DEPARTMENT OF STATE

Agency for International Development

**MISSIONS HEALTH FOUNDATION,
INC.**

**Register of Voluntary Foreign Aid
Agencies**

In accordance with the regulations of the Agency for International Development concerning Registration of Agencies for Voluntary Foreign Aid (A.I.D. Regulation 3) 22 CFR Part 203, promulgated pursuant to section 621 of the Foreign Assistance Act of 1961, as amended, notice is hereby given that a certificate of registration as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the Agency for International Development to the following agency:

Missions Health Foundation, Inc., Post Office Box 89, Independence, MO 64051.

HARRIETT S. CROWLEY,
Acting Deputy Assistant Administrator, Bureau for Population and Humanitarian Assistance.

MARCH 3, 1972.

[FR Doc.72-4019 Filed 3-15-72; 8:52 am]

OPERATION BOOTSTRAP, TANZANIA, INC.

**Register of Voluntary Foreign
Aid Agencies**

In accordance with the regulations of the Agency for International Development concerning Registration of Agencies for Voluntary Foreign Aid (A.I.D. Regulation 3) 22 CFR Part 203, promulgated pursuant to section 621 of the Foreign Assistance Act of 1961, as amended, notice is hereby given that a certificate of registration as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the Agency for International Development to the following agency:

Operation Bootstrap, Tanzania, Inc., 1817 North 11th Street, Moorhead, MN 56560.

HARRIETT S. CROWLEY,
Acting Deputy Assistant Administrator, Bureau for Population and Humanitarian Assistance.

MARCH 3, 1972.

[FR Doc.72-4020 Filed 3-15-72; 8:52 am]

HOUSING GUARANTY PROGRAM FOR REPUBLIC OF ZAIRE

Information for Investors

The Agency for International Development (AID) has advised Le Caisse Na-

tional d'Epargne et de Credit Immobilier (the "Borrower"), an instrumentality of the Government of the Republic of Zaire (formerly the Democratic Republic of the Congo) that, upon execution by an eligible U.S. investor acceptable to A.I.D. of an agreement to loan the Borrower an amount not to exceed \$10 million, and subject to the satisfaction of certain further terms and conditions by the Borrower, A.I.D. will guarantee repayment to the investor of the principal and interest on such loan. The guarantee will be backed by the full faith and credit of the United States of America and will be issued pursuant to authority contained in section 221 of the Foreign Assistance Act of 1961, as amended (the "Act"). Proceeds of the loan will be used for housing projects in the Republic of Zaire.

Eligible investors interested in extending a guaranteed loan to the Borrower should communicate promptly with:

Commercial and Economic Counselor, Embassy of the Republic of Zaire, 1800 New Hampshire Avenue NW., Washington, DC 20009.

Investors eligible to receive a guaranty are those specified in section 238(c) of the Act. They are: (1) U.S. citizens; (2) domestic corporations, partnerships, or associations substantially beneficially owned by U.S. citizens; (3) foreign corporations whose share capital is at least 95 percent owned by U.S. citizens; and (4) foreign partnerships or associations wholly owned by U.S. citizens.

To be eligible for a guaranty, the loan must be repayable in full no later than the 25th anniversary of the final disbursement of the principal amount thereof and the interest rate may be no higher than the maximum rate to be established by A.I.D. A.I.D. will charge a guaranty fee equal to one-half of 1 percent per annum on the outstanding guaranteed principal amount of the loan.

Information as to eligibility of investors and other aspects of the A.I.D. housing guaranty program can be obtained from:

Director, or Deputy Director, Office of Housing, Agency for International Development, Room 501, SA-16, Washington, D.C. 20523.

This notice is not an offer by A.I.D. or by the Borrower. The Borrower and not A.I.D. will select a lender and negotiate the terms of the proposed loan.

STANLEY BARUCH,
*Director, Office of Housing,
Agency for International Development.*

MARCH 10, 1972.

[FR Doc.72-4021 Filed 3-15-72; 8:52 am]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Dept. Order 150-77]

**COMMISSIONER OF INTERNAL
REVENUE**

**Delegation of Authority Regarding
Implementation of Stabilization of
Prices, Rents, Wages, and Salaries**

In view of the changes made in the Economic Stabilization Act of 1970, as amended by the enactment of the Economic Stabilization Act Amendments of 1971, I have determined that it would be appropriate to clarify the authority of the Commissioner of Internal Revenue with respect to implementation of stabilization of prices, rents, wages, and salaries.

By virtue of the authority delegated to me as Secretary of the Treasury by Cost of Living Council Order No. 8 (37 F.R. 2727), Price Commission Order No. 2 (37 F.R. 3212) and Pay Board Order No. 4 (37 F.R. 3792), the authority is hereby redelegated to the Commissioner of Internal Revenue effective as of the dates stated in the orders. This authority includes, effective December 30, 1971, the authority to receive and process revised price schedules and statements submitted by institutional providers of health services and to investigate and approve allowable capital improvement rent increases in accordance with the standards set forth in Parts 300 and 301 of the Economic Stabilization Regulations.

The authority delegated herein shall be exercised in consultation with the Secretary, and where major policy issues are involved, with the approval of the Secretary.

Except as otherwise provided, this order shall be effective as of December 22, 1971.

Dated: March 9, 1972.

[SEAL] **JOHN B. CONNALLY,**
Secretary of the Treasury.

[FR Doc.72-3995 Filed 3-15-72; 8:51 am]

DEPARTMENT OF THE INTERIOR

**Bureau of Land Management
CALIFORNIA**

Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

MARCH 7, 1972.

Notice of a U.S. Department of Agriculture application, Sacramento 050595, for withdrawal and reservation of lands for protection of public recreation areas

was published as F.R. Doc. 62-11996, appearing on pages 12004, 12005, and 12006 of the issue for December 5, 1962.

MOUNT DIABLO MERIDIAN

TAHOE NATIONAL FOREST

Casa Loma

T. 15 N., R. 11 E.,
Sec. 6, lot 12 (SE $\frac{1}{4}$ NW $\frac{1}{4}$).

Milton Bridge

T. 19 N., R. 13 E.,
Sec. 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Poppy

T. 15 N., R. 14 E.,
Sec. 28, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Onion Creek

T. 16 N., R. 14 E.,
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Crow's Nest

T. 17 N., R. 14 E.,
Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$.

The above-described areas aggregate 360 acres.

Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands at 10 a.m. on April 17, 1972, will be relieved of the segregative effect of the above-mentioned application.

ELIZABETH H. MIDTBY,
Acting Chief, Branch of

Lands and Minerals Operations.

[FR Doc.72-3924 Filed 3-15-72;8:47 am]

Office of the Secretary

[Order 2508, Amdt. 95]

DIRECTOR, NATIONAL PARK SERVICE

Delegation of Authority

The Director, National Park Service was assigned the responsibility for granting archeological permits on Indian tribal lands and individually owned trust or restricted Indian lands subject to consent of Indian landowners and concurrence of the Bureau of Indian Affairs (310 DM 7—Departmental Manual Release 1311, dated July 8, 1971). This assignment of responsibility supersedes the delegation of similar responsibility to the Commissioner of Indian Affairs in section 13(k) of Order 2508.

Therefore, paragraph (k) of section 13 of Order 2508 is hereby revoked.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 7, 1972.

[FR Doc.72-3986 Filed 3-15-72;8:50 am]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

DAIRYLAND POWER COOPERATIVE

Draft Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Draft Environmental Statement in accordance with section 102(2)(C) of the National Environmental Policy Act

of 1969, in connection with a loan application from Dairyland Power Cooperative of La Crosse, Wis., is enclosed. This loan application includes financing for plant modifications to reduce air pollution at the cooperative's Alma and Cassville plants.

Additional information may be secured on request, submitted to Mr. James N. Myers, Assistant Administrator, Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are particularly invited from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Copies of the REA Draft Environmental Statement have been sent to various Federal, State and local agencies, as outlined in the Council on Environmental Quality Guidelines. The Draft Environmental Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue SW., Washington, DC, Room 4322, or at the borrower address indicated above.

Comments concerning the environmental impact of the construction proposed should be addressed to Mr. Myers at the address given above. Comments must be received within thirty (30) days of the date of publication of this notice to be considered in connection with the proposed action.

Final REA action with respect to this matter (including any release of funds) will be taken only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 13th day of March 1972.

DAVID A. HAMIL,
Administrator,
Rural Electrification Administration.

[FR Doc.72-4039 Filed 3-15-72;8:53 am]

DEPARTMENT OF COMMERCE

Office of Import Programs

**NORTHWESTERN UNIVERSITY
MEDICAL SCHOOL**

**Notice of Decision on Application for
Duty-Free Entry of Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the

Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No.: 71-00592-33-46040. Applicant: Northwestern University Medical School, 303 East Chicago Avenue, Chicago, IL 60611. Article: Electron microscope, Model HU-12, Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used in research concerning the structure and function of the nerve cell and its microenvironment within the central nervous system. In particular the research involves fine structure and cytochemistry of catecholamine uptake, storage and release mechanisms; analysis of extracellular transport mechanisms in the central nervous system; ultrastructural analysis of microtubular transport system of neurons and neuroglial cells. Medical students will also be trained in electron microscopy with the article.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3 Angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forgho Corp. The Model EMU-4C has a specified resolving capability of 5 Angstroms. (The lower the numerical rating in terms of Angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 30, 1971, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH B. BODNER,
Director,

Office of Import Programs.

[FR Doc.72-4042 Filed 3-15-72;8:53 am]

OHIO STATE UNIVERSITY

**Notice of Decision on Application for
Duty-Free Entry of Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No.: 71-00504-33-46040. Applicant: The Ohio State University, Department of Medical Microbiology, 190 North Oval Drive, Columbus, OH 43210. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used for research concerning bacteriophage; virus associated phenomena; and for the examination of cellular and subcellular membranes by histochemical and immunological techniques. Educational use includes five courses in medical microbiology.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (November 21, 1969).

Reasons: The foreign article has a specified resolving capability of 3.5 Angstroms. The most closely comparable domestic instrument available at the time the article was ordered was the Model EMU-4B electron microscope which was formerly manufactured by the Radio Corporation of America and which is presently being supplied by the Forgro Corp. The Model EMU-4B had a specified resolving capability of 5 Angstroms. (The lower the numerical rating in terms of Angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 27, 1971, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4B was not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used at the time the article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which was being manufactured in the United States at the time the foreign article was ordered.

SETH M. BODNER,
Director,

Office of Import Programs.

[FR Doc.72-4043 Filed 3-15-72; 8:54 am]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and

the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00197-00-46040. Applicant: University of California, Los Angeles, 405 Hilgard Avenue, Los Angeles, CA 90024. Article: 70 mm Roll-Film cassette. Manufacturer: Siemens and Halske Aktiengesellschaft, West Germany.

Intended use of article: The article is an accessory for an existing electron microscope manufactured by the supplier of the article.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The application relates to an accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

SETH M. BODNER,
Director,

Office of Import Programs.

[FR Doc.72-4028 Filed 3-15-72; 8:52 am]

UNIVERSITY OF CINCINNATI COLLEGE OF MEDICINE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00558-33-11000. Applicant: University of Cincinnati College of Medicine, Eden and Bethesda Avenues, Cincinnati, OH 45219. Article: LKB 9000 combined gas—chromatograph—mass spectrometer. Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article will be used in the determination of the chemical structure of micrograms and nanogram quantities of drugs and drug metabolites isolated from biological materials; for a study of drug metabolism in

man; and for research to sequence synthetic peptides isolated from blood and urine.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (May 8, 1969).

Reasons: The foreign article is a single unit in which the functions of a gas chromatograph, molecular separator (or interface) and a mass spectrometer have been integrated. There are domestic manufacturers which are in a position to offer to supply some of these components to be combined with a component (or with components) produced by another domestic manufacturer. However, this is not considered to constitute a "reasonable combination of instruments" within the purview of § 701.11(a) of the regulations, unless (a) the domestic manufacturer offering to furnish the combination undertakes to functionally integrate the instruments as a single operating unit and (b) establish through appropriate test procedures the performance specifications of the chromatographic and spectrometric functions as a single unit. (See decisions on Docket No. 67-00108-33-11000, 33 F.R. 597, January 17, 1968; Docket No. 68-00516-01-11000, 33 F.R. 11097, August 3, 1968, and Docket No. 69-00446-01-11000, 34 F.R. 13336 and 13337, August 16, 1969.) We note that three instruments meeting these criteria were being manufactured in the United States at the time the foreign article was ordered—the Model 1015 manufactured by Finnigan Instrument Corp. (Finnigan); the GC/MS-66 system manufactured by Varian Associates (Varian); and the Model 270 GC-DF manufactured by Perkin Elmer Corporation (P-E). A comparison of the Finnigan Model 1015 with the foreign article showed that this domestic instrument had a specified sensitivity of 100 nanograms of cholesterol injected into the gas chromatograph column, whereas the foreign article had a specified sensitivity of 10 nanograms of cholesterol injection into the gas chromatograph column. This indicated that the foreign article could produce a meaningful spectrum with a sample of one-tenth of that required to produce a meaningful spectrum with the Finnigan Model 1015 and that the sensitivity of the foreign article exceeded that of this domestic instrument by a factor of 10. It is also noted that the foreign article could achieve this sensitivity with a corresponding resolution of 750 at a 10 percent valley definition, whereas the Finnigan Model 1015 had a maximum specified resolution that is equivalent to 500 at the 10 percent valley definition.

In regard to the Varian GC/MS-66 system, the specified sensitivity of the foreign article also exceeded the specified sensitivity of this domestic instrument by a factor of 10. The quoted specification for the sensitivity of the P-E Model 270 GC-DF was "less than 3×10^{-9} gram/

second of methyl stearate will produce a spectrum with a signal-to-noise ratio substantially greater than 1 at parent mass peak, for 1 second/decade scan rate." On the basis of these specifications, the sensitivity of the foreign article exceeded that of the P-E Model 270 GC-DF by a factor of 500. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated October 22, 1971, that the sensitivity of the foreign article is pertinent to the applicant's research studies.

For this reason, we find that none of the three domestic instruments cited above was of equivalent scientific value to the foreign article for such purposes as this article was intended to be used at the time the foreign article was ordered.

The Department of Commerce knows of no other combination of instruments being manufactured in the United States and being offered as a functionally integrated single instrument, which was of equivalent scientific value to the foreign article for the purposes for which this article is intended to be used at the time the article was ordered.

SETH M. BODNER,
Director,

Office of Import Programs.

[FR Doc.72-4044 Filed 3-15-72;8:54 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AQUITAINE CHEMICAL, INC.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 2B2761) has been filed by Aquitaine Chemical, Inc., 139 Harbortown Rd., Glen Rock, N.J. 07452, proposing the issuance of a food additive regulation (21 CFR Part 121) to provide for the safe use of nylon 6/11 resins, which are manufactured by the polycondensation of mixtures of *epsilon*-caprolactam and amino-undecanoic acid, in articles intended for food-contact use.

Dated: March 5, 1972.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.72-4003 Filed 3-15-72;8:51 am]

E. I. DU PONT DE NEMOURS & CO.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 2B2774) has been filed by E. I. du Pont de Nemours & Co., 1007 Market Street, Wil-

ilmington, DE 19898 proposing the issuance of a food additive regulation to provide for the safe use of dichlorotetrafluorethane (also designated food propellant 114) as a propelling agent for foods from pressure-dispensed separation packages.

Dated: March 3, 1972.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.72-4004 Filed 3-15-72;8:51 am]

E. I. DU PONT DE NEMOURS AND CO.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 2B2776) has been filed by E. I. du Pont de Nemours and Co., 1007 Market St., Wilmington, DE 19808, proposing that § 121.2520 *Adhesives* (21 CFR 121.2520) be amended to provide for the safe use of fumaric acid-chromic nitrate complexes as adhesives for joining polymeric films to inorganic substrates such as metal or glass.

Dated: March 6, 1972.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.72-4005 Filed 3-15-72;8:52 am]

[Docket No. FDC-D-450; NDA Nos. 16-048, 16-753]

ELI LILLY AND CO.

C-Quens Tablets and Estalor-21 Tablets; Notice of Withdrawal of Approval of New-Drug Applications

Eli Lilly and Co., Indianapolis, Ind. 46206, holder of the following new-drug applications for products not being marketed, has waived opportunity for hearing and agreed to the withdrawal of approval of the new-drug applications.

1. NDA No. 16-048 for C-Quens Tablets which provide a dosage regimen consisting of two different tablets, one containing 80 mcg. mestranol per tablet and the other containing 80 mcg. mestranol in combination with 2 mg. chlormadinone acetate. The applicant discontinued the marketing of this product.

2. NDA No. 16-753 for Estalor-21 Tablets which provide a dosage regimen consisting of two different tablets, one containing 100 mcg. mestranol in one tablet and the other containing 100 mcg. mestranol in combination with 1.5 mg. chlormadinone acetate. The applicant has never marketed this product.

The Commissioner of Food and Drugs, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505 (e), 52 Stat. 1053 as amended; 21 U.S.C. 355(e)) and under authority delegated to him (21 CFR 2.120) finds that studies in dogs have shown an increased incidence of mammary tumors resulting from the chlormadinone acetate component; that while these findings were not di-

rectly applicable to the human and there was no evidence of increase in the frequency of mammary tumors in women using the drug, the findings raised a safety question and Eli Lilly and Co., discontinued the manufacture of the drug in October 1970.

Therefore, pursuant to the foregoing findings, approval of the above new-drug applications, and all amendments and supplements thereto, is withdrawn effective on the date of publication of this document (3-16-72).

Dated: March 8, 1972.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[FR Doc.72-3955 Filed 3-15-72;8:52 am]

ETHYL CORP.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 2L2771) has been filed by Ethyl Corp., 1700 Peridido Street, New Orleans, La. 70012, proposing: (1) that § 121.1238 *Synthetic fatty alcohols* (21 CFR 121.1238), which specifies the conditions under which synthetic fatty alcohols may be safely used in food and in the synthesis of food components, be amended by deleting the necessity for utilizing the specified hydrocarbon solvent in the manufacture of these alcohols; and (2) that § 121.2616 *Synthetic fatty alcohols* (21 CFR 121.2616), which specifies the conditions under which synthetic fatty alcohols may be safely used as components of articles intended for use in contact with food and in synthesizing food additives and other substances permitted for use as components of articles intended for use in contact with food, be amended by deleting the necessity for utilizing the specified hydrocarbon solvent in the manufacture of these alcohols and by deleting the diol content limitation on these alcohols.

Dated: March 6, 1972.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.72-4006 Filed 3-15-72;8:52 am]

[Docket No. FDC-D-451; NDA No. 14-412]

UPJOHN CO.

Provest Tablets; Notice of Withdrawal of Approval of New-Drug Application

The Upjohn Co., 7171 Portage Road, Kalamazoo, Mich. 49001, holder of new-drug application No. 14-412 for Provest Tablets containing 10 mg. medroxyprogesterone acetate and 0.05 mg. ethinyl estradiol, has discontinued marketing of the product, waiving opportunity for hearing, and agreed to withdrawal of approval of the new-drug application.

The Commissioner of Food and Drugs, pursuant to provisions of the Federal

Food, Drug, and Cosmetic Act (sec. 505 (e), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)) and under authority delegated to him (21 CFR 2.120), finds that studies in dogs have shown an increased incidence of mammary tumors resulting from the medroxyprogesterone acetate component; that while these findings were not directly applicable to the human and there was no evidence of increase in the frequency of mammary tumors in women using the drug, the findings raised a safety question and The Upjohn Co. discontinued the manufacture of the drug in October 1970.

Therefore, pursuant to the foregoing finding, approval of new-drug application No. 14-412, including all amendments and supplements thereto, is hereby withdrawn effective on the date of publication of this document (3-16-72).

Dated: March 8, 1972.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[FR Doc.72-3956 Filed 3-15-72; 8:52 am]

Office of Education

CONSTRUCTION OF ACADEMIC FACILITIES AND IMPROVEMENT OF UNDERGRADUATE INSTRUCTION

Promulgation of Allotment Ratios

Pursuant to both section 103 of the Higher Education Facilities Act of 1963, Public Law 88-204, 77 Stat. 363, which provides for grants for construction of academic facilities for public community colleges and technical institutes, and section 602 of the Higher Education Act of 1965, Public Law 89-329, 77 Stat. 1219, which provides for financial assistance for the improvement of undergraduate instruction, and on the basis of the average of the incomes per person of the States and of all the States for the three most recent consecutive calendar years for which satisfactory data are available from the Department of Commerce, the following allotment ratios for the States are hereby promulgated, effective with respect to the allotment of such funds as may be appropriated for the fiscal year ending June 30, 1973.

Alabama	0.6412	Maryland	.4614
Alaska	.4227	Massachu-	
Arizona	.5517	setts	.4489
Arkansas	.6447	Michigan	.4683
California	.4300	Minnesota	.5151
Colorado	.5222	Mississippi	.6667
Connecticut	.3775	Missouri	.5267
Delaware	.4430	Montana	.5739
Florida	.5431	Nebraska	.5240
Georgia	.5777	Nevada	.4261
Hawaii	.4401	New Hamp-	
Idaho	.5944	shire	.5358
Illinois	.4232	New Jersey	.4169
Indiana	.5084	New Mex-	
Iowa	.5260	ico	.6074
Kansas	.5098	New York	.3931
Kentucky	.6111	North Caro-	
Louisiana	.6092	lina	.5961
Maine	.5899	North Da-	
		kota	.6081

Ohio	.4889	Virginia	.5454
Oklahoma	.5807	Washington	.4744
Oregon	.5221	West	
Pennsyl-		Virginia	.6268
vania	.5022	Wisconsin	.5273
Rhode		Wyoming	.5504
Island	.4948	District of	
South		Columbia	.3333
Carolina	.6309	American	
South		Samoa	.6667
Dakota	.5940	Guam	.6667
Tennessee	.6111	Puerto Rico	.6667
Texas	.5523	Virgin	
Utah	.5936	Islands	.6667
Vermont	.5583		

Approved: March 8, 1972.

SIDNEY P. MARLAND, Jr.,
Commissioner of Education.

[FR Doc.72-3983 Filed 3-15-72; 8:51 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration FLIGHT STANDARDS DISTRICT OFFICE, STATE OF NEVADA

Notice of Boundary Changes

Notice is hereby given that on March 10, 1972, the Flight Standards District Office boundaries were realigned. The Las Vegas General Aviation District Office has been extended to include all of Nye County, Nev. Jurisdiction over Mineral County has been transferred from the Burbank Air Carrier District Office to the San Francisco Air Carrier District Office.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354)

ARVIN O. BASNIGHT,
Director, Western Region.

[FR Doc.72-3963 Filed 3-15-72; 8:48 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-247]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Order Setting Date for Further Conference and Evidentiary Hearing

In the matter of Consolidated Edison Company of New York, Inc. (Indian Point Station Unit No. 2), Docket No. 50-247.

The Atomic Safety and Licensing Board has inquired concerning the availability of the parties for a further conference and evidentiary hearing in this proceeding.

Take notice, and it is hereby ordered, in accordance with the Atomic Energy Act, as amended, and the rules of practice of the Commission, that a further conference and evidentiary hearing in this proceeding shall convene at 10 a.m. on Wednesday, April 5, 1972, in the all-purpose room of the Springvale Inn, 500 Albany Post Road, Croton-on-Hudson, NY.

Issued: March 9, 1972, Germantown, Md.

ATOMIC SAFETY AND LICENSING BOARD,
SAMUEL W. JENSCH,
Chairman.

[FR Doc.72-3973 Filed 3-15-72; 8:49 am]

[Docket No. 50-255]

CONSUMERS POWER CO.

Notice of Issuance of Amendment to Interim Provisional Operating License

Notice is hereby given that the Atomic Energy Commission (the Commission) has issued Amendment No. 2 to Provisional Operating License No. DPR-20 to Consumers Power Co. (the licensee) which permits operation, at steady state power levels not to exceed 1,320 megawatts thermal, of the Palisades Plant (the facility), a pressurized water nuclear reactor located at the licensee's site on the eastern shore of Lake Michigan in Covert Township, Van Buren County, Mich. The facility is designed for operation at approximately 2,200 megawatts thermal, but in accordance with the provisions of Interim Provisional Operating License No. DPR-20, as amended, activities under the license are restricted to operation at steady state power levels not to exceed 1,320 megawatts thermal (60 percent of the facility's rated power level of 2,200 MWt).

A notice of proposed issuance of a provisional operating license for the facility was issued by the Commission on March 10, 1970 (35 F.R. 4310). The notice provided that within 30 days from the date of publication, any person whose interest might be affected by the issuance of the license could file a petition for leave to intervene in accordance with the requirements of 10 CFR Part 2, "Rules of Practice." Petitions for leave to intervene and requests for hearing were filed by a number of persons. The notice of hearing issued by the Commission on May 18, 1970 (35 F.R. 7750), ordered a hearing held in the matter, permitted intervention by petitioners, and appointed a presiding atomic safety and licensing board (the Board).

On March 24, 1971, pursuant to an initial decision by the Board, on a motion by the licensee, the Commission issued Interim Provisional Operating License No. DPR-20 authorizing fuel loading and initial operation limited to 1 megawatt thermal.

On November 20, 1971, pursuant to an order by the Atomic Safety and Licensing Board, on motion of the licensee, the Commission issued Amendment No. 1 to Interim Provisional Operating License No. DPR-20 authorizing operation at power levels not to exceed 440 megawatts thermal, on conditions set forth therein.

In response to the licensee's request, in accordance with the provisions of paragraph D.2 of appendix D to 10 CFR Part 50, for an amendment to License No. DPR-20 authorizing interim opera-

tion at power levels not to exceed 1,320 megawatts thermal (60 percent of the facility's rated power), further evidence was presented to the Board by the applicant and by the Commission's staff concerning environmental impact of such operation.

On March 10, 1972, the Commission issued an order authorizing the Director of Regulation to make appropriate findings on the issues set forth in 10 CFR 50.57(a) and to issue an amendment to Interim Provisional Operating License No. DPR-20 permitting operation of the Palisades Plant at power levels not to exceed 1,320 Wt, subject to the limitations recommended by the regulatory staff.

The Commission's regulatory staff has inspected the facility and has determined that, for operation as authorized by the amendment, the facility has been constructed in accordance with the application, as amended, the provisions of Interim Provisional Construction Permit No. CPR-25, the Atomic Energy Act of 1954, as amended, and the Commission's regulations. The licensee has previously submitted proof of financial protection in satisfaction of the requirements of 10 CFR Part 140.

The Director of Regulation has made the findings set forth in the license, and has concluded that the application, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Chapter I, and that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public.

The license amendment is effective as of the date of issuance and shall expire on September 24, 1972, unless extended for good cause shown or upon the earlier issuance of a superseding operating license.

Copies of (1) the Commission's order dated March 10, 1972, (2) Amendment No. 2 to Interim Provisional Operating License No. DPR-20, Technical Specifications, and (3) "Discussion and Conclusions by the Division of Reactor Licensing, U.S. Atomic Energy Commission, pursuant to Appendix D of 10 CFR Part 50, Supporting the Issuance of a License to Consumers Power Co., Inc., Authorizing Limited Operation of the Palisades Nuclear Generating Plant, Docket No. 50-255, dated December 30, 1971 (corrected January 28, 1972)," are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, DC. Copies of the amended license, and item (3) above may be obtained upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 10th day of March 1972.

For the Atomic Energy Commission.

R. C. DEYOUNG,
Assistant Director for Pressurized Water Reactors, Division of Reactor Licensing.

[FR Doc. 72-4023 Filed 3-15-72; 8:52 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23976]

AERLINTE EIREANN TEORANTA

Notice of Hearing Regarding New York Deletion

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on March 27, 1972, at 10 a.m., e.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned examiner.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on February 24, 1972, and other documents which are in the docket of this proceeding on file in the docket section of the Civil Aeronautics Board.

Dated at Washington, D.C., March 13, 1972.

[SEAL]

GREER M. MURPHY,
Hearing Examiner.

[FR Doc. 72-4025 Filed 3-15-72; 8:55 am]

[Dockets Nos. 24048, etc.; Order 72-3-27]

BRANIFF AIRWAYS, INC., ET AL.

Order Instituting Investigation Regarding Corporate Reorganization

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of March 1972.

Application of Braniff Airways, Inc., and Braniff International Corporation, for an order under sections 401, 408, and 801 of the Federal Aviation Act of 1958, as amended, relating to a plan of corporate reorganization, Docket 24048; application of Airlift International, Inc., The Flying Tiger Line Inc., regarding corporate reorganizations, Dockets 21508, and 21223; Air Carrier Reorganization Investigation, Docket 24283.

On December 8, 1971, Braniff Airways filed an application requesting approval for a corporate reorganization in which the air carrier will become a new corporation (Braniff Airways, Inc., hereinafter styled "New Braniff") controlled by a holding company (Braniff International Corp.). The application also requests the transfer of Braniff's certificates of public convenience and necessity to the new company.

Applicants also request approval of the sale to Braniff International Corp. of the airline's interest in Braniff International Hotels, Inc., a Nevada corporation established as a wholly owned subsidiary of Braniff during 1971. At present, Braniff is in the process of transferring to this subsidiary substantially all of the airline's interests in hotel and tourism facilities which it has acquired since beginning a travel-related diversification program several years ago primarily to encourage, develop and operate hotels and tourist facilities in Latin America. The program was later expanded to include the management and operation of hotels in the United States.

Applicants also request that the Board disclaim jurisdiction over the interlocking relationship over the New Braniff and Braniff International Corp. that will exist following the corporate reorganization. The members of the board of directors of Braniff at the time the merger takes place will become directors of New Braniff and of the board of directors of Braniff International Corp. Similarly the officers of Braniff International Corp. will be chosen from among persons who are officers of the airline.

Finally, applicants seek such additional authorizations as are necessary for the implementation of a third element of the same plan, whereby a third wholly owned subsidiary of the holding company would be established for the purpose of developing a range of educational programs and vocational training courses responsive to an increasing public interest in, and need for, practical job training. The educational and training subsidiary (Braniff Education Systems, Inc.) will not provide education and training for Braniff's employees, which will continue to be performed by the airline for its own account.

We have decided to set the matter for hearing as part of an inquiry into the problems raised by air carrier reorgani-

zations and related diversification programs.

This is the fourth application within the past 3 years in which an air carrier's corporate reorganization, and consequent diversification, is before the Board. In the first instance, involving United Air Lines, the Board disclaimed jurisdiction under section 408 of the Act (as then written).¹

The similar reorganizations of Flying Tiger and Airlift came after Congress had amended section 408(a)(5), of the Federal Aviation Act by enacting Public Law 91-62. In dealing with the subsequent Flying Tiger² and Airlift³ reorganizations the Board concluded that such transactions, by virtue of the amended section 408, were within the Board's jurisdiction, and indeed were obliged to be scrutinized to insure that the air carrier was not subject to financial manipulation, and that the carrier's management and resources remain devoted to the provision of air transportation.

Although the Flying Tiger and Airlift transactions were approved, such actions were not taken without reservations by the Board, as reflected in the extensive conditions placed thereon and as subsequently specifically indicated in our discussion of transactions engaged in by the reorganization structure.⁴ These reservations are still felt, as indicated by our recent action in dealing with various requests of Flying Tiger⁵ and by our adoption of amendments to the Uniform System of Accounts and Reports concerning Transactions with Affiliated Groups.⁶

Braniff's application, coupled with the Board's experience with Flying Tiger's diversification activities, and with the information flowing from the various investigations of Penn-Central's many problems,⁷ gives rise to a host of questions regarding the import of the establishment of holding companies by air carriers. For instance, do air carrier created holding companies increase the likelihood of diversification by air carriers? If so, in respect to the air carrier industry and the traveling public, and in terms of the Board's ability to discharge effectively its regulatory responsibilities, is that desirable or undesirable? Does diversification via the holding company route have an impact different than diversification by air carriers through the medium of subsidiaries of the air carrier or divisions of a single air carrier corporation? What effect does the formation of a holding company by an air carrier have on the carrier's management structure and relationships with or

dependence upon financial institutions? To what extent does the formation of holding companies carry with it the potential for practices that conflict with the nation's antitrust policies, such as anticompetitive reciprocal dealings? And what terms, conditions, and limitations on the relationships between air carrier holding companies, air carriers, and other affiliated companies can and should the Board impose pursuant to its authority under, for instance, sections 401(g) and 408(b) of the Act?

Clearly the potential ramifications of the formation by air carriers of holding companies are broad enough to warrant thorough exploration. We think it just as clear that this exploration should be undertaken before this form of activity proceeds further. We have therefore determined to set the Braniff application for hearing as part of a broader investigation to focus not only on Braniff's plans and their implications, but also to consider what, if any, further terms and conditions should be placed upon the Board's approval of the reorganizations of Airlift⁸ and Flying Tiger, over which jurisdiction has been retained for such purpose. In addition, because it has adopted the same route, United Air Lines, Inc., and its parent UAL, Inc., will be made parties hereto for the purpose of determining the extent and nature of their activities under their plan of reorganization, the impact of such activities on the air carrier, the lessons to be learned from such activities insofar as Board regulation of holding company situations is concerned, and what, if any, terms, conditions, or limitations can and should be placed thereon.⁹

We intend that the investigation consider, inter alia, the following issues:

(a) Whether Braniff's application should be approved and if so subject to what conditions;

(b) What further terms, conditions, or limitations should be placed on the Board's approval of the Flying Tiger and Airlift reorganizations, and as to Airlift whether the Board's approval should be rescinded;

(c) What terms, conditions, or limitations, if any, is the Board authorized to impose in respect to the relationship between United Air Lines, Inc., on the one hand, and UAL, Inc., and any other affiliate, on the other, and what terms, conditions, or limitations which the Board is authorized to impose should be adopted;

(d) In addition to the Board's present powers as derived from its regulations and the Federal Aviation Act, inter alia, what further regulations and/or legislation would be necessary to deal effectively with air carrier diversification.

Accordingly, it is ordered, That:

1. An investigation be and it hereby is instituted pursuant to sections 102, 204,

¹ In the case of Airlift, whose reorganization has not been effected, a further issue will be whether the Board's approval should be rescinded.

² Since the outcome of the investigation may have industrywide effect, petitions of other air carriers for leave to intervene will be favorably entertained.

401, 408, 409, 411, and 415 of the Federal Aviation Act to be styled the "Air Carrier Reorganization Investigation," in Docket 24283, and set for hearing before a Board examiner at a time and place to be hereafter designated, to consider the above-discussed issues;

2. The application in Docket 24048 be and it hereby is consolidated with the above investigation;

3. The proceedings in Dockets 21223 and 21508 be and they hereby are reopened and consolidated with the above investigation;

4. UAL, Inc., and United Air Lines, Inc., be and they hereby are made parties to the investigation;

5. Participation in this proceeding by the Departments of Justice and Transportation is invited, to facilitate which each be and hereby is made a party to this proceeding; and

6. This order shall be served on Airlift, Braniff, Flying Tiger, United and the Departments of Justice and Transportation, and shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc. 72-4027 Filed 3-15-72; 8:55 am]

[Docket Nos. 24130 etc.]

TEXAS INTERNATIONAL AIRLINES, INC.

Notice of Postponement of Hearing Regarding Acquisition of Control by Jet Capital Corp.

Notice is hereby given that the hearing in the above-entitled proceeding has been postponed from March 16, 1972 (37 F.R. 4300, March 1, 1972), to March 23, 1972, at 1 p.m. (local time) in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, DC.

Dated at Washington, D.C., March 13, 1972.

[SEAL] HYMAN GOLDBERG,
Hearing Examiner.

[FR Doc. 72-4026 Filed 3-15-72; 8:55 am]

ENVIRONMENTAL PROTECTION AGENCY

AGWAY, INC.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 2F1226) has been filed by Agway, Inc., Syracuse, N.Y., 13201, proposing establishment of a tolerance (40 CFR 180) for residues of the desiccant and defoliant neodecanoic acid (a mixture of 10-carbon trialkyl acetic acids (calculated as C₁₀H₁₉COOH)) in or on the raw

¹ Order 69-4-67, Feb. 17, 1969.

² Orders 69-12-121, Dec. 29, 1969 and 70-6-119, May 5, 1970.

³ Orders 70-6-120, June 19, 1970 and 70-9-8, Sept. 2, 1970.

⁴ The Flying Tiger Corp. and Tiger Leasing Corp., Order 71-6-106, June 21, 1971, and The Flying Tiger Line, Order 71-7-6, July 1, 1971.

⁵ Order 72-2-6, Feb. 2, 1972.

⁶ Regulation ER-707, adopted Sept. 22, 1971.

⁷ The Board approved the formation of holding companies by Flying Tiger and Airlift shortly before the Penn-Central went into reorganization under section 77 of the Bankruptcy Act.

agricultural commodity dry bulb onions at 1 part per million.

The analytical method proposed in the petition for determining residues of the dessicant and defoliant incorporates the procedures of two methods.

1. Leigh E. St. John, Jr., and D. J. Lisk, "Journal of the Association of Official Analytical Chemists," vol. 52, pp. 876-877 (1969).

2. Anosh I. Mizany, "Journal of Chromatography," vol. 31, pp. 96-101 (1967).

Dated: March 10, 1972.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator
for Pesticides Programs.

[FR Doc.72-3997 Filed 3-15-72;8:52 am]

E. I. DU PONT DE NEMOURS & CO., INC.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 2F1240) has been filed by E. I. du Pont de Nemours & Co., Inc., Wilmington, DE 19898, proposing establishment of a tolerance (40 CFR Part 180) for residues of the fungicide benomyl (methyl 1-(butylcarbamoyl) - 2 - benzimidazolecarbamate) in or on the raw agricultural commodities almond hulls at 2 parts per million and nuts at 0.2 part per million (negligible residue).

The analytical method proposed in the petition for determining residues of the fungicide is that of H. L. Pease and R. F. Holt, "Journal of the Association of Official Analytical Chemists," vol. 54, pp. 1399-1402 (1971).

Dated: March 10, 1972.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator,
for Pesticides Programs.

[FR Doc.72-3998 Filed 3-15-72;8:52 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report 587]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

MARCH 13, 1972.

Pursuant to §§ 1.227(b) (3) and 21.30 (b) of the Commission's rules, an appli-

¹ All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations and other requirements.

² The above-alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

cation, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60-day period, only if the Commis-

sion has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 5829-C2-P-72—Southern Bell Telephone and Telegraph Co. (KIG286), replace transmitter operating on 152.63 MHz and change the antenna system located at 787 Cherry Street, Macon, GA.
- 5830-C2-AI-72—Rawlins & Kinkade, Inc. Consent to assignment of license from Rawlins & Kinkade, Inc., Assignor, to Radiofone Corp. of New Jersey, Assignee Station: KGA800 Wilmington, Del.
- 5831-C2-P-(8)72—Airsignal International, Inc. (KOA796), for additional transmitters to operate on 35.580 MHz at the following locations. Location No. 1: 4646 Southwest Council Crest Drive, Portland, Oreg., location No. 2: northwest corner of Washington Street and Sixth Avenue, Portland, Oreg., and location No. 3: Rocky Butte Circle Road, Portland, Oreg.
- 5855-C2-P-72—The Ohio Bell Telephone Co. (KQD314), change the antenna elevation at location No. 1: 106 West Rayen Avenue, Youngstown, Ohio, operating on frequency 35.50 MHz.
- 5937-C2-P-72—Parker Electronics (New), for a new two-way station to be located near U.S. Route No. 17 and Sampit River, Georgetown, S.C., to operate on 152.180 MHz.
- 5958-C2-P-72—Parker Electronics (New), for a new one-way station to be located at the above site to operate on 158.70 MHz.
- 5939-C2-P-72—Radio Telephone Service (KQZ753), change the antenna system and relocate facilities operating on 152.18 MHz to 0.5-mile northeast of Rays Branch, Ky.
- 5940-C2-P-72—E. H. Cannon (KRH671), for additional facilities to operate on 454.325 MHz located on Highway No. 140, 1 mile east of Pearsall, Tex.
- 5946-C2-P-72—Answering Service of Trenton, Inc. (KED352), replace transmitter operating on 35.58 MHz located at 143 East State Street, Trenton, NJ.
- 5954-C2-P-72—Professional Communications, Inc. (KGR780), for additional facilities to operate on 158.70 MHz at a new site described as location No. 2: WSEE(TV) Tower, 5 miles south of Erie, Pa.
- 5955-C2-P-72—Telephone Answering Bureau, Inc. (KLF487), change antenna system and replace transmitter operating on 152.15 MHz base, at station located at Mary Fletcher Hospital, Colchester Avenue, Burlington, Vt.
- 5956-C2-P-72—Lalle Hampton, doing business as Radio Call Co. (KPFJ902), for additional facilities to operate on base frequency 152.03 MHz at a new site described as location No. 2: 124 Dahlia Street, Kingsport, TN.
- 5957-C2-P-72—Lalle Hampton, doing business as Radio Call Co. (New), for a new one-way station. Frequency: 158.70 MHz, location: 124 Dahlia Street, Kingsport, TN.

Major Amendment

- 1334-C2-P-(5)-72—Indiana Bell Telephone Co. (KSD326), amended to read: Location No. 4, 2 miles south of Greenfield, Ind. All other particulars remain the same as reported on public notice dated September 20, 1971, Report No. 562.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIERS)

INFORMATIVE: Applicant, MCI St. Louis-Texas, Inc., is proposing 10 new point-to-point microwave sites for specialized common carrier service in the State of Kansas. These applications are in compliance with the new engineering standards set forth in the Commission's first report and order in Docket No. 18920, effective July 15, 1971, and Informative Guidelines published regarding frequency coordination report No. 562 FCC Common Carrier Services Information released September 20, 1971.

5818-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 1 mile north-northwest of Sycamore, Kans., at latitude 37°20'12" N., longitude 95°43'24" W. Frequency 5974.8V MHz on azimuth 132°4'. Frequency 5945.2V MHz on azimuth 3°52'. Frequency 6123.1H MHz on azimuth 294°34'.

5819-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 3 miles east of Benedict, Kans., at latitude 37°37'52" N., longitude 95°41'54" W. Frequency 6226.9V MHz on azimuth 183°53'. Frequency 6197.2H MHz on azimuth 338°7'.

- 5820-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 5.1 miles west of Yates Center, Kans., at latitude 37°54'00" N., longitude 95°50'05" W. Frequency 5974.8H MHz on azimuth 158°1'. Frequency 5945.2H MHz on azimuth 25°11'.
- 5821-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 2.3 miles southeast of Lebo, Kans., at latitude 38°23'55" N., longitude 95°49'45" W. Frequency 5974.8V MHz on azimuth 145°19'. Frequency 5945.2H MHz on azimuth 344°23'.
- 5822-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 6.6 miles northwest of Osage City, Kans., at latitude 38°42'00" N., longitude 95°56'12" W. Frequency 6226.9H MHz on azimuth 164°19'. Frequency 6197.2H MHz on azimuth 31°57'.
- 5823-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 2.7 miles southwest of Pauline, Kans., at latitude 38°57'02" N., longitude 95°44'11" W. Frequency 5974.8H MHz on azimuth 212°5'. Frequency 5945.2V MHz on azimuth 87°43'. Frequency 6152.8V MHz on azimuth 26°10'.
- 5824-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 4.7 miles north-northwest of Clinton, Kans., at latitude 38°57'37" N., longitude 95°24'38" W. Frequency 6226.9V MHz on azimuth 267°55'. Frequency 6197.2V MHz on azimuth 52°22'.
- 5825-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 4.1 miles northwest of Midland, Kans., at latitude 39°04'55" N., longitude 95°12'28" W. Frequency 5974.8V MHz on azimuth 232°30'. Frequency 5945.2H MHz on azimuth 76°33'.
- 5826-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 2.3 miles west of Busby, Kans., at latitude 37°28'06" N., longitude 96°05'10" W. Frequency 6404.8H MHz on azimuth 114°21'. Frequency 6375.2H MHz on azimuth 270°57'.
- 5827-C1-P-72—MCI St. Louis-Texas, Inc. (New), a new station 3.6 miles northwest of Edna, Kans., frequency 6226.9V MHz on azimuth 100°24'. Frequency 6197.2V MHz on azimuth 312°16'. Latitude 37°06'00" N., longitude 95°23'48" W.
- 5832-C1-ML-72—American Telephone & Telegraph Co. (KOB26), 1.5 miles east of Salt Lake City, Utah. Modification of license to change polarization on frequencies to 10.735V and 11.135V MHz toward Salt Lake City, Utah.
- 5833-C1-ML-72—American Telephone & Telegraph Co. (KRR69), 70 South State Street, Salt Lake City, UT. Modification of license to change polarization from H to V on frequency 11.625V MHz toward Salt Lake City Junction, Utah.
- 5835-C1-P-72—The Western Union Telegraph Co. (KEM26), 2.5 miles northeast of Pitts-grove, N.J. C.P. to add 6093.5H MHz and change polarization from V to H on frequencies 6034.2H and 6152.8H MHz toward Philadelphia, Pa., and add frequency 6123.1V MHz toward Elkton, Md.
- 5836-C1-P-72—The Western Union Telegraph Co. (KGN33), 4.5 miles northwest of Elkton, Md. C.P. to add frequencies 6286.2V MHz toward Pitts-grove, N.J., and 6375.2V MHz toward Aberdeen, Md.
- 5837-C1-P-72—The Western Union Telegraph Co. (KGN32), 2.5 miles west of Aberdeen, Md. C.P. to add frequencies 6034.2V MHz toward Elkton, Md., and 6123.1V MHz toward Balti-more, Md.
- 5838-C1-P-72—The Western Union Telegraph Co. (KGN30), 5 East Redwood Street, Balti-more, Md. C.P. to add frequencies 6286.2V MHz toward Aberdeen, Md., and 6375.2H MHz toward Severn, Md.
- 5839-C1-P-72—The Western Union Telegraph Co. (KGB33), 1 mile southeast of Severn, Md. C.P. to add 6034.2H MHz toward Baltimore, Md., and 6152.8V MHz toward Tenley, Wash-ington, D.C.
- 5840-C1-P-72—The Western Union Telegraph Co. (KGB34), 41st and Wisconsin Avenue, Washington, D.C. C.P. to add frequency 6256.5V MHz toward Severn, Md., on azimuth 59°37'.
- 5841-C1-P-72—American Telephone & Telegraph Co. (KGN99), Monrovia, 7.5 miles south-east of Frederick, Md. Latitude 39°20'55" N., longitude 77°16'51" W. C.P. to add frequen-cies 4190H, 5974.8V, 6004.5H, 6034.2V, 6093.5V, 6123.1H, 6152.8V MHz toward Lewis-town, Md.
- 5842-C1-P-72—American Telephone & Telegraph Co. (KGJ25), 5.5 miles southwest of Thur-mont, Md. C.P. to add frequencies 4198H, 6226.9H, 6256.5V, 6286.2H, 6345.5H, 6375.2V, 6404.8H MHz toward Monrovia, Md., and 6226.9H, 6256.5V, 6286.2H, 6345.5H, 6375.2V, 6404.8H MHz toward Finksburg, Md.
- 5843-C1-P-72—American Telephone & Telegraph Co. (New), 2 miles northwest of Finksburg, Md. Latitude 39°31'06" N., longitude 76°54'41" W. C.P. to add 5974.8H, 6004.5V, 6034.2H, 6093.5H, 6123.1V, 6152.8H MHz toward Lewis-town, Md., on azimuth 277°33'.

- 5844-C1-P-72—American Telephone & Telegraph Co. (KGH85), 60 West Avenue, Wayne, Pa. C.P. to add frequencies 6004.5V, 6093.5H MHz toward Lionville, Pa.
- 5845-C1-P-72—American Telephone & Telegraph Co. (KGV83), 2.5 miles east-southeast of Lionville, Pa. C.P. to add 6256.5H, 6345.5V, MHz toward Wayne, Pa.
- 5846-C1-P-72—Michigan Bell Telephone Co. (KQA32), On Millie Hill, Iron Mountain, Mich. C.P. to add 6189.8V MHz toward Amasa, Mich.
- 5847-C1-P-72—Michigan Bell Telephone Co. (New), 0.9-mile southeast of Amasa, Mich. Latitude 46°13'23" N., longitude 88°26'11" W. C.P. to add 5952.6H toward Herman, Mich., and 5997.1V MHz toward Iron Mountain, Mich.
- 5848-C1-P-72—Michigan Bell Telephone Co. (New), 0.8-mile west-southwest of Herman, Mich. Latitude 46°39'48" N., longitude 88°23'02" W. C.P. to add 6382.6H MHz toward Amasa, Mich., on azimuth 184°44', and 6249.1H MHz toward Dodgeville, Mich., on azimuth 343°52'.
- 5849-C1-P-72—Michigan Bell Telephone Co. (New), 0.9-mile northeast of Dodgeville, Mich. Latitude 47°06'05" N., longitude 88°34'10" W. C.P. to add frequencies 5937.8H MHz toward Herman, Mich., and 5952.6V, 6130.5V MHz toward Gratiot Lake, Mich., and 11.695V, 11.445V MHz toward Ripley, Hancock, Mich.
- 5850-C1-P-72—Michigan Bell Telephone Co. (New), 130 Royce Road, Hancock, MI. Latitude 47°07'39" N., longitude 88°34'03" W. C.P. to add frequencies 11,755V, 10,995V MHz toward Dodgeville, Mich., on azimuth 182°55'.
- 5851-C1-P-72—Michigan Bell Telephone Co. (KQE90), 5.8 miles south of Eagle Harbor, Mich. C.P. to add frequencies 6204.7V, 6382.6V MHz toward Dodgeville, Mich.
- 5856-C1-P-72—Carolina Telephone & Telegraph Co. (WAD68), 719 McGilvary Street, Fayetteville, NC. C.P. to add 3950H MHz toward Montrose, N.C.
- 5857-C1-P-72—Carolina Telephone & Telegraph Co. (WAD69), 0.9 mile southeast of Mont-rose, N.C. C.P. to add 3990H MHz toward Fayetteville, N.C., and 3990V MHz toward Hamlet, N.C.
- 5858-C1-P-72—Microrelay of New Mexico, Inc. (New), 6 miles east of Midwest City, Okla. Lat-i-tude 35°25'53" N., longitude 97°16'35" W. Frequencies 11,015H and 11,175H MHz on azimuth 81°50'.
- 5859-C1-P-72—Microrelay of New Mexico, Inc. (New), 0.6 mile north of Paden, Okla. Latitude 35°30'46" N., longitude 96°33'51" W. C.P. for a new station. Frequencies 11,425V, 11,585V MHz toward Henryetta, Okla.
- 5860-C1-P-72—Microrelay of New Mexico, Inc. (New), 2.8 miles northwest of Henryetta, Okla. Latitude 35°27'42" N., longitude 96°02'32" W. C.P. for a new station to add 10,735H, 10,895H MHz toward Muskogee, Okla., on azimuth 64°01'. (Applicant proposes to provide the television signals of stations KDTV-TV and KTVD of Dallas-Fort Worth, Tex., to Cablevision of Muskogee in Muskogee, Okla.)
- 5861-C1-MP-72—Midwestern Relay Co. (WIV63), Fifth Avenue West and 10th Street, Duluth, MN at latitude 46°47'21" N., longitude 92°06'51" W. Modification of C.P. to change polarization from vertical to horizontal for frequencies 11,345H and 11,265H MHz on azimuth 138°15'.
- 5862-C1-MP-72—American Microwave and Communications, Inc. (WHU28), antenna on Flint Hurley Hospital, Flint, Mich. Modification of C.P. to replace transmitter with Raytheon-type KTR3A transmitter. Change polarization on frequency 6234.3 MHz from vertical to horizontal on azimuth 347°34'.
- (INFORMATIVE: Applicant MCI Mid-Atlantic Communications, Inc., is modifying its original proposal for specialized common carrier radio service between Washington, D.C., and Atlanta, Ga., by filing 17 new applications as listed below.)
- 5880-C1-P-72—MCI Mid-Atlantic Communications, Inc. (New), Site No. 3, a new station is located 2.7 miles east of Centerville, Va., at latitude 38°50'06", longitude 77°22'45". Frequencies 10,735.0H on azimuth 63°55' and 6375.2H on azimuth 214°47'.
- 5881-C1-P-72—MCI Mid-Atlantic Communications, Inc. (New), Site No. 8, a new station is located 1.6 miles north of Sunny Side, Va., at latitude 37°30'08", longitude 78°09'46". Frequencies 5945.2V on azimuth 89°28' and 6152.8V on azimuth 207°42'.
- 5882-C1-P-72—MCI Mid-Atlantic Communications, Inc. (New), Site No. 10, a new site is located 4 miles south of Phenix, Va., at latitude 37°01'30", longitude 78°45'09". Fre-quencies 6123.1H on azimuth 60°18' and 6063.8H on azimuth 223°26'.

5883-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 11, a new station is located 4.5 miles west of Mountain Road, Va., at latitude 36°45'22", longitude 79°04'06". Frequencies 6266.9H on azimuth 43°14' and 6286.2V on azimuth 201°39'.

5884-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 12, a new station is located 2.5 miles east-southeast of Estelle, N.C., at latitude 36°29'44", longitude 79°11'47". Frequencies 6093.5V on azimuth 21°34' and 6034.2V on azimuth 287°14'.

5885-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 13, a new station is located 2.3 miles northeast of Williamsburg, N.C., at latitude 36°17'33", longitude 79°35'06". Frequencies 6266.9V on azimuth 57°01' and 6296.9V on azimuth 265°44'.

5886-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 19, a new station is located 9.4 miles east-southeast of Clover, S.C., at latitude 35°04'30", longitude 81°06'12". Frequencies 6286.2V on azimuth 24°10' and 6256.5V on azimuth 261°55'.

5887-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 20, a new station is located 7.7 miles east-southeast of Gaffney, S.C., at latitude 35°01'31", longitude 81°31'29". Frequencies 5974.8V on azimuth 81°41' and 5974.8V on azimuth 240°38'.

5888-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 21, a new station is located 3.2 miles west of Pacolet, S.C., at latitude 34°53'12", longitude 81°49'15". Frequencies 6345.5H on azimuth 60°27' and 6345.5H on azimuth 279°11'.

5889-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 22, a new station is located 1.6 miles south-southeast of Lyman, S.C., at latitude 34°55'33", longitude 82°07'03". Frequencies 6034.2V on azimuth 99°01' and 6063.8V on azimuth 205°20'.

5890-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 23, a new station is located 1.6 miles southwest of Fountain Inn, S.C., at latitude 34°43'08", longitude 82°14'10". Frequencies 6315.9V on azimuth 25°16' and 6256.5V on azimuth 259°40'.

5891-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 24, a new station is located 8.3 miles west-northwest of Williamston, S.C., at latitude 34°39'41", longitude 82°36'51". Frequencies 5974.8V on azimuth 79°28' and 5945.2H on azimuth 256°14'.

5892-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 25, a new station is located 2.4 miles southeast of Oakway, S.C., at latitude 34°35'06", longitude 82°59'18". Frequencies 6197.2H on azimuth 76°01' and 6256.5V on azimuth 236°52'.

5893-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 27, a new station is located 1.7 miles east-northeast of Alto, Ga., at latitude 34°28'23", longitude 83°32'43". Frequencies 6345.5H on azimuth 98°20' and 6212.0H on azimuth 256°25'.

5894-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 28, a new station is located 1.3 miles south of Murrayville, Ga., at latitude 34°23'58", longitude 83°54'36". Frequencies 5960.0H on azimuth 76°12' and 6152.8V on azimuth 247°08'.

5895-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 29, a new station is located 2.6 miles north of Ducktown, Ga., at latitude 34°16'53", longitude 84°14'45". Frequencies 6375.2V on azimuth 66°56' and 6226.9H on azimuth 210°30'.

5896-C1-P-72—MOI Mid-Atlantic Communications, Inc. (New), Site No. 31, a new station is located 0.3 mile northwest of Vinings, Ga., at latitude 33°52'08", longitude 84°28'14". Frequencies 11,625.0H on azimuth 12°38' and 11,665.0H and 11,265.0H on azimuth 148°37'.

5898-C1-P-72—Pacific Northwest Bell Telephone Co. (KOC69), 3.5 miles southeast of Orling, Wash. Latitude 47°02'43" N., longitude 122°09'45" W. C.P. to add 11,665V MHz toward KPEC-TV Clover Park near Tacoma, Wash.

5899-C1-P-72—American Telephone & Telegraph Co. (KSA81), 2.8 miles east-southeast of Norway, Ill. Latitude 41°27'21" N., longitude 88°37'15" W. C.P. to add 6256.5V, 6286.2H, and 6404.8H MHz toward Lee, Ill., on azimuth 329°51'.

5900-C1-P-72—American Telephone & Telegraph Co. (KSA49), 3.5 miles north-northeast of Lee, Ill. Latitude 41°50'44" N., longitude 88°55'26" W. C.P. to add 6004.5H, 6034.2V, and 6152.8V MHz toward Norway, Ill., on azimuth 149°39' and 6004.5H, 6034.2V, and 6152.8V MHz toward Winnebago, Ill., on azimuth 333°42'.

5901-C1-P-72—American Telephone & Telegraph Co. (KSG66), 2.5 miles southeast of Winnebago, Ill. Latitude 42°15'00" N., longitude 89°11'35" W. C.P. to add 6256.5V, 6286.2H, and 6404.8H MHz toward Lee, Ill., on azimuth 153°32' and 6256.5V, 6286.2H, and 6404.8H MHz toward Capron, Ill., on azimuth 51°55'.

5902-C1-P-72—American Telephone & Telegraph Co. (KSG67), 6.8 miles northwest of Capron, Ill. Latitude 42°28'57" N., longitude 88°47'28" W. C.P. to add 6004.5V, 6034.2H, and 6152.8H MHz toward Winnebago, Ill., on azimuth 232°11' and 6004.5V, 6034.2H, and 6152.8H MHz toward Palmyra, Wis., on azimuth 23°52'.

5903-C1-P-72—American Telephone & Telegraph Co. (KSE27), 1.8 miles southeast of Palmyra, Wis. Latitude 42°51'24" N., longitude 88°33'47" W. C.P. to add 6256.5H, 6286.2V, and 6404.8V MHz toward Capron, Ill., on azimuth 204°18'.

5905-C1-P-72—Southern Bell Telephone & Telegraph Co. (KIY59), 1645 Hampton Street, Columbia, SC. Latitude 34°00'29" N., longitude 81°01'42" W. C.P. to delete frequencies 5945.2V and 6063.8V MHz toward Chapin, S.C., and add frequencies 6034.2V and 6152.8V MHz toward Chapin, S.C., on azimuth 299°12'.

5906-C1-P-72—Southern Bell Telephone & Telegraph Co. (KIY60), 3.5 miles northwest of Chapin, S.C. Latitude 34°11'11" N., longitude 81°24'49" W. C.P. to add 6286.2H and 6404.8H MHz toward Columbia, S.C., and 11,245H, 11,486H, and 11,325H MHz toward Newberry, S.C.

5907-C1-P-72—Southern Bell Telephone & Telegraph Co. (KJG95), 1237 Calhoun Street, Newberry, S.C. Latitude 34°16'42" N., longitude 81°36'59" W. C.P. to add 10,715V and 10,955V MHz toward Chapin, S.C., and delete two transmitters on frequencies 5937.8H and 6056.4H toward Chapin, S.C.

5908-C1-P-72—American Telephone & Telegraph Co. (KEA77), 0.8 mile north of Cherryville, N.J. Latitude 40°34'18" N., longitude 74°54'22" W. C.P. to add 5974.8V MHz toward Netcong, N.J., and add 6063.8H MHz toward Hope, N.J.

5909-C1-P-72—American Telephone & Telegraph Co. (KEM64), 2.6 miles south of Netcong, N.J. Latitude 40°51'54" N., longitude 74°40'47" W. C.P. to add 6226.9H MHz toward Cherryville, N.J.

5910-C1-P-72—American Telephone & Telegraph Co. (KTQ69), 2 miles east of Hope, N.J. Latitude 40°54'15" N., longitude 74°55'53" W. C.P. to add 6315.9V MHz toward Cherryville, N.J., and 6315.9H MHz toward Colesville, N.J.

5911-C1-P-72—American Telephone & Telegraph Co. (KEE60), 2.5 miles northwest of Colesville, N.J. Latitude 41°18'14" N., longitude 74°40'25" W. C.P. to add 6063.8V MHz toward Hope, N.J.

5941-C1-ML-72—Western States Telephone Co., Inc. (KPX27), Cerro Montosa, 19 miles northwest of Springerville, Ariz. Latitude 34°16'20" N., longitude 109°34'28" W. Modification of license to change polarization from vertical to horizontal on frequencies 5989.7H, 6108.3H MHz toward Woodruff Butte, Ariz.

5943-C1-ML-72—Western States Telephone Co., Inc. (KPB50), Woodruff Butte, 1.2 miles north of Woodruff, Ariz. Latitude 34°57'56" N., longitude 110°02'30" W. Modification of license to change frequencies 6204.7, 6323.3 MHz to 6301.0H, 6419.6H MHz toward Cerro Montosa, Ariz.

5945-C1-P-72—Eastern Microwave, Inc. (KEM35), Ingraham Hill, near Binghamton, N.Y., at latitude 42°03'43" N., longitude 75°57'03" W. C.P. to add frequency 11,055V MHz on azimuth 36°12'. Applicant proposes to provide a single channel of microwave service to Sterling Communications Inc., which plans to furnish program material to the cable system in Binghamton.

5852-C1-P-72—Volcano Telephone Co. (New), on State Route No. 88, 220' west of Volcano Road, Pine Grove, Calif. Latitude 38°24'46" N., longitude 120°39'20" W. Frequency 2128.0H MHz toward Leek Spring Hill, Calif.

5853-C1-P-72—Volcano Telephone Co. (New), 25.75 miles northeast of Pine Grove, Leek Spring Hill, Calif. Latitude 38°37'43" N., longitude 120°16'34" W. Frequency 2178.0H MHz toward Pine Grove, Calif., and frequency 2170.0H MHz toward Kirkwood Meadow, Calif., via passive reflector located at Schneider's Camp, Calif., latitude 38°43'41" N., longitude 120°04'21" W.

5854-C1-P-72—Volcano Telephone Co. (New), 48 miles east of Pine Grove on State Route No. 88, Kirkwood Meadow, Calif. Latitude 38°41'30" N., longitude 121°04'14" W. Frequency 2120.0H MHz toward Leek Spring Hill, Calif., via passive reflector located at Schneider's Camp, Calif., latitude 38°43'41" N., longitude 120°04'21" W.

5947-C1-P-72—Tower Communications Systems Corp. (New), 3.4 miles west-southwest of Bergholz, Ohio. C.P. for a new station at latitude 40°30'20" N., longitude 80°56'46" W. Frequency 11,665H MHz on azimuth 270°20'.

5948-C1-P-72—Tower Communications Systems Corp. New Philadelphia, Ohio (KQO43), C.P. to add frequency 10,855V MHz on azimuth 273°09'. Latitude 40°30'24" N., longitude 81°26'15" W.

5949-C1-P-72—Tower Communications Systems Corp. (KQO42), 0.3 mile north of intersection of Highways 39 and 93, Shanesville, Ohio at latitude 40°30'56" N., longitude 81°39'14" W. C.P. to add frequency 11,265V MHz on azimuth 209°33'.

5950-C1-P-72—Tower Communications Systems Corp. (KQO41), north end of Ridgeview Drive, Coshocott, Ohio. Latitude 40°16'04" N., longitude 81°50'14" W. C.P. to add frequencies 10,735V, 10,895V, and 11,055V MHz on azimuth 238°47', toward Newark, Ohio.

5951-C1-P-72—Tower Communications Systems Corp. (New), 3.2 miles south-southeast of Newark, Ohio at latitude 40°00'52" N., longitude 82°22'41" W. C.P. for a new station and frequencies 11,305V, 11,465V, and 11,625V MHz toward Stoutsville, Ohio, on azimuth 217°24'.

5952-C1-P-72—Tower Communications Systems Corp. (KQA36), 9 miles southwest of Chillicothe, Ohio at latitude 39°13'14" N., longitude 83°04'40" W. C.P. to add 11,505.0H MHz toward Stoutsville, Ohio, on azimuth 25°08'.

5953-C1-P-72—Tower Communications Systems Corp. (New), 3.2 miles east-northeast of Stoutsville, Ohio. C.P. for a new station at latitude 39°38'58" N., longitude 82°46'16" W. Frequencies 10,815H, 10,975H, 11,095H, and 11,135H MHz toward Columbus, Ohio, on azimuth 333°17'. Applicant proposes to provide the television signals of stations WUAB (TV) and WKBF-TV of Cleveland, Ohio, and WXIX-TV of Cincinnati, Ohio, to American Television & Communications Corp. in Columbus, Ohio, and to provide the above signals plus WFGH-TV of Pittsburgh, Pa., to Canterbury Cablevision Corp. also in Columbus, Ohio.

5958-C1-P-72—Kentucky Telephone Co. (KJC25), 719 North Main Street, London, KY. C.P. to change frequency 6093.5, 5945.2 to 10,795V, 11,035H MHz toward Mount Vernon, KY. Latitude 37°07'55" N., longitude 84°05'17.5" W.

Major Amendments

2362-C1-P-71—The Western Union Telegraph Co. (KEA75), 60 Hudson Street, New York, NY. Delete frequency 6286.2V MHz on azimuth 284°19' toward Mount Freedom. Reduce transmitter output power to 1 watt.

2363-C1-P-71—The Western Union Telegraph Co. (KEM25), Mount Freedom, 3.5 miles west of Morristown, N.J. Delete frequency 6004.5V MHz on azimuth 103°58' toward New York and 6034.2V MHz on azimuth 205°21' toward Hopewell. Reduce transmitters output power to 1 watt.

2364-C1-P-71—The Western Union Telegraph Co. (KEM24), 3 miles northwest of Hopewell, N.J. Delete frequency 6256.5V MHz on azimuth 25°11' toward Mount Freedom and 6286.2V MHz on azimuth 187°38' toward Mount Laurel. Reduce transmitters output power to 1 watt.

2365-C1-P-71—The Western Union Telegraph Co. (KEA70), Mount Laurel, 12.5 miles east of Camden, N.J. Delete frequency 6004.5V MHz on azimuth 7°35' toward Hopewell and 6034.2V MHz on azimuth 274°06' toward Philadelphia. Reduce transmitters output power to 1 watt.

2366-C1-P-71—The Western Union Telegraph Co. (KGN31), 13th and Chancellor Streets, Philadelphia, Pa. Delete frequency 6256.5V MHz on azimuth 93°56' toward Mount Laurel. Add frequency 6315.9H MHz and change polarization of licensed frequencies 6256.5 and 6375.2 MHz to horizontal on azimuth 184°09' toward Pitts Grove. Reduce transmitter output power to 1 watt.

All other particulars same as reported on public notice dated Nov. 9, 1970.

7022-C1-P-71—The Mountain States Telephone & Telegraph Co., amended to change frequencies 6382.6H MHz and 11,445V MHz to 11,405 MHz and 11,645H MHz toward Steamboat Springs, Colo., on azimuth 292°48'.

7023-C1-P-71—The Mountain States Telephone & Telegraph Co., amended to correct coordinates in latitude to 40°29'11" N. and change frequencies 6130.5H MHz and 10,955V MHz to 10,955V MHz and 10,715H MHz toward Mount Werner, Colo., on azimuth 112°44'.

All other particulars to remain the same as reported on public notice dated June 14, 1971.

INFORMATIVE: Applicant, MCI Mid-Atlantic Communications, Inc., is amending 15 of its previously filed applications for authority to construct a new specialized common carrier service in a five-State area from Washington, D.C. to Atlanta, Ga. The applications now being amended were originally filed in Apr. 15, 1970. They appeared in public notice, Apr. 27,

1970, FCC Report No. 489-A. No prior amendments to these applications have been filed. Each application that is now amended is referenced to the date filed. In addition 17 new sites are now proposed. The amendments and new applications are necessitated to insure compliance with the new engineering standards set forth in the Commission's First Report and Order in Docket No. 18920, effective July 15, 1971, and Informative Guidelines published regarding Frequency Coordination in Report No. 562, FCC Common Carrier Services Information released Sept. 20, 1971.

6652-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 1, station location: 1019 19th Street NW., Washington, DC. Delete frequencies 10,835.0H and 10,915.0H on azimuth 31°17'. Add frequencies 10,775.0V and 11,175.0V on azimuth 276°56'. Relocate site to latitude 38°54'10", longitude 77°02'36".

6654-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 2, station location: 0.3 mile north of Tysons Corner, Va. Delete frequencies 10,875.0V and 11,115.0V on azimuth 66°03' and 6226.9V and 6345.5V on azimuth 218°24'. Add frequencies 11,665.0V and 11,265.0V on azimuth 96°49' and 11,625.0H on azimuth 234°01'. Relocate site to latitude 38°55'13", longitude 77°13'45".

6655-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 4, station location: 1.6 miles south of Bristersburg, Va. Delete frequencies 5945.2V and 6083.8V on azimuth 38°15' and 6034.2H and 6152.8H on azimuth 217°20'. Add frequencies 6123.1H on azimuth 34°38' and 6083.5H on azimuth 207°12'. Relocate site to latitude 38°33'37", longitude 77°37'19".

6656-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 5, station location: 2.8 miles northeast of Goldsboro, Va. Delete frequencies 6197.2V and 6315.9V on azimuth 37°05' and 6256.5H and 6375.2H on azimuth 163°43'. Add frequencies 6404.3V on azimuth 27°04' and 6404.8V on azimuth 163°19'. Relocate site to latitude 38°14'01", longitude 77°50'05".

6657-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 6, station location: 3.5 miles north of Montpelier, Va. Delete frequencies 5974.8H and 6093.5H on azimuth 343°48' and 6034.2V and 6152.8V on azimuth 181°28'. Add frequencies 6034.2H on azimuth 343°24' and 5974.8V on azimuth 182°23'. Relocate site to latitude 37°52'03", longitude 77°41'47".

6658-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 7, station location: 3.5 miles west of Midlothian, Va. Delete frequencies 6197.2V and 6315.9V on azimuth 01°28' and 6286.2V and 6404.8V on azimuth 239°24' and 1135.0H and 11,565.0H on azimuth 81°55'. Add frequencies 6256.5V on azimuth 02°22' and 6197.2V on azimuth 269°44'. Relocate site to latitude 37°30'17", longitude 77°42'55".

6664-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 9, station location: 5.4 miles north-northwest of Greenbay, Va. Delete frequencies 6004.5V and 6123.1V on azimuth 59°00' and 5974.8V and 6093.5V on azimuth 251°24'. Add frequencies 6345.5H on azimuth 27°35' and 6375.2V on azimuth 240°32'. Relocate site to latitude 37°12'15", longitude 78°21'30".

6667-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 14, station location: 1.7 miles north of Stokesdale, N.C. Delete frequencies 6226.9H and 6345.5H and 6345.5H on azimuth 12°17' and 6197.2V and 6315.9V on azimuth 219°05'. Add frequencies 5974.8V on azimuth 85°30' and 6123.1V on azimuth 181°41'. Relocate site to latitude 36°16'04", longitude 79°59'00".

6668-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 15, station location: 5 miles southeast of Kernersville, N.C. Delete frequencies 6004.5V and 6123.1V on azimuth 38°58' and 5974.8V and 6093.5V on azimuth 192°45' and frequencies 11,605.0V and 11,365.0V on azimuth 99°50' and 11,685.0H and 11,445.0H on azimuth 266°27'. Add frequencies 6315.9V on azimuth 01°41' and 6375.2H on azimuth 201°22'. Relocate site to latitude 36°04'08", longitude 79°59'26".

6675-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 16, station location: 4 miles northwest of Cid, N.C. Delete frequencies 6226.9V and 6345.5V on azimuth 12°42' and 6256.5V and 6375.2V on azimuth 218°30'. Add frequencies 6034.2H on azimuth 21°17' and 5945.2V on azimuth 233°43'. Relocate site to latitude 35°45'44", longitude 80°08'16".

6676-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 17, station location: 2.2 miles southwest of Fath, N.C. Delete frequencies 5945.2V and 6063.8V on azimuth 38°22' and 5974.8V and 6093.5V on azimuth 257°15'. Add frequencies 6404.8V on azimuth 53°31' and 6375.2V on azimuth 249°25'. Relocate site to latitude 35°33'26", longitude 80°28'43".

6677-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 18, Station Location: 4 miles west-northwest of Huntersville, N.C. Delete frequencies 6197.2V and 6315.9V on azimuth 76°59' and 6226.9V and 6345.5V on azimuth 249°40' and frequencies 10,955.0H and 10,715.0H on azimuth 179°52'. Add frequencies 6093.5V on azimuth 69°10' and 6152.8V on azimuth 204°16'. Relocate site to latitude 35°25'23" and longitude 80°54'45".

6685-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 26, Station Location: 5 miles north-northwest of Carnesville, Ga. Delete frequencies 6197.2V and 6315.9V on azimuth 57°06' and 6256.5V and 6375.2V on azimuth 222°49'. Add frequencies 6063.8V on azimuth 56°42' and 6093.5H on azimuth 278°29'. Relocate site to latitude 34°26'17" and longitude 83°15'34".

6687-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 30, Station Location: 4 miles west of Roswell, Ga. Delete frequencies 6226.9V and 6345.5V on azimuth 88°00' and 6256.5V and 6375.2V on azimuth 172°39'. Add frequencies 5974.8H on azimuth 30°24' and 10,735.0H on azimuth 192°39'. Relocate site to latitude 34°01'18" and longitude 84°25'46".

6688-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 32, Station Location: 100 Peachtree Street, Atlanta, Ga. Delete frequencies 5945.2V and 6063.8V on azimuth 352°41'. Add frequencies 10,775.0H and 11,175.0H on azimuth 328°40'. Relocate site to latitude 33°45'24" and longitude 84°23'19".

INFORMATIVE: Applicant, MCI New York West, Inc., is amending 12 of its previously filed Applications for authority to construct a new specialized common carrier service in a seven-State area from New York through New Jersey, Pennsylvania, Ohio, Michigan, Indiana, and Illinois. The Applications now being amended were originally filed in September 1969 and November 1971. They appeared in public notice, September 29, 1969, FCC Report No. 459 or public notice December 6, 1971, FCC Report No. 753. See FCC Report No. 513 and 753. Each Application that is now amended is referenced to the date filed and/or amended. The amendments are necessitated to meet the FAA clearance criteria. This route is self-contained ending at terminal points in Chicago and New York.

3258-C1-P-72—MCI New York West, Inc. (New), Site 18, change proposed location to a new station 2 miles west of Bascom, Ohio, at latitude 41°07'40" N. and longitude 83°19'25" W. Correct azimuths and frequencies to frequencies 6197.2V MHz on azimuth 330°35' toward Scotch Ridge, Ohio, and 6197.2H MHz on azimuth 121°09' toward Lykens, Ohio. Delete frequency 6226.9V MHz.

3259-C1-P-72—MCI New York West, Inc. (New), Site 19, station located 1.5 miles north of Lykens, Ohio, at latitude 40°59'10" N. and longitude 83°00'55". Frequencies 5974.8H MHz on azimuth 301°21' toward Bascom, Ohio, and 5945.2H MHz on azimuth 113°46' toward Shelby, Ohio. (Azimuth correction only.)

1914-C1-P-71—MCI New York West, Inc. (New), Site 32, change proposed station location to 0.7 mile southeast of Hartford, Ohio, at latitude 41°18'05" N. and longitude 80°33'52" W. Correct azimuths and frequencies to frequency 6197.2H MHz on azimuth 301°56' toward Huntsburg, Ohio, and 6226.9H MHz on azimuth 178°40' toward Poland, Ohio.

3267-C1-P-72—MCI Mid-Atlantic Communications, Inc. (New), Site No. 43, change proposed station location to a new station 1.5 miles southwest of Mount Holly, Pa., at latitude 40°06'19" N., longitude 77°12'32" W. Correct azimuths for frequency 6197.2V MHz to 272°11' toward Roxbury, Pa., and 6226.9V MHz to 70°36' toward Hershey, Pa. Delete Harrisburg, Pa., as a point of communication.

1416-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 44, change proposed station location to 2 miles south-southwest of Hershey, Pa., at latitude 40°15'05" N., longitude 76°39'45" W. Correct azimuth for frequencies 5974.8H MHz to 250°57' toward Mount Holly, Pa., and 5945.2H MHz to 76°57' toward Womelsdorf, Pa.

1412-C1-P-70—MCI Mid-Atlantic Communications, Inc. (New), Site No. 45, station located 1.3 miles south of Womelsdorf, Pa., at latitude 40°20'09" N., longitude 76°10'50" W. Correct azimuth for frequency 6197.2H MHz to 257°16' toward Hershey, Pa. Delete Harrisburg as a point of communication.

3268-C1-P-72—MCI New York West, Inc. (New), Site No. 47, station located 3.1 miles north-northwest of Spinnerstown, Pa., at latitude 40°29'38" N., longitude 75°27'01" W. Correct azimuth for frequency 6226.9V MHz to 98°57' toward Kingwood, N.J. Delete Gardenville, Pa., as a point of communication.

1408-C1-P-70—MCI New York West, Inc. (New), Site No. 48, change proposed station location to a new station 3.2 miles southwest of Kingwood, N.J., at latitude 40°26'38" N., longitude 75°02'27" W. Correct azimuths for frequencies 5974.8V MHz to 279°13' toward Spinnerstown, Pa., and 5945.2V MHz to 26°44' toward a new point of communication Middle Valley, N.J. Delete Washington Valley, N.J., as a point of communication.

1405-C1-P-70—MCI New York West, Inc. (New), Site 49, change proposed station location to a new station 4.7 miles north-northeast of Middle Valley, N.J., at latitude 40°46'49" N. and longitude 74°49'04" W. Correct azimuth for frequency 6197.2H MHz to 206°53' toward a new point of communication Kingwood, N.J., and 6226.9H MHz to 88°51' toward West Orange, N.J. Delete Gardenville as a point of communication.

1913-C1-P-71—MCI New York West, Inc. (New), Site 50, station located 2 miles west of West Orange, N.J., at latitude 40°47'15" N. and longitude 74°15'18" W. Correct azimuth for frequency 5974.8H MHz to 269°13' to a new point of communication Middle Valley, N.J. Delete Washington Valley, N.J., as a point of communication.

3269-C1-P-72—MCI New York West, Inc. (New), Site 51, station located at 1180 Raymond Boulevard, Newark, NJ. Add a new point of communication, frequencies 10,755.0V and 11,175.0V MHz on azimuth 85°18' toward the Empire State Building, New York City, N.Y. 1406-C1-P-70—MCI New York West, Inc. (New), Site 53, station located at 350 Fifth Avenue, New York City, N.Y., at latitude 40°44'54" N. and longitude 73°59'10" W. Correct azimuth and frequency to read frequencies 11,265.0V, 11,665.0V on azimuth 265°28' toward a new point of communication Newark, N.J. Delete frequencies 11,305.0 and 11,625.0 and West Orange as a point of communication.

1374-C1-P-70—MCI New York West, Inc. (New), Site 17, 0.5 mile north of Scotch Ridge, Ohio. Change point of communication to Bascom, Ohio, for frequency 5945.2V MHz on azimuth 150°27'. Delete Tiffin, Ohio, as a point of communication.

3706-C1-ML-72—American Telephone & Telegraph Co. (KIM21), 45 North Magnolia Avenue, Orlando, FL. Latitude 28°32'34" N., longitude 81°22'38" W. Application to modify license to increase authorized power output to 5 watts for frequencies 3750H, 3770V, 3830V, 3850V, 3910H, 3930V, 3990H, 4010V, 4070H, 4090V, 4150H, and 4170V toward Oakland, Fla., on azimuth 271°48'.

5669-C1-P-71—Southwestern Bell Telephone Co. (KYJ50), amended to change frequencies from 5952.6 and 11,115 MHz to 6093.5H toward Star City, Ark.

5670-C1-P-71—Southwestern Bell Telephone Co. (New), amended to change frequencies from 6204.7 and 11,565 MHz to 6345.5V MHz toward Pine Bluff and frequencies from 6189.8 and 11,365 MHz to 6345.5H toward Monticello, Ark.

5671-C1-P-71—Southwestern Bell Telephone Co. (New), amended to change frequencies from 5952.6 and 11,115 MHz to 6093.5H MHz toward McGee and frequencies from 5937.8 and 10,915 MHz to 6093.5V MHz toward Star City, Ark.

5672-C1-P-71—Southwestern Bell Telephone Co. (New), amended to change frequencies from 6204.7 and 11,565 MHz to 6345.5V MHz toward Monticello, Ark.

All other particulars the same as reported in public notice, Report No. 540, dated Apr. 19, 1971.

[FED. Doc. 72-4017 Filed 3-15-72; 8:52 am]

ANNUAL FINANCIAL REPORT OF NETWORKS AND LICENSEES OF BROADCAST STATIONS

Extension of Date for Filing

MARCH 8, 1972.

FCC Form 324 (Annual Financial Report of Networks and Licensees of Broadcast Stations) is not expected to be mailed to licensees before March 13, 1972. The date for filing the reports with the Commission is therefore being extended from April 1 to April 17. The 1971 report form will be the same as that used for the 1970 report.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-4015 Filed 3-15-72;8:55 am]

[FCC 72-223]

STATION WSPD-TV

Memorandum Opinion and Order Regarding "Prime Time" Rule Waiver

In the matter of request for waiver of the "prime time access rule" (§ 73.658 (k)) filed on behalf of Station WSPD-TV, Toledo, Ohio.

1. The Commission here considers a request for "one time" waiver of the "prime time access rule" (§ 73.658 (k)) filed on March 7, 1972, by Storer Broadcasting Co. on behalf of its Station WSPD-TV, Toledo, Ohio. The request is for Thursday, March 16, to permit the station to carry 3½ hours of NBC network programs during prime time on that evening, the regular Thursday 3 hours plus the half-hour children's special program "Winnie the Pooh", at 7:30. The latter program is scheduled on the network the previous Tuesday, but WSPD-TV cannot carry it then because it is presenting a special series of 3 hours of Billy Graham religious material on Monday, Tuesday, and Wednesday of that week. Storer states that it wishes to present both of these programs, and that "Winnie the Pooh" should not be presented at a late evening hour because it is designed for a children's audience, and the advertiser does not wish it delayed after Thursday. It is also pointed out that Storer has not hitherto been granted any prime-time access rule waivers, for any of its stations, and that—with the preemption early in the week for Billy Graham—even with the waiver WSPD-TV will be well under the 21 hours of network prime time material which is permitted over a 7-day period (3 hours per night).

2. Under all of the circumstances—including the fact that this is a "one-time" matter, the special character of the programming involved, and the fact that even with the waiver the station will be under the 21-hour figure—the Commission believes that waiver in this case is warranted.

3. In view of the foregoing: It is ordered, That Station WSPD-TV, Toledo, Ohio, may present up to 3½ hours of

NBC programs during prime time on the evening of Thursday, March 16, 1972, only.

Adopted: March 8, 1972.

Released: March 13, 1972.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-4016 Filed 3-15-72;8:55 am]

FEDERAL MARITIME COMMISSION

BOARD OF HARBOR COMMISSIONERS, CITY OF MILWAUKEE, AND STEARNS MILWAUKEE MARINE TERMINAL, INC.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. J. A. Seefeldt, Municipal Port Director, City of Milwaukee, City Hall, Room 606, Milwaukee, WI 53202.

Agreement No. T-2597, between the Board of Harbor Commissioners, City of Milwaukee (City) and Stearns Milwaukee Marine Terminal, Inc. (Stearns), provides for the 2-year lease (with renewal option) to Stearns of 3.623 acres for use as a back-up marine storage area for the accommodation of general waterborne commerce. As compensation, the City is to receive \$15,000 annually for the

¹ Commissioner Bartley dissenting; Commissioners Johnson and H. Rex Lee absent.

use of the premises. As a further consideration of the rental, Stearns is granted the right to construct, at its own expense, a structure to be used as a back-up marine storage facility in conjunction with the operations at General Terminal No. 1 and the north side of South Pier No. 1. The City may terminate the lease if Stearns fails to meet certain criteria of rates and service as set forth in the agreement.

Dated: March 10, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-4031 Filed 3-15-72;8:53 am]

CENTRAL GULF STEAMSHIP CORP. AND GENERAL MARITIME CORP.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Harold S. Grehan, Jr., Senior Vice President, Central Gulf Steamship Corp., International Trade Mart, No. 2 Canal Street, New Orleans, LA 70130.

Agreement No. 9620-4, between Central Gulf Steamship Corp. and General Maritime Corp., modifies the basic agreement by (1) extending the termination date thereof in Article 7 from April 21, 1972 to October 21, 1973, and (2) incorporating all previous modifications of the basic agreement, superseding and canceling Agreement No. 9620, as amended.

The basic agreement is a cooperative working arrangement and rate agreement in the trade between the Great Lakes, Atlantic, Gulf, and West Coast ports of the United States, and ports in the Mediterranean, Red Sea, Persian Gulf, India, Pakistan, Ceylon, Burma, Australia, New Zealand, and the Far East including ports in Malaysia, Singapore, Indonesia, Borneo, Sarawak, Thailand, Cambodia, South Vietnam, Philippines, Hong Kong, Formosa, Okinawa, Guam, Japan, and Korea. It permits the parties to:

* * * discuss and agree on the fixing and collecting of ocean freight rates, booking and solicitation of cargo, interchanging containers, spacing sailings, settling claims, appointing service agents, husbanding of vessels and related terminal activities, and the extent to which one party may act as agent for the other party in the fixing of rates which may be but need not be the same as the agent party's rates, and in the performance of customary agency arrangements, not inconsistent with rules, regulations, limitations and procedures of conferences of which the lines party to this agreement are members or may become members in the trade covered by this agreement.

Dated: March 10, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-4029 Filed 3-15-72;8:53 am]

CITY OF LONG BEACH AND TRANSOCEAN GATEWAY CORP.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter)

and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Leonard Putnam, City Attorney, City of Long Beach, Suite 600, City Hall, Long Beach, CA 90802.

Agreement No. T-2599, between the City of Long Beach (City) and Transocean Gateway Corporation (Transocean), provides for the one-year non-exclusive preferential assignment (with renewal options) of a container crane which is to be located at Berths 245-257 at Long Beach, California. As compensation the City is to receive \$186,964.12 annually, and Transocean is to pay all costs for maintenance of the crane. Operation of the crane is to be governed by the provisions contained in section 9 of the Port of Long Beach Tariff No. 3, with the exception of Item 910, which sets forth the hourly rate chargeable by the City for operation of container cranes. The agreement provides that the City will have secondary assignment rights with all revenue thereby derived accruing to the City. Transocean will collect appropriate maintenance costs. Agreement No. T-2599 may be terminated should Transocean cease operating under Agreement No. T-2214, which provides for the use of Pier J at Long Beach.

Dated: March 10, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-4030 Filed 3-15-72;8:53 am]

CUTLASS STEAMSHIP CORP. AND S.V.M.C., INC.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances

said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

John P. Meade, Esq., 919 18th Street NW., Washington, DC 20006.

Agreement No. 9979 permits the sale of the assets of Cutlass Steamship Corp. to S.V.M.C., Inc. Cutlass Steamship Corp. is operating as a joint service under Agreement No. 9822 from ports in the Southeast Asia and the South Pacific to ports of the United States.

The shareholders of S.V.M.C., Inc., will be Furness, Withy, Marine Chartering Co., Inc., and States Veneer, Inc. Furness, Withy (Montreal) is a "holding company which does not control any common carriers by water"; Marine Chartering Co., Inc., is a ship chartering operation which does not own or operate common carriers by water; and States Veneer, Inc., is an Oregon corporation engaged in the lumber business.

Dated: March 13, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-4032 Filed 3-15-72;8:53 am]

PORT OF SEATTLE AND FOSS-ALASKA LINE, INC.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter)

and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Wade Thompson, Assistant Manager, Property Management, Port of Seattle, Post Office Box 1209, Seattle, WA 98111.

Agreement No. T-2489-2, between the Port of Seattle (Port) and Foss-Alaska Line, Inc. (Foss), modifies the basic agreement which provides for the lease of certain terminal facilities at Seattle, Washington. The purpose of the modification is to extend to Foss the right of first refusal on a 6-acre area adjacent to the premises leased to Foss under the basic agreement. If the first refusal right is exercised, the first refusal area will be governed by all terms and conditions of the basic agreement, as amended, including square foot rental rates, but not necessarily provisions relating to construction of particular improvements.

Dated: March 10, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc. 72-4033 Filed 3-15-72; 8:53 am]

FEDERAL POWER COMMISSION

[Docket No. G-4065, etc.]

AMOCO PRODUCTION CO. ET AL.

Findings and Order After Statutory Hearing

MARCH 7, 1972.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, making successors co-respondent, substituting respondent, canceling FPC gas rate schedules, redesignating proceedings accepting rate schedules for filing, and terminating rate proceedings.

Each applicant herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce or for permission and approval to abandon service or a petition to amend an order issuing a certificate, all as more fully set forth in the applications and petitions to amend.

Applicants have filed FPC gas rate schedules or supplements to rate schedules on file with the Commission and propose to initiate, abandon, add, or discontinue in part natural gas service in interstate commerce as indicated in the tabulation herein.

Gulf Oil Corp., applicant in Docket No. G-7143, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Warren Petroleum Corp. FPC Gas Rate Schedule No. 49. The effective rate under Warren's rate schedule at the time of transfer of the producing properties was

in effect subject to refund in Dockets Nos. RI71-805 and RI71-962 and a change in rate was suspended in Docket No. RI71-1036. Therefore applicant will be made co-respondent in Dockets Nos. RI71-805 and RI71-962 and will be substituted as respondent in Docket No. RI71-1036, and said proceedings will be redesignated accordingly.

Getty Oil Co., applicant in Docket No. CI72-89, proposes to continue the sales of natural gas from its own interest which was heretofore authorized in Docket No. CI63-684, to be made by Dan J. Harrison, Jr., who is now holder of a small producer certificate of public convenience and necessity in Docket No. CS71-545, at a rate in effect subject to refund in Docket No. RI68-268. Therefore, Getty Oil Co. will be made co-respondent in Docket No. RI68-268 and the proceeding will be redesignated accordingly.

The Commission's staff has reviewed the applications and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, no petition to intervene, notice of intervention, or protest to the granting of the applications has been filed.

At a hearing held on March 2, 1972, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and petitions, as supplemented and amended, and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of the Natural Gas Act upon the commencement of service under the authorizations hereinafter granted.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications in this proceeding, will be made in interstate commerce subject to the jurisdiction of the Commission; and such sales by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales of natural gas by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission nec-

essary therefor, are required by the public convenience and necessity; and certificates therefor should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity in various dockets involved herein should be amended as hereinafter ordered.

(6) The sales of natural gas proposed to be abandoned, as hereinbefore described and as more fully described in the applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(7) The abandonments proposed by applicants herein are permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued to applicants relating to the abandonments hereinafter permitted and approved should be terminated and the related FPC gas rate schedules should be canceled.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Warren Petroleum Co. FPC Gas Rate Schedule No. 49 should be canceled.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the FPC gas rate schedules and supplements related to the authorizations hereinafter granted should be accepted for filing.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Gulf Oil Corp. should be made co-respondent in the proceedings pending in Dockets Nos. RI71-805 and RI71-962 and substituted as respondent in Docket No. RI71-1036 and that said proceedings should be redesignated accordingly.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Getty Oil Co. should be made co-respondent in the proceeding pending in Docket No. RI68-268 and that said proceeding should be redesignated accordingly.

(13) Applicant in Docket No. CI72-91 has collected no money subject to refund in Docket No. RI71-624 insofar as it pertains to applicant's FPC Gas Rate Schedule No. 134.

(14) Applicant in Docket No. CI72-68 has collected a rate in effect subject to refund in Docket No. RI66-146 which is below the applicable area ceiling rate.

(15) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificate issued in Docket No. G-19416 should be amended to reflect the deletion of acreage assigned to Houston Oil & Mineral Corp., a small producer certificate holder.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing

sales by applicants of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications and in the tabulation herein.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) the grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 7 of the Natural Gas Act or Part 154 or Part 157 of the Commission's regulations thereunder and is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against applicants. Further, our action in this proceeding shall not foreclose or prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. The grant of the certificates aforesaid for service to the particular customers involved does not imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. The grant of the certificates aforesaid shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The orders issuing certificates of public convenience and necessity in Dockets Nos. G-4065, G-7074, G-9393, G-19416, CI60-393, CI63-234, CI65-21 and CI67-248 are amended by adding thereto or deleting therefrom authorization to sell natural gas as more fully described in the applications and in the tabulation herein. In all other respects said orders shall remain in full force and effect.

(E) Applicant in Docket No. CI72-89 shall charge and collect 16.07 cents per Mcf subject to refund in Docket No. RI68-268 and the said sale is subject to Opinion No. 595 and any other orders issued in Texas Gulf Coast Area Rate Proceeding, Docket No. AR64-2, et al.

(F) Getty Oil Co. is made co-respondent in the proceeding pending in Docket No. RI68-268 and said proceeding is redesignated accordingly. Getty shall comply with the refunding procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder.

(G) Within 90 days of this order applicant in Docket No. CI72-89 shall file three copies of a rate schedule-

quality statement in the form prescribed in Opinion No. 595.

(H) The proceeding in Docket No. RI71-624 is terminated insofar as it pertains to the sale under The California Co., a division of Chevron Oil Co., FPC Gas Rate Schedule No. 34.

(I) Within 90 days from the date of this order applicant in Docket No. CI60-393 shall file three copies of a rate schedule-quality statement in the form prescribed in Opinion No. 468.

(J) Applicant in Docket No. CI72-93 is not relieved of any refund obligations in Docket No. RI68-102 as a result of the abandonment permitted and approved herein.

(K) The sales authorized in Docket No. CI60-393 to be made from additional acreage are subject to the pending rate proceeding in Docket No. RI70-786.

(L) The order issuing a certificate of public convenience and necessity in Docket No. G-7143 is amended by substituting Gulf Oil Corp. in lieu of Warren Petroleum Co. as certificate holder and in all other respects said order shall remain in full force and effect.

(M) Gulf Oil Corp. is made co-respondent in the proceedings pending in Dockets Nos. RI71-805 and RI71-962 and is substituted as respondent in the proceeding pending in Docket No. RI71-1036, and said proceedings are redesignated accordingly. Gulf shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(N) Warren Petroleum Corp. FPC Gas Rate Schedule No. 49 is canceled. Warren is not relieved of any refund obligations

that may be ordered in Dockets Nos. RI71-805 and RI71-962 for sales made prior to July 1, 1971, under said rate schedule.

(O) The certificates of public convenience and necessity issued in Dockets Nos. G-2802, G-11897, CI161-1788, CI64-910, CI65-234, and CI68-857 are terminated and the related rate schedules are canceled.

(P) The proceeding in Docket No. RI66-146 is terminated.

(Q) Permission for and approval of the abandonment of service by applicants as hereinbefore described and as more fully described in the applications and the tabulation herein, are granted.

(R) Applicant in Docket No. G-4065 shall charge and collect a total initial rate of 24.0 cents at 14.65 p.s.i.a., subject to B.t.u. adjustment. The provisions contained in section 2 of Article IX of applicant's June 17, 1971, contract providing for a rate increase to an applicable area rate or settlement rate by any method shall only be operative and effective upon Commission approval of an applicable just and reasonable rate or settlement rate in an applicable area rate proceeding for the quality of the gas involved.

(S) The rate schedules and rate schedule supplements related to the authorizations granted herein are accepted for filing or are redesignated, all as set forth in the tabulation herein.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	FPC gas rate schedule		
			Description and date of document	No.	Supp.
G-4065 C 6-24-71	Amoco Production Co.	Texas Eastern Transmission Corp., Hastings et al., Fields, Galveston et al., Counties, Tex.	Contract 1 6-17-71 (Effective date: Date of initial delivery).	8	28
G-7074 C 8-16-71	Cities Service Oil Co.	Consolidated Gas Supply Corp., Elk District, Kanawha County, W. Va.	Letter agreement 7-12-71 (Effective date: Date of initial delivery).	261	4
G-7143 F 7-26-71	Gulf Oil Corp. (Successor to Warren Petroleum Corp.)	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Heyser Field, Calhoun County, Tex.	Assignment 2 6-30-71 (Effective date: 7-1-71)	28	12
G-7143 7-26-71	Warren Petroleum Corp.	do	Notice of cancellation 3 7-21-71 (Effective date: 7-1-71)	49	11
G-9393 D 3-10-71	Atlantic Richfield Co.	Cities Service Gas Co., Aetna Mississippi Pool, Barber County, Kans.	Assignment 2-1-71 (Effective date: 2-1-71)	127	12
G-19416 D 3-10-71	Humble Oil & Refining Co. (Operator) et al.	United Fuel Gas Co., Calcasieu Pass Field, Cameron Parish, La.	Notice of partial cancellation 4 6-24-71 (Effective date: date of this order).	166	13
CI60-393 C 7-6-71	Marathon Oil Co. (Operator) et al.	Transwestern Pipeline Co., Atoka Field, Eddy County, N. Mex.	Letter 5 7-21-71 (Effective date: 5-2-71)	51	7
CI63-234 D 8-4-71	Mobil Oil Corp. (Operator) et al.	Arkansas Louisiana Gas Co., Red Oak Area, Latimer County, Okla.	Notice of partial cancellation 6 8-2-71 (Effective date: date of this order).	333	46

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

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser and location	FPC gas rate schedule		
			Description and date of document	No.	Supp.
CI65-21 D 8-2-71	Texaco, Inc.	Northern Natural Gas Co., Ozona Field, Crockett County, Tex.	Notice of partial cancellation 5-21-71. ¹⁰ (Effective date: Date of this order.)	335	8
CI67-248 C 7-23-71	Beacon Gasoline Co.	East Carterville Field, Webster and Bossier Parishes, La. ¹¹	Contract 5-20-71 Gathering agreement 5-20-71. (Effective date: Date of initial delivery.)	26 26	1
CI72-53 F 7-20-71 ¹²	Union Texas Petroleum, a division of Allied Chemical Corporation et al.	Lone Star Gas Co., East Aylesworth Field, Bryan County, Okla.	Contract 7-1-53 Amendment 12-1-65 (Effective date: 5-2-71).	105 105	1
CI72-68 B 7-27-71 ¹³	Getty Oil Co.	United Fuel Gas Co., North Bourg Field, Terrebonne & Lafourche Parishes, La.	Notice of cancellation 6-11-71. ^{13 14} (Effective date: Date of this order.)	24	21
CI72-74 B 7-28-71 ¹⁵	Mobil Oil Corp.	Texas Eastern Transmission Corp., South Cottonwood Creek Field, De Witt County, Tex.	Notice of cancellation 7-26-71. ^{13 14} (Effective date: Date of this order.)	431	10
CI72-76 B 8-2-71 ¹⁶	Natol Petroleum Corp. (Operator) et al.	United Gas Pipe Line Co., Pistol Ridge Field, Pearl River County, Miss.	Notice of cancellation 7-27-71. ¹⁴ (Effective date: Date of this order.)	1	2
CI72-84 B 8-6-71 ¹⁷	Reserve Oil & Gas Co.	Transcontinental Gas Pipe Line Co., West Mission Valley Field, Goliad County, Tex.	Notice of cancellation 8-3-71. ^{13 14} (Effective date: Date of this order.)	31	9
CI72-85 B 8-5-71 ¹⁸	Dixon Management Corp.	Texas Gas Pipe Line Corp., North Port Neches Field, Orange County, Tex.	Notice of cancellation 7-20-71. ¹⁴ (Effective date: Date of this order.)		
CI72-89 ²⁰ F 8-6-71	Getty Oil Co.	Texas Eastern Transmission Corp., Northeast NADA Field, Colorado County, Tex.	Contract 8-20-62 (Effective date: 5-2-71).	191	
CI72-91 ²¹ B 8-6-71	The California Co., a division of Chevron Oil Co.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Bay Le Fleur Field, Terrebonne Parish, La.	Notice of cancellation ^{21 21} (Effective date: Date of this order.)	34	3
CI72-93 ²⁴ B 8-10-71	Sun Oil Co.	United Gas Pipe Line Co., McGee Field, Simpson and Smith Counties, Miss.	Notice of cancellation 8-4-71. ^{24 24} (Effective date: Date of this order.)	134	6
CI72-105 ²² B 8-13-71	Ernest Wilson	Pennzoil United, Inc., Murphy District, Ritchie County, W. Va.	(13) (14) (Effective date: Date of this order.)		

¹ Contract rate is 25 cents however applicant is willing to accept an amended certificate at 24 cents.

² Assigns interest from Warren Petroleum Corp. to Gulf Oil Corp.

³ Includes assignment dated June 30, 1971, between Warren Petroleum Corp. and Gulf Oil Corp.

⁴ Application to cancel rate schedule due to assignment of interests to Gulf Oil Corp.

⁵ No related certificate filing made or necessary (18 CFR 2.64).

⁶ Assigns acreage to Robert L. Williams, d.b.a. Imperial Oil Co., holder of a small producer certificate in Docket No. CS71-272.

⁷ Includes assignment dated May 10, 1971, assigning interest from applicant to Houston Oil & Minerals Corp., holder of a small producer certificate in Docket No. CS71-453.

⁸ Applicant proposes to amend its certificate in subject docket to cover its own interest in a sale of gas heretofore covered by Read & Stevens Inc. who are now holders of a small producer certificate in Docket No. CS70-42. Original certification was in Docket No. CI67-1850.

⁹ Includes agreement with buyer releasing nonproductive leases which have expired.

¹⁰ Includes supplemental agreement releasing expired or canceled leases.

¹¹ Applicant gathers and processes R. H. Hedge's gas in its Webster Parish plant and redelivers the gas to Texas Gas Transmission Corp.

¹² Applicant proposes to cover its own interest in a sale of gas heretofore covered by Jake L. Hamon who is holder of a small producer certificate in Docket No. CS66-107.

¹³ Includes buyer's concurrence.

¹⁴ Source of gas depleted.

¹⁵ Application to abandon a sale of natural gas covered under a small producer certificate.

¹⁶ Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. G-2802.

¹⁷ Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. CI68-857.

¹⁸ Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. CI64-910.

¹⁹ Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. G-11897.

²⁰ Applicant proposes to cover its own interest in a sale of gas heretofore covered by Dan J. Harrison, Jr., who is holder of a small producer certificate in Docket No. CS71-545.

²¹ Leases have expired and production has ceased.

²² Applicant proposes to abandon a sale of natural gas covered under a small producer certificate which was issued to applicant by Commission Order No. 411.

²³ Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. CI65-234.

²⁴ Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. CI61-1788.

[FR Doc.72-3856 Filed 3-15-72; 8:45 am]

[Docket No. G-3894 etc.]

ATLANTIC RICHFIELD CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

MARCH 7, 1972.

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

Any person desiring to be heard or to make any protest with reference to said applications should on or before April 3, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Secretary.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pres- sure base
G-3894- C 2-28-72 ¹	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221.	Transcontinental Gas Pipe Line Corp., Greta Field, Refugio County, Tex.	\$ 24.0	14.65
G-4208- E 2-28-72	Clinton Oil Co. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Cecil Noble Field, Colorado County, Tex.	15.05572	14.65
G-4411 and G-12418 E 2-11-72 ²	do.	Arkansas Louisiana Gas Co., Ivan Field, Bossier Parish, La.	14.8533	14.65
G-10706- D 2-22-72	Sun Oil Co., Post Office Box 2880, Dallas, TX 75221 (partial abandon- ment).	Cities Service Gas Co., Eureka Field, Grant County, Okla.	Depleted	-----
G-11511- E 2-23-72	Clinton Oil Co. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Greenwood Field, Morton County, Kans.	\$ 17.46	14.65
CI61-1332- C 2-28-72 ³	Cities Service Oil Co. (Operator), Post Office Box 300, Tulsa, OK 74102.	Transwestern Pipeline Co., Outlet at Blumit Gasoline Plant, sec. 15.8 S., 36 E., Roosevelt County, N. Mex.	\$ 27.0	14.65
CI71-286- C 2-25-72 ⁴	LVO Corp., Post Office Box 2848, Tulsa, OK 74101.	Kansas-Nebraska Natural Gas Co., Bradshaw Area, Hamilton County, Kans.	\$ 13.5	14.65
CI72-517- B 2-18-72	Skelly Oil Co., Post Office Box 1650, Tulsa, OK 74102.	Panhandle Eastern Pipe Line Co., Acreage in Meade County, Kans.	Depleted	-----
CI72-519- A 2-22-72	Cities Service Oil Co., Post Office Box 300 Tulsa, OK 74102.	El Paso Natural Gas Co., Caverns Area, Eddy County, N. Mex.	\$ 30.0	14.65
CI72-520- B 2-22-72	do.	United Gas Pipe Line Co., Elysian Fields Field, Harrison County Tex.	(⁵)	-----
CI72-521- A 2-22-72	Marathon Oil Co., 539 South Main St., Findlay, OH 45840	Arkansas Louisiana Gas Co., West Wilburton Field, Arkoma Area, Pittsburg and Latimer Counties, Okla.	¹⁰ 22.0125 ¹¹ 22.25	14.65
CI72-522- 2-18-72 ¹²	Getty Oil Co., Post Office Box 1404, Houston, TX 77001.	Transwestern Pipeline Co., Blumit (Wolfcamp) North Field, Roosevelt County, N. Mex.	19.091	14.65
CI72-523- 2-17-72 ¹³	Lone Star Producing Co., 301 South Harwood St., Dallas, TX 75201.	Texas Gas Transmission Corp., West Simsboro Field, Lincoln Parish, La.	19.75	15.025
CI72-524- A 2-23-72	do.	Arkansas Louisiana Gas Co., Whelan Field, Harrison County, Tex.	¹⁴ 14.0133	14.65
CI72-525- 2-24-72 ¹⁵	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221.	Natural Gas Pipeline Co. of America, Joiner City Plant, Carter County, Okla.	19.3	14.65
CI72-526- A 2-25-72	Exchange Oil & Gas Corp., 1010 Com- mon St., 16th Floor, New Orleans, La. 70112.	Columbia Gas Transmission Corp., Valentine Field, Lafourche Parish, La.	27.50	15.025
CI72-527- A 2-28-72	Kerr-McGee Corp., Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	Southern Natural Gas Co., Main Pass Block 52, Plaquemines Parish, La.	¹⁶ 35.84	15.025

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

- ¹ Amendment to pending application.
² Pursuant to Opinion No. 595; however, the contract price is 25 cents per Mcf.
³ Application was erroneously assigned Docket No. CI72-515 as a partial succession. Further review of the Commission files reveals that the application is a complete succession and will be processed under Dockets Nos. G-4411 and G-12418 as a complete succession. Docket No. CI72-515 is canceled.
⁴ Minus 0.54 cents per Mcf downward B.t.u. adjustment. Rate in effect subject to refund in Docket No. RI69-349.
⁵ Applicant proposes to sell gas from additional acreage and provide for increased price for new gas.
⁶ Subject to upward and downward B.t.u. adjustment.
⁷ Amendment to pending application to add acreage acquired from Skelly Oil Co.
⁸ Rate in effect subject to refund in Docket No. RI69-426.
⁹ Production has ceased and all leases have terminated, been canceled and released.
¹⁰ West Wilburton contract—area price for gas originally dedicated after Oct. 1, 1968, 17.7660—area price for gas originally dedicated prior to Oct. 1, 1968; however, the contract price is 18 cents per Mcf, subject to upward and downward B.t.u. adjustment. Includes 0.25 cents per Mcf for dehydration deduction for water content.
¹¹ Arkoma area—area rate, subject to adjustment for B.t.u. and quality adjustments, less wellhead delivery adjustment; however, the contract price is 23 cents per Mcf, subject to upward and downward B.t.u. adjustment.
¹² Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI61-1331 to be made pursuant to H. L. Brown, Jr. et al., FPC Gas Rate Schedule No. 1.
¹³ Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI63-943 to be made pursuant to J. C. Trahan Drilling Contractor, Inc., FPC Gas Rate Schedule No. 24.
¹⁴ If seller elects to deliver at the wellhead, the price under the contract is reduced \$0.008 per Mcf. Buyer may compress the gas and deduct compression charges of \$0.0075 per Mcf or \$0.015 for two stages of compression.
¹⁵ Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI62-273 to be made pursuant to Mack Oil Co., FPC Gas Rate Schedule No. 2.
¹⁶ Plus 0.84 cents per Mcf upward B.t.u. adjustment.

[FR Doc.72-3858 Filed 3-15-72;8:45 am]

[Docket No. RP72-110]

ALGONQUIN GAS TRANSMISSION CO.

Notice of Proposed Changes in Rates and Charges

MARCH 13, 1972.

Take notice that Algonquin Gas Transmission Co. (Algonquin) on March 1, 1972, tendered for filing proposed

changes in its FPC Gas Tariff, Original Volumes Nos. 1 and 2.¹ The proposed rate changes would increase Algonquin's

¹ Original Volume No. 1: Fourth Revised Sheet No. 1, Original Sheet No. 3-A, 28th Revised Sheet No. 5, Seventh Revised Sheet No. 6, Eighth Revised Sheet No. 7, Second Revised Sheet No. 8-A, 28th Revised Sheet No. 10, 29th Revised Sheet No. 11-A, 29th Revised Sheet No. 12, 28th Revised Sheet No. 14, 24th Revised Sheet No. 15-J, Second Re-

venues from jurisdictional sales and services by \$10,619,713 based on sales volumes for the 12-month period ended December 31, 1971. The proposed effective date for the foregoing tariff sheets is April 1, 1972.

Algonquin states that the increase in rates is necessitated predominantly by the increases in rates filed at Docket No. RP72-98 by Texas Eastern Transmission Corp., Algonquin's sole natural gas supplier. Algonquin requests that the suspension period, if any, of the revised tariff sheets being filed herewith, be made coterminous with the suspension period involved in Texas Eastern's Docket No. RP72-98, which has been suspended by Commission order issued February 11, 1972, until July 14, 1972.

The tariff sheets include a proposed purchased gas cost adjustment clause. Section 154.38(d) (3) of the Commission's regulations presently proscribes the inclusion of such a clause in rate schedules filed by natural gas pipeline companies. Algonquin requests that the Commission waive such requirement, in the light of current conditions, and permit the filing of such revised tariff sheets.

Algonquin is concurrently tendering for filing, "Alternate Tariff Sheets," which contain the same changes as those filed above, exclusive, however, of the purchased gas cost adjustment provision. In the event the Commission does not grant the waiver of the requirement of § 154.38(d) (3), then Algonquin proposes that the Alternate tariff sheets be considered to have been filed in lieu of, and in substitution for, those tariff sheets filed. The Alternate tariff sheets eliminate all reference to the purchased gas adjustment clause.

Copies of this filing were served on Algonquin's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 27, 1972. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-4072 Filed 3-15-72;8:55 am]

vised Sheet No. 15-K.1, Fourth Revised Sheet No. 15-M, Fourth Revised Sheet No. 15-O, Fifth Revised Sheet No. 15-Q, First Revised Sheet No. 15-Q.1, Original Sheet No. 26-A and Second Revised Sheet No. 27, Original Sheets Nos. 30-C, 30-D, and 30-E. Original Volume No. 2: 29th Revised Sheet No. 4 and 26th Revised Sheet No. 57.

[Dockets Nos. E-7631, etc.]

**CITY OF CLEVELAND, OHIO, AND
CLEVELAND ELECTRIC ILLUMINATING CO.**

**Order Directing Immediate Temporary
Emergency Interconnection and
Standby Service, Consolidating
Hearing, Setting Expedited Hearing,
and Denying Motion for Oral Argument**

MARCH 8, 1972.

City of Cleveland, Ohio v. Cleveland Electric Illuminating Co., Dockets Nos. E-7631 and E-7633, and City of Cleveland, Docket No. E-7713.

Pursuant to section 202(c) of the Federal Power Act (16 U.S.C. 824a), the Commission has before it the question of whether an emergency exists on the Division of Water and Power system of the City of Cleveland (herein "City") by reason of "a shortage of electric energy or of facilities for the generation or transmission of electric energy, or of fuel or water for generating facilities, or other causes, and whether to require by order such temporary connections of facilities and such generation, delivery, interchange, or transmission of electric energy as in its judgment will best meet the emergency and serve the public interest."

Before considering this question we note the pendency of Dockets Nos. E-7631 and E-7633 initiated by the City and the Cleveland Electric Illuminating Co. (herein "C.E.I.") now consolidated for hearing before a Presiding Examiner at the Federal Power Commission, in which, inter alia, the issue of a permanent interconnection under section 202(b) of the Federal Power Act is presented, and a question under sections 202(c) and 205 of the Federal Power Act¹ concerning whether the Cleveland Electric Illuminating Co. should or should not be allowed to discontinue the temporary, low voltage deliveries currently being provided to the City under five load transfer points.²

On December 6, 1971, the City first requested an emergency section 202(c) parallel interconnection with C.E.I.

By order of December 16, 1971, in Dockets Nos. E-7631 and E-7633 the Commission suspended the termination of the five load transfer points between Cleveland Electric Illuminating and the City of Cleveland Municipal System, thereby requiring the Company to continue to serve the City for the full period of suspension, and ordered an immediate hearing (10 Tr. 4). The continu-

tion of the five load transfer points was made in recognition of the outages of the City system on September 7, 1971, and again on November 13, 1971, and in recognition of the need of the City for additional service while converting certain of its boilers to meet air pollution control standards. On December 22, 1971, the City filed a motion which, inter alia, renewed its request for a temporary emergency parallel interconnection with C.E.I. pursuant to section 202(c) (10 Tr. 9). By order of January 31, 1972, in Dockets Nos. E-7631 and E-7633 the Commission denied the City's renewed request for a temporary emergency interconnection because "no facts have been presented since our December order which established that the City's system is currently operating in an emergency situation. However, the City is not precluded from filing for such an order in the future if there exists an emergency within the meaning of Section 202(c)."

On February 7, 1972, the Commission was advised that the 75 MW generating unit of the Division of Water and Power of the City of Cleveland, Ohio, was forced out of service, resulting in an interruption of service (10 Tr. 21) (15 Tr. 24). At the direction of the Chairman, an immediate investigation was instituted to consider, inter alia, the question of whether an interconnection under section 202(c) was in order. Subsequently, the City filed on February 8, 1972, for a temporary emergency interconnection under section 202(c) citing the outage of February 7, 1972, as evidence of an emergency situation (10 Tr. 7).

It appears that the City has an emergency by virtue of the shortage of facilities for the generation of electric energy whenever the largest unit is out of service. It appears that the City currently has a peak of approximately 100 MW (15 Tr. 28) and has installed capacity of approximately 206 MW (15 Tr. 4); thus, the installed reserves are sufficient for reliable operation. However, a combination of circumstances, both within and without the control of the City of Cleveland, has rendered the municipal system unreliable. The system was apparently designed to include one approximately 75 to 85 MW generator with its own boiler, three approximately 25 MW generators with five boilers under a common header (15 Tr. 6) and three approximately 15 to 19 MW gas turbines with dual fuel capability (15 Tr. 10). It appears that the gas turbines were acquired for the purposes of insuring reliability on the City's system by providing ready reserves; that is, reserves which could be provided immediately upon any emergency (15 Tr. 12). However, it appears that the City has failed to install any remote starting equipment for the gas turbines (15 Tr. 14). The result is that the gas turbines must be manually started and synchronized. Since the turbines are located at a position away from the City's other generators, employees of the City must now travel by vehicle to the distant location in order to start these turbines (15 Tr. 19). It also appears that operat-

ing difficulties have been experienced with the gas turbines (15 Tr. 14). With regard to the three 25 MW generators, air pollution control has necessitated removal of three of the five boilers from operation, only two of which are currently undergoing conversion (15 Tr. 6). The result is that only approximately 20 MW can be generated at the present time. With regard to the 75 to 85 MW generator, it is not apparent what planning, if any, was made for reliability of the large unit with regard to spinning reserve, but it is apparent that the large generator experiences operating difficulties from time to time which necessitate further maintenance and repair (15 Tr. 22-25; 29-30). Thus, while it appears that the City has currently a peak of approximately a 100 MW, as heretofore stated, and is receiving 25 to 30 MW of the peak from C.E.I. at this time through load transfer points (15 Tr. 5), and while it appears that the City has generating capacity of approximately 140 MW, the combination of the lack of remote capability for the gas turbines and the operating difficulties experienced on all equipment indicates that an emergency does exist whenever the largest unit is out of service.

With regard to alleviating the emergency situation in the City of Cleveland with an interconnection, it appears that the only alternative is C.E.I. because of its proximity to the City system, which is otherwise an isolated system (15 Tr. 44). It appears that the maximum power which could be provided by C.E.I. in the shortest period of time is 40 MVA. There is a dispute as to whether a 69 kv interconnection at 40 MVA should or should not be synchronous (15 Tr. 43-48). We observe that consumers in the City of Cleveland are severally dependent upon both C.E.I. and the City system, and we are mindful of the need to provide reliable service to the approximately 20 percent of the City consumers served by the City without jeopardizing the reliability of service to the remaining consumers in Cleveland served by C.E.I. If an interconnection were ordered which caused a forced outage of C.E.I. facilities, the City system would not receive any emergency power and C.E.I.'s consumers would suffer.

We have considered an emergency interconnection both at 138 kv and 69 kv, which appear to be the only feasible alternatives. Because of the time required to install an interconnection at 138 kv, and because of the limited number of megawatts available at 69 kv, we cannot now determine whether both should be ordered. Accordingly, the City may, if it chooses to do so, construct facilities which will accommodate an interconnection both at 138 kv and at 69 kv. Since we are unable to conclude at this time that a synchronous interconnection would not impair the ability of Cleveland Electric Illuminating to render adequate service to its customers in the City of Cleveland, and since we are unable to conclude that no undue burden would be placed on Cleveland Electric Illuminating by a synchronous inter-

¹ Section 202(b) of the Federal Power Act, 16 U.S.C. 824a; section 205 of the Federal Power Act, 16 U.S.C. 824d.

² On February 10, 1972, a prehearing conference was held in consolidated Dockets Nos. E-7631 and E-7633. Any reference to the transcript of that hearing in the body of this order shall be noted as 10 Tr. —.

Subsequently, on February 15, 1972, a conference for the purpose of investigation was held in Docket No. E-7713. Any reference to the transcript of that conference in the body of this order shall be noted as 15 Tr. —.

connection, we therefore find at this time, without prejudice and subject to the hearing ordered, that the only practical interconnection at the present time is a nonsynchronous interconnection with open switch so that C.E.I. can supply emergency energy to the City if, as, and when it can do so without impairing reliability of service to its own customers. This finding is subject to review de novo upon completion of the hearing herein provided.

Because of the existing emergency as heretofore set forth, it appears necessary to consider an order on the continuation of the five load transfer points after May 17, 1972.

The cost of any facilities to effect an interconnection should be borne solely by the City and since the City would be the sole beneficiary of a temporary interconnection to meet the present emergency, it would be appropriate for the City to bear all costs of the facilities as may be required by C.E.I. to protect the integrity of C.E.I.'s system. It is appropriate, therefore, that the City construct and pay for all facilities to the designated station of C.E.I. and that the City pay to C.E.I. the cost of any construction work or any equipment to be furnished by C.E.I. in order to facilitate the construction of an interconnection by the City and construction or equipment necessary to protect the integrity of C.E.I.'s system because of the interconnection, prior to the commencement of any service.

It is further appropriate that the City take all steps necessary to render its own generating equipment operable and that the City of Cleveland refrain from using the interconnection with Cleveland Electric Illuminating unless and until all available generation of the City is in operation, provided, however, that the City of Cleveland may draw on the interconnection for up to 3 hours while starting and synchronizing its own generating equipment. In any event, the City should at all times maintain spinning reserves equal to 15 percent of its system load, and at no time should the total load be carried on only one generator unit.

Since many of these issues are involved in the pending cases in consolidated Dockets Nos. E-7631 and E-7633, we deem it advisable to consolidate Docket No. E-7713 with these two dockets for purposes of hearing and to order a hearing on all three dockets commencing March 21, 1972, to continue day to day until the record is complete.

Section 202(c) places the burden upon the parties to agree on the rate, terms, and conditions of service. We have no agreement before us. Therefore, unless the parties file an agreement in Docket No. E-7713 on or before March 20, 1972, the hearing on March 21, 1972, shall also be for the purpose of deciding the rate, terms, and conditions including facilities to be employed in this emergency service.

On February 22, 1972, the City of Cleveland filed a Motion of Cleveland

for Oral Argument in Docket No. E-7713. In the circumstances, we will deny the motion.

The Commission finds:

(1) An emergency exists on the City of Cleveland's System by reason of a shortage of reliable facilities for the generation of electric energy whenever the City's 75 MW unit is out of service.

(2) A temporary emergency interconnection, as set forth in ordering paragraph (A) and subject to the conditions set forth in ordering paragraphs (B) through (E) will best meet the emergency and serve the public interest.

(3) The Motion of Cleveland for Oral Argument filed on February 22, 1972, in Docket No. E-7713, should be denied.

The Commission orders:

(A) Cleveland Electric Illuminating Co. shall permit the City of Cleveland to establish a temporary emergency interconnection at or near C.E.I.'s Lake Shore facility and, until further order of this Commission, shall permit a temporary, 69 kv emergency, nonsynchronous interconnection, with necessary switches open until closed as hereinafter provided, and, when the switches are closed, to provide up to 40 MVA of emergency service when, as, and if, C.E.I. has energy available without impairing service to its own consumers and so long as C.E.I. is not, itself, in an emergency. When an emergency exists on the City's System by virtue of the forced outage of its largest generator or other and further outages which cannot be met by the City's own generation, C.E.I. shall take all steps necessary to close the appropriate switches to deliver up to 40 MVA to the City upon the City's request, provided, however, that the City will operate all of its own available generating capacity before, or within 3 hours of, making the request to C.E.I.

(B) All facilities to effect the interconnection will be constructed by the City of Cleveland to C.E.I.'s Lake Shore facility. All costs of the facilities, including those of C.E.I. to accommodate the interconnection and to protect the integrity of C.E.I.'s System, shall be paid by the City of Cleveland. Nothing herein shall preclude the City from constructing facilities which will accommodate an interconnection at 138 kv. The City shall reimburse C.E.I. for any costs incurred in connection with the interconnection prior to commencement of service.

(C) Because of the City's operational problems with its electrical plant system, the approximately 30 MW of load now served by C.E.I. to the City shall be maintained through the existing five load transfer interconnection points subsequent to May 17, 1972, until further order of the Commission. The rate and terms of payment for this service after May 17, 1972, shall be considered in the hearing ordered in (h), infra.

(D) The City shall take immediate steps to relieve the conditions which made this order necessary, including, but not limited to, the installation of remote control equipment for its three gas turbines.

(E) The City shall at all times maintain spinning reserves equal to 15 percent of its system load and at no time shall its total load be carried on only one generating unit.

(F) If the parties do not file an agreement in Docket No. E-7713 concerning the rates, terms, and conditions on or before March 20, 1972, the hearing on March 21, 1972, shall include the determination of said rates, terms, and conditions, including payment thereof.

(G) The City's Motion of Cleveland for Oral Argument, filed on February 22, 1972, is hereby denied.

(H) The section 202(c) emergency proceeding in Docket No. E-7713 shall be consolidated with Dockets Nos. E-7631 and E-7633 for hearing and determination purposes. The Commission Order of February 8, 1972, in Dockets Nos. E-7631 and E-7633 is superseded to the extent that it provided for the dates for the filing of Staff's testimony, the filing of rebuttal testimony, the prehearing conference date, and the date to begin cross examination. The consolidated hearing encompassing Dockets Nos. E-7631, E-7633, and E-7713 shall begin March 21, 1972, at 10 a.m., e.s.t., in the offices of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, before the duly assigned Presiding Examiner. Staff shall have until March 20, 1972, to file any direct testimony and exhibits. Staff shall also have the right to enter into the record of this proceeding any testimony by direct examination which it did not file in written form by March 20, 1972, and which it believes is necessary in the public interest to complete the record. This hearing shall include all of the issues in the proceeding in Dockets Nos. E-7631 and E-7633. Specifically, the issues in this proceeding shall include:

(1) Whether a permanent interconnection should be ordered under section 202(b) of the Federal Power Act; (2) whether C.E.I. should or should not be allowed to discontinue the temporary, low voltage deliveries currently being provided to the City under five load transfer points; (3) whether the interconnection should be at 69 KV, 138 KV, or both; (4) whether the interconnection should be synchronous or nonsynchronous at either or both 69 KV and 138 KV; (5) the issues of rate, terms of service, payment for service and conditions for maintaining the five load transfer points to the extent that those issues are not agreed upon by the parties prior to hearing; and (6) the issues of rate, terms of service, payment for service and conditions for interconnection to the extent that those issues are not agreed upon by the parties prior to hearing.

By the Commission.¹

[SEAL]

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-3966 Filed 3-15-72; 8:48 am]

¹ Dissenting statement of Commissioner Carver filed as part of the original document.

[Docket No. CP66-223]

EL PASO NATURAL GAS CO.**Notice of Petition To Amend**

MARCH 8, 1972.

Take notice that on February 14, 1972, El Paso Natural Gas Co. (Petitioner), Post Office Box 1492, El Paso, TX 79978, filed in Docket No. CP66-223, a petition to amend the order of the Commission heretofore issued in said Docket pursuant to section 7(b) of the Natural Gas Act on July 8, 1966, 36 FPC 31, so as to authorize the removal from the ground of certain field transmission lines previously permitted to be abandoned in place, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By order issued in the subject docket the Commission granted Petitioner permission and approval, inter alia, to abandon in place approximately 3.6 miles of 8 $\frac{1}{2}$ -inch O.D. and 11.2 miles of 10 $\frac{3}{4}$ -inch O.D. field transmission lines in the Bisti area of San Juan County, N. Mex. Petitioner states that the field lines were left in place due to the possibility of use at a future time to transport gas anticipated to be produced in an adjacent area. Petitioner further states that no gas production has been developed in the adjacent area and the possibility of such production is now unlikely. In order economically to utilize the pipe now in the ground, Petitioner requests authority to remove the pipe from time to time, as needed, for reconditioning and reuse in its operations.

The total cost of removal and repair of the 14.8 miles of pipeline is estimated to be \$115,000.

Any person desiring to be heard or to make any protest with reference to said petition to amend, should on or before March 28, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-3967 Filed 3-15-72;8:49 am]

[Docket No. CI72-550]

LONE STAR PRODUCING CO. ET AL.**Notice of Application**

MARCH 13, 1972.

Take notice that on March 6, 1972, Lone Star Producing Co. (Applicant),

301 South Harwood Street, Dallas, TX 75201, filed in Docket No. CI72-550 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale of natural gas in interstate commerce to United Gas Pipe Line Co. (United) from production in the Oakes Field, Claiborne Parish, La., and delivery of said gas for transportation and redelivery to United in Webster Parish, La., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell gas to United within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and to continue said sale for 1 year from the termination of the 60-day emergency period within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell up to 4,000 Mcf of gas per day at 35.0 cents per Mcf.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before March 24, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-4073 Filed 3-15-72;8:55 am]

[Docket No. CI72-552]

PHILLIPS PETROLEUM CO.**Notice of Application**

MARCH 13, 1972.

Take notice that on March 6, 1972, Phillips Petroleum Co. (Applicant), Bartlesville, Okla. 74004, filed in Docket No. CI72-552 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas with Natural Gas Pipeline Company of America (Natural), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to deliver to Natural up to a maximum daily volume of 10,000 Mcf of gas at the tailgate of its Chocolate Bayou Plant in Brazoria County, Texas, until May 1, 1972, to help Natural meet its peak winter heating requirements in return for thermally equivalent volumes to be delivered by Natural at the Chocolate Bayou Plant or another mutually agreeable point during June through September 1972. The total volume proposed to be delivered by Applicant is 1 million Mcf of gas.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before March 24, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10).

All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-4074 Filed 3-15-72;8:55 am]

[Docket No. CP72-215]

ST. CROIX VALLEY NATURAL GAS COMPANY, INC., AND NORTHERN NATURAL GAS CO.

Notice of Application

MARCH 8, 1972.

Take notice that on March 2, 1972, St. Croix Valley Natural Gas Co., Inc. (Applicant), River Falls, Wis. 54022, filed in Docket No. CP72-215 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Northern Natural Gas Company (Respondent) to sell and deliver an additional 750 Mcf of natural gas per day to Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests the Commission to order Respondent to increase its contract demand to 2,874 Mcf of natural gas per day from its existing level of 2,124 Mcf. Applicant states that it has experienced an increase in the demand for natural gas, which is not due to the expansion of its existing distribution system, and in January 1972, requested Respondent on 14 different days to deliver gas in excess of its contract demand, but was allowed only some additional gas on 11 of those days. Applicant further states that it is prevented under orders of the Public Service Commission of Wisconsin from refusing to deliver natural gas, when requested, to new customers within areas covered by such orders. Applicant states that it has received requests and is obligated to provide natural gas service prior to commencement of the 1972-1973 heating season to 125 new homes, a 64-unit apartment building, a hospital, the Fine Arts Building, the College Pharmacy and four other commercial buildings, all in River Falls, Wis.; 26 new homes, two apartment buildings, one corn dryer, and one new commercial building, all in Prescott, Wis.; and nine new homes and one corn dryer in Hammond, Wis., totaling in the aggregate an estimated increase of 524 Mcf of natural gas per day. Also Applicant expects 10 homes in Prescott, Wis., to convert to gas prior to the 1972-1973 heating season, totaling in the aggregate an estimated increase of 15 Mcf of natural gas per day.

Applicant states that the proposed increase in contract demand will enable it to meet its requirements of current non-interruptible customers and of those new customers which have requested Applicant for gas service and which Applicant is legally obligated, upon request, to serve.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 3,

1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-3969 Filed 3-15-72;8:49 am]

[Project 372]

SOUTHERN CALIFORNIA EDISON CO.

Notice of Availability of Environmental Statement for Inspection

MARCH 13, 1972.

Notice is hereby given that on October 1, 1970, pursuant to Commission regulations implementing the National Environmental Policy Act of 1969, Public Law 91-190, an environmental statement on Southern California Edison Co.'s pending application for a new license under section 15 of the Federal Power Act for the Lower Tule River Hydroelectric Project No. 372 located in Tulare County, Calif., was placed in the Commission's files on this project and is available for public inspection in the Commission's Office of Public Information, Room 2523, General Accounting Office Building, 441 G Street NW., Washington, DC. Copies of the statement will be available from the National Technical Information Service, Department of Commerce, Springfield, Va. 22151.

The project is presently being operated under an annual license issued pursuant to provisions of section 15 of the Federal Power Act. It consists of a diversion dam on the North and South Forks of the Middle Fork of the Tule River, a 6-mile long conduit, a powerhouse containing two 1,000 kilowatt generators, 9.5 miles of transmission line, and recreational features.

Any party desiring to intervene in this proceeding with regard to environmental matters covered by the National Environmental Policy Act of 1969, Public Law 91-190, should file a petition to intervene in accordance with Federal Power Commission rules of practice and procedure containing an explanation of the intervenor's environmental position and setting forth the points to be controverted. Petitions to intervene should be filed with the Commission on or before May 15, 1972. Written statements by parties not wishing to intervene may also be filed and will be considered by the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-4075 Filed 3-15-72;8:55 am]

[Docket No. E-7711]

SOUTHWESTERN ELECTRIC POWER CO.

Order Suspending Cancellation of Rate Schedule

MARCH 8, 1972.

On December 27, 1971, Southwestern Electric Power Co. tendered for filing with the Commission in Docket No. E-7711 a proposed initial rate schedule designated REA. Southwestern proposes to make such rate schedule applicable to its wholesale electric service to rural electric cooperatives in Texas and Louisiana.¹ On February 7, 1972, Southwestern filed in this docket a notice of cancellation of its FPC rate schedule No. 56 under which Southwestern sells electric power to Tex-La Electric Cooperative, Inc. of Quitman, Tex., for resale to Tex-La's distribution cooperative members. Southwestern proposed an effective date of February 29, 1972,² for the cancellation of rate schedule FPC No. 56 and proposed to make rate schedule REA available for service on the same date.

The pleadings filed in this docket indicate the company may have no contractual right to cancel or terminate Rate Schedule No. 56 under present circumstances, and in addition cancellation of Rate Schedule No. 56 may not be in the public interest. In order to assure continued service by Southwestern to Tex-La and the continued proper scheduling of power produced from the Narrows Dam Reservoir Project, all as provided for under the terms of Rate Schedule No. 56, it appears the proposed notice of cancellation should be suspended pending further inquiry by the Commission into the facts and circumstances involved in this case, and pending such further orders of the Commission as may be required.

Section 35.15 of the Commission's regulations under the Federal Power Act provides that notice of cancellation or termination of a rate schedule be given at least 30 days prior to the date such cancellation or termination is proposed to take effect. Southwestern's notice of cancellation of Rate Schedule No. 56 was filed on February 7, 1972, and the cancellation thus cannot become effective under the Commission's regulations prior to March 9, 1972. The suspension period will therefore be measured from March 9, 1972, that date representing the earliest date on which the proposed cancellation could become effective.³

¹ Bossier Rural Electric Membership Corp., Bossier City, La.; Bowie-Cass Electric Cooperative, Inc., Douglasville, Tex.; Deep East Texas Electric Coop., Inc., San Augustine, Tex.; Panola-Harrison Electric Coop., Inc., Marshall, Tex.; Rusk County Electric Cooperative, Inc., Henderson, Tex.; Upshur-Rural Electric Cooperative, Inc., Gilmer, Tex.; Valley Electric Membership Corp., Natchitoches, La.; Wood County Electric Cooperative, Inc., Quitman, Tex.

² The effective date is determined by reference to the filing date of February 7, 1972, and is not affected by the issuance of public notice herein on February 28, 1972, providing for comments to be filed on or before March 22, 1972.

The Commission finds: It is necessary and proper in the public interest and in carrying out the provisions of the Federal Power Act that the notice of cancellation of Rate Schedule No. 56 filed by Southwestern Power Co. on February 7, 1972, be suspended as herein-after provided.

The Commission orders:

(A) The notice of cancellation of FPC Rate Schedule No. 56 filed herein on February 7, 1972, is suspended pending further order of the Commission, provided however that such suspension shall not extend beyond August 9, 1972, such date representing a suspension period of 5 months beyond the earliest possible effective date of March 9, 1972.

(B) During the suspension period or until further order of the Commission, Southwestern shall continue to provide service to Tex-La under Rate Schedule No. 56 and shall also continue pursuant to Rate Schedule No. 56 the proper scheduling of power from the Narrows Dam Reservoir Project.

(C) Southwestern is directed to remit to the Commission within 10 days from the date of this order the sum of \$100 as payment of the filing fee for its notice of cancellation as required by § 36.2 of the Commission's regulations under the Federal Power Act.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.72-3968 Filed 3-15-72; 8:49 am]

NATIONAL GAS SURVEY

Order Amending Order Prescribing Procedures

MARCH 9, 1972.

By order issued December 21, 1971, the Commission directed that a study and analysis of natural gas reserves be conducted and prescribed procedures for its undertaking. In ordering paragraph (C) of that order, the Commission noted that the procedures therein specified did not preclude the undertaking of such other procedures or reserves studies or the obtaining of such further information or data relating to gas supply as may be determined by the Commission or Staff to be necessary or appropriate in carrying out the Commission's National Gas Survey to serve the public interest.

The procedures set forth in that order established independent reserve teams, to be made up of geologists, engineers and other professional staff members of the Federal Power Commission to review data ordinarily needed to determine gas reserves, with assistance, as available, from the U.S. Geological Survey, U.S. Bureau of Mines, and from colleges and universities. These independent reserve teams would make independent reserve estimations of selected natural gas fields in the offices of the various companies, transmitting those estimations on a confidential basis to the reserve team supervisor.

The Commission reiterates the need for protecting the confidentiality of pro-

prietary information. The Commission recognizes that the publicizing of such information would have an inhibiting effect upon future exploration for natural gas reserves since speculators could equally benefit with those companies willing to make geological and geophysical expenditures. Therefore, the Commission reaffirms ordering paragraph (B) of its December 21 order which reads as follows:

Any nonpublic commercial information concerning an individual natural gas company's reserves obtained during the course of this survey and analysis shall be treated as confidential without public disclosure by the staff of the Commission and its agents, including any accounting firm selected by the Commission to assist in this survey and analysis, unless otherwise directed by the Commission. The provisions of Section 8(b) of the Natural Gas Act [15 U.S.C. 717g(b)] and 5 U.S.C. 552(b) (4) and (9) [Freedom of Information Act] shall apply.

Among the security considerations prescribed to preserve that confidentiality, the Commission required in its order that all company-furnished data be evaluated at the companies' offices with no data or worksheets leaving the premises. Worksheets generated by independent reserve teams were to be preserved in the companies' offices until July 1, 1974. Upon reconsideration, we believe that the confidentiality of such worksheets as are prepared by independent reserve teams may be better protected if those worksheets are returned to the Commission's offices in Washington, D.C. to the custody of the Technical Director of the National Gas Survey, who shall take all steps necessary for protecting the security of these worksheets.

The Commission finds:

The objectives of the National Gas Survey will be served by maintaining the worksheets generated by the independent reserve teams in a central repository, properly secured.

It is in the public interest that such worksheets be retained by the Commission, subject to further order.

The Commission orders:

(A) The procedures approved in Paragraph II A of Appendix A to the "Order Directing Study and Analysis of Natural Gas Reserves and Prescribing Procedures for the National Gas Survey" (December 21, 1971) is hereby amended in accordance with Paragraphs B and C, *infra*.

(B) Worksheets generated by the independent reserve teams in the course of their independent reserve estimations shall be returned to the Commission's Washington, D.C., offices and there preserved in the custody of the Technical Director of the National Gas Survey, subject to further order.

(C) The confidentiality of these worksheets shall be maintained without public disclosure pursuant to the provisions of section 8(b) of the Natural Gas Act [15 U.S.C. 717g(b)] and 5 U.S.C. 552(b) (4) and (9) [Freedom of Information Act], subject to further order.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.72-3970 Filed 3-15-72; 8:49 am]

FEDERAL RESERVE SYSTEM COUNTY NATIONAL BANCORPORATION

Order Approving Acquisition of Bank

County National Bancorporation, Clayton, Mo., has applied for the Board's approval under section 3(a) (3) of the Bank Holding Company Act (12 U.S.C. 1842 (a) (3)) to acquire not less than 90 percent of the voting shares of Big Bend Bank, Webster Groves, Missouri (Bank).

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

On the basis of the record, the application is approved for the reasons set forth in the Board's Statement¹ of this date, provided that the transaction 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 St. Louis pursuant to delegated authority, and provided further that upon consummation of the proposed transaction, Applicant shall not retain or acquire any nonbank shares or engage in any nonbanking activities to a greater extent or for a longer period than would apply in the case of a bank holding company which became such on the date of such consummation, except to the extent otherwise permitted in any regulation of the Board hereafter adopted specifically relating to the effect of the acquisition of an additional bank on the status of nonbank shares and activities of a one-bank holding company formed prior to 1971, or unless the Board fails to adopt any such regulation before the expiration of 2 years after the consummation of the proposed acquisition.

By order of the Board of Governors,
March 9, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-3978 Filed 3-15-72; 8:49 am]

FIRST NATIONAL CHARTER CORP.

Acquisition of Bank

First National Charter Corp., Kansas City, Mo., has applied for the Board's approval under section 3(a) (3) of the Bank Holding Company Act (12 U.S.C. 1842(a) (3)) to acquire 100 percent of the

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 St. Louis. Dissenting Statement of Governors Robertson, Brimmer, and Sheehan filed as part of the original document and available upon request.

² Voting for this action: Chairman Burns, and Governors Mitchell, Daane, and Maisel. Voting against this action: Governors Robertson, Brimmer, and Sheehan.

voting shares (less directors' qualifying shares) of the Livestock National Bank, Kansas City, Mo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than April 6, 1972.

Board of Governors of the Federal Reserve System, March 10, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-3979 Filed 3-15-72; 8:49 am]

HUNTINGTON BANCSHARES, INC.

Acquisition of Bank

Huntington Bancshares, Inc., Columbus, Ohio, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of the First National Bank of Kenton, Kenton, Ohio. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than April 6, 1972.

Board of Governors of the Federal Reserve System, March 10, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-3980 Filed 3-15-72; 8:49 am]

JEFFERSON BANCORP, INC.

Acquisition of Bank

Jefferson Bancorp, Inc., Miami Beach, Fla., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Jefferson National Bank at Kendall, Miami, Fla. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than April 6, 1972.

Board of Governors of the Federal Reserve System, March 10, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-3923 Filed 3-15-72; 8:47 am]

MERCANTILE BANCORPORATION, INC.

Acquisition of Bank

Mercantile Bancorporation, Inc., St. Louis, Mo., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire at least 90 percent of the voting shares of Trenton National Bank, Trenton, Mo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than April 5, 1972.

Board of Governors of the Federal Reserve System, March 9, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-3981 Filed 3-15-72; 8:49 am]

OLD COLONY CO-OPERATIVE BANK

Order Approving Retention of Bank and Continuation of Activities of Thrift Institution

Old Colony Co-operative Bank, Providence, R.I., has applied for the Board's approval under sections 3(a)(1) and 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1) and 1843(a)(8)) to retain 87.15 percent or more of the voting shares of the Newport National Bank, Newport, R.I., and to continue to engage in the activities of a thrift institution.

Pursuant to section 3(b) of the Act, the Board gave written notice of receipt of the application to retain voting shares of a bank to the Comptroller of the Currency and requested his views and recommendation; the Comptroller recommended approval. Additionally, the Bank Commissioner and the Director of the Department of Business Regulation for the State of Rhode Island recommended that the applications be approved.

Notices regarding the receipt of the applications and the Board's decision to conduct a hearing with respect to the applications were published in the FEDERAL REGISTER on November 12, 1971 (36 F.R. 21708, 21710). The hearing was held before available members of the Board on November 29, 1971. All persons desiring to give testimony, present evidence or otherwise participate in the hearing

were permitted to do so. Time for filing additional comments and views has expired; all those received and the entire record of the hearing have been considered by the Board.

On the basis of the record and other relevant material, the applications are approved for the reasons set forth in the Board's statement¹ of this date.

By order of the Board of Governors,² March 9, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-3922 Filed 3-15-72; 8:46 am]

OFFICE OF EMERGENCY PREPAREDNESS

MAINE

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on March 7, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Maine from severe storms and flooding, beginning about February 18, 1972, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Maine. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended), I hereby appoint Mr. Albert D. O'Connor, Regional Director, OEP Region 1, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Maine to have been adversely affected by this declared major disaster:

The Counties of:	
Cumberland	Sagadahoc
Lincoln	York

Dated: March 10, 1972.

G. A. LINCOLN,
Director.

Office of Emergency Preparedness.

[FR Doc.72-3987 Filed 3-15-72; 8:50 am]

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 Boston.

² Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Maisel, Brimmer, and Sheehan.

SECURITIES AND EXCHANGE COMMISSION

[812-3123]

ABACUS FUND, INC.

Notice of Filing of Application for an Order

MARCH 9, 1972.

Notice is hereby given that Abacus Fund, Inc. (Abacus), 76 Beaver Street, New York, N.Y. 10015, a Delaware corporation, registered as a closed-end, non-diversified, management investment company, has filed an application pursuant to section 17(d) of the Investment Company Act of 1940 (Act) and Rule 17d-1 thereunder for an order permitting the participation of Abacus with Frank A. Weil (Weil) and Peter J. Sharp (Sharp) and persons controlled by them in the proposed merger of Abacus into Paine, Webber, Jackson & Curtis, Inc. (PWJC) and certain related transactions, described below. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

PROPOSED MERGER OF ABACUS INTO PWJC

1. *Parties.* Abacus has reached an agreement with PWJC, providing for the merger of Abacus into PWJC, with PWJC being the surviving corporation. The terms of such merger are set forth in an agreement and plan of merger (hereinafter "Merger Agreement") between Abacus and PWJC.

PWJC is a Delaware corporation registered as a broker-dealer under the Securities Exchange Act of 1934 and as an investment adviser under the Investment Advisers Act of 1940. PWJC is engaged primarily in providing individual and institutional clients with services in connection with the purchase and sale of securities and in providing corporate and governmental clients with investment banking services. PWJC is a member of the New York Stock Exchange, the American Stock Exchange, and other securities and commodities exchanges in the United States. PWJC is also a member of the National Association of Securities Dealers, Inc.

Simultaneously with the execution of the agreement and plan of merger, Abacus, PWJC, Frank A. Weil and Peter J. Sharp will enter into a supplemental agreement for the purpose of setting forth certain representations which each of them is making in connection with the proposed merger.

Mr. Weil is a director, president, and chief executive officer of Abacus. Mr. Weil, persons controlled by him, including certain family trusts of which he is a trustee, members of his family and trusts for their benefit, together own, beneficially and of record, 834,056 shares of Abacus, or approximately 25 percent of the outstanding shares of Abacus. Mr. Sharp is a director and chairman of the executive committee of Abacus. Mr. Sharp, and persons controlled by him,

including certain real estate corporations and partnerships in which he has substantial interests, together own, beneficially and of record 787,393 shares of Abacus or approximately 23 percent of the outstanding shares of Abacus. Mr. Weil and Mr. Sharp are the two principal shareholders of Abacus.

2. *Background.* In 1967, management of Abacus began an effort to change Abacus from a registered investment company to a company with operating interests in the area of financial and related services. The initial step taken to implement this policy was the acquisition in 1969 of Douglas L. Elliman Co. (Inc.) (Elliman) and Star Capital Corp. (Star) from Peter J. Sharp and entities controlled by him. In late 1970 and early 1971, it became apparent that there were significant differences between Mr. Weil and Mr. Sharp as to the business policies which Abacus should pursue. Between January and May of 1971, Mr. Sharp and persons affiliated with Mr. Sharp stated in certain filings with the Commission that they intended to solicit proxies against the reelection of the incumbent management, including Mr. Weil. In June 1971, in an effort to resolve the situation, an agreement was entered into between Weil and certain affiliated persons on the one hand, and Sharp and certain affiliated persons on the other providing, among other things, for (i) rights of first refusal between the Weil and Sharp groups with respect to transfers of shares of Abacus common stock, (ii) certain minimal representation and voting rights on the Board of Directors of Abacus and Star by the Sharp group, (iii) the pro rata distribution to Abacus stockholders of the outstanding stock of Elliman pursuant to a registration statement under the Securities Act of 1933, (iv) subject to requisite approvals under the Act, the purchase by Sharp or a third party acceptable to Sharp of the ABJ notes at a price equal to a bona fide offer which Abacus might receive from an unaffiliated party, and (v) subsequent to the spin-off of Elliman, and subject to requisite approvals under the Act, the making by Abacus of a tender offer for shares of its common stock at net asset value subject to certain adjustments. Said agreement was terminated on February 17, 1972.

The Board of Directors of Abacus state that the proposed merger with PWJC affords Abacus a means of achieving its policy to change Abacus from a registered investment company to a company with operating interests in the area of financial and related services.

3. *Terms of the proposed merger.* The following are the principal terms and conditions of the proposed merger, and transactions related thereto, set forth in the merger agreement between Abacus and PWJC, and the supplemental agreement between Abacus, PWJC, Mr. Weil and Mr. Sharp and certain related documents.

(a) *Conversion of shares.* The merger agreement provides that each share of Abacus common stock that is issued and outstanding on the date of the merger

(exclusive of shares held by Abacus in its treasury and shares as to which the cash option is elected) will be converted into one-half share of PWJC common stock and one-half share of PWJC preferred stock. Each share of PWJC preferred stock will carry a cumulative annual dividend of \$1.30, will have a voluntary and involuntary liquidation preference of \$20 per share, and will be convertible into 1 1/4 shares of PWJC common stock, subject to adjustment in certain events. The PWJC preferred stock will not be redeemable until 5 years after the date of the merger except as required by the rules of the New York Stock Exchange (the NYSE), and thereafter it will be redeemable at the option of PWJC at a price of \$20 per share. The PWJC preferred stock will have one-fifth vote per share, voting together with PWJC common stock, plus additional voting rights in certain events, including defaults in the payment of dividends in the PWJC preferred stock.

No fractional shares representing PWJC common and preferred stock will be issued in the merger. In lieu thereof each Abacus stockholder entitled to receive a fractional share of PWJC common and preferred stock will be afforded an opportunity during the period of 30 days following the date of the merger, through the Exchange Agent, to consolidate his fractional interests into one full share of PWJC common and preferred stock by purchasing and paying for the necessary additional fractional interests or to sell his fractional interests and obtain the proceeds thereof. Any fractional interest with respect to which instructions are not received within the prescribed period will be sold and the proceeds held for the holder.

Based on the number of shares of Abacus common stock outstanding on February 7, 1972, the record date for the meeting, and assuming that (i) the cash option described below is elected by Mr. Sharp and certain persons controlled by him as to 673,684 shares, as may be required by the supplemental agreement, and (ii) all other Abacus stockholders elect to receive PWJC common and preferred stock in the merger, the number of shares of PWJC common and preferred stock to be issued by PWJC in the merger will be 1,313,397 of each class. Messrs. Sharp and Weil have agreed pursuant to the terms of the supplemental agreement to vote all their shares, and cause all persons controlled by them to vote all their shares, in favor of the merger.

All the directors of Abacus (except Mr. Sharp) have advised Abacus that they and their associates will accept the PWJC securities in connection with the merger. Mr. Sharp has agreed, pursuant to the supplemental agreement, that he and entities controlled by him will elect to receive PWJC securities for not less than 100,000 or more than 200,000 of the 773,684 shares of Abacus common stock owned beneficially by them, including in the case of partnerships controlled by Mr. Sharp, only that number of shares representing his pro rata ownership interest. Certain other substantial stock-

holders of Abacus have advised that they intend to accept the PWJC securities. The number of Abacus shares to be exchanged for PWJC securities by the foregoing persons (including the minimum of 100,000 shares to be exchanged by Mr. Sharp) exceeds 40 percent of the outstanding Abacus common stock.

(b) *Cash option.* The merger agreement states that in lieu of receiving shares of PWJC common and preferred stock, shareholders of Abacus will have the option to elect to receive cash in an amount equal to the net asset value of their shares of Abacus common stock on the date of the merger, estimated to be \$15.60 per share. Election of the cash option may be made from the time of solicitation of proxies until 5 p.m., New York time, on March 24, 1972. In order to elect the cash option, shareholders of Abacus must tender their common stock certificates to Abacus, pursuant to a letter of transmittal. Payment for shares tendered pursuant to the cash option will be made as promptly as possible after the merger becomes effective. If the merger is abandoned, the certificates tendered pursuant to the cash option will be returned promptly following such abandonment to those tendering.

The supplemental agreement requires that Peter J. Sharp and certain persons controlled by him elect the cash option with respect to all but 100,000 but not more than 200,000 of the shares of Abacus common stock which are owned by them at the date of the merger, including, in the case of partnerships controlled by Mr. Sharp, only that number of shares representing his pro rata ownership interest.

(c) *Distribution of Douglas L. Elliman & Co. shares.* The Merger Agreement requires that Abacus use its best efforts to distribute to its stockholders (prior to the consummation of the merger), on a pro rata basis, the outstanding common stock of Elliman, all of which is presently owned by Abacus. Elliman is a New York corporation engaged in the real estate management and brokerage business. A registration statement (File No. 2-41452) covering such distribution has been filed under the Securities Act of 1933. All expenses in connection with such registration statement are to be paid by Abacus. The fair value of the outstanding common stock of Elliman, as determined by the Board of Directors of the fund, is \$5,080,320 in the aggregate or \$1.54 per outstanding share of common stock of the fund. There is no assurance as to the price at which the Elliman shares will trade subsequent to the distribution. Completion of the distribution of the Elliman shares is a condition to the obligation of both Abacus and PWJC under the proposed merger agreement. It is anticipated that Elliman shares will be distributed after the date of the stockholders meeting and prior to the merger, if the merger is approved by Abacus shareholders. The rate at which Abacus shares will be converted into PWJC shares has been determined on the assumption that the distribution will have been completed prior to the merger, and,

accordingly, completion of the distribution is also a condition to the obligation of Abacus under the proposed merger agreement.

Mr. Weil and Andrew E. Norman, a director of Abacus, propose to enter into an agreement with Elliman, simultaneous with the execution of the merger agreement and supplemental agreement, which provides that Mr. Weil and Mr. Norman, members of their families, and trusts for their families' benefit (Weil Group) will be entitled during the 2-year period commencing September 1, 1972, to (i) require the registration by Elliman, under the Securities Act of 1933, on one occasion only, of not less than 50,000 shares of Elliman common stock and (ii) to have any such shares included in any registration statement filed by Elliman under such Act covering shares of its capital stock, other than a registration statement in connection with employee benefit plans or an acquisition, merger or exchange of stock. The expenses of registration of shares solely for the benefit of the Weil group pursuant to this agreement shall be paid by the Weil group up to \$20,000 and any amount in excess thereof by Elliman. The Weil group shall, in any case, pay all fees and expenses of counsel for the Weil group in connection with registration of their shares.

(d) *Sale of promissory notes of ABJ Co.* The sale of the ABJ notes by Abacus to Mr. Sharp or his affiliate is one of the conditions of the proposed merger.

Abacus and Sharp have agreed pursuant to a purchase agreement dated November 17, 1971, that Sharp, or an affiliate of his, will purchase from Abacus three 5 percent secured promissory notes of ABJ Co. (ABJ), a New York partnership engaged in the real estate business of which Sharp is a general partner and in which Sharp owns more than a 99 percent interest. The notes are in the principal amounts of \$1,500,000 maturing June 2, 1972, \$1,666,628 maturing June 2, 1974, and \$1,500,000 maturing June 2, 1975, or in the aggregate principal amount of \$4,666,628. The purchase price of the ABJ notes will be computed on the date of purchase to represent an effective yield of 12 percent per annum to maturity and will reflect a discount from the principal amounts of such notes. If the sale is consummated on March 29, 1972, as presently contemplated, such price would be \$4,050,197.

Prior to Sharp's agreement with Abacus to purchase the notes, Ford Motor Credit Co., a financing and lending institution, expressed to Abacus, in a letter of intent dated November 1, 1971, an interest to purchase the ABJ notes at the same yield, upon payment of a \$46,666 deposit by Abacus and upon certain changes in the security provisions of the notes. The letter of intent stipulated that should a commitment be issued by Ford Credit, such deposit of \$46,666 would be retained by Ford Credit as an earned commitment fee.

The purchase agreement with Sharp is conditioned on the securing of a Commission order permitting Sharp or his

affiliate, as the case may be, to purchase the ABJ notes, such order being the subject of an application filed with the Commission pursuant to sections 17(a) and 17(b) of the Act.

(e) *Change in the nature of business of Abacus and Star Capital Corp. so as to cease to be investment companies.* Inasmuch as, upon consummation of the proposed merger, Abacus will cease to exist and, consequently, will cease to be an investment company, it is a condition of the merger that a proposal to change the nature of the business of Abacus so as to cease to be an investment company be approved by the majority of the outstanding voting securities of Abacus.

In connection with the proposed merger, the stockholders of Abacus are also being asked to approve a change in the nature of the business of Star Capital Corp. (Star), a wholly owned subsidiary of Abacus and a small business investment company registered under the Act. The reason for this is that PWJC has advised Abacus that it intends to liquidate Star as soon as practicable after the merger.

(f) *Proposed employment arrangements between PWJC and employees of Abacus.* Pursuant to the supplemental merger agreement PWJC will offer employment, after the merger is effective, to all present employees of Abacus at remuneration and upon terms substantially the same as the remuneration at which and the terms upon which they are presently employed by Abacus.

PWJC has agreed with Mr. Weil that, if the merger becomes effective, Weil will become a director of PWJC, a member of the executive committee of the board of directors of PWJC, and chairman of the finance committee of the board of directors of PWJC. Weil's annual salary from PWJC as chairman of the finance committee of the board of directors will initially be \$75,000 and he will be entitled to participate in all employee plans and other fringe benefits in the same manner as other members of the executive committee. Weil's employment by PWJC will not be governed by a written employment contract and will not be subject to any fixed or minimum term. PWJC has agreed to such employment on the basis of its evaluation of Weil's professional qualifications.

(g) *Listing and proposed secondary offering.* Application will be made to list the PWJC common and preferred stock on the NYSE, effective the day following the merger and, in that connection, the PWJC common and preferred stock will be registered under the Securities Exchange Act of 1934. Giving effect to the merger, the number of holders of round lots (100 shares or more) of PWJC common stock, even assuming that the cash option is elected only by Mr. Sharp and certain persons controlled by him as required by the supplemental agreement, may be below the requirements for listing of common stocks by the NYSE, although the PWJC preferred stock would meet such distribution requirements for a preferred stock convertible into a listed common stock. It

is anticipated, however, that upon completion of a secondary offering of PWJC common and preferred stock to take place after the merger, as contemplated by the supplemental agreement, the PWJC common stock will meet distribution requirements. The arrangements for such offering will be designed to maximize the number of persons purchasing round lots therein. Pursuant to the supplemental agreement, PWJC has agreed to register a public offering of such number of shares of PWJC common stock and/or preferred stock, up to an aggregate of 250,000 shares, to be received in the merger by "affiliates" of Abacus, as that term is defined under Rule 133 of the Securities Act of 1933, listed in Schedule A of the supplemental agreement, including Mr. Weil and Mr. Sharp and persons controlled by them. The number of shares may be increased by those affiliates if to do so would not, in the opinion of counsel for Abacus and PWJC, adversely affect the tax-free status of the merger. Mr. Weil does not intend to sell any shares owned by him personally in such offering. Mr. Weil has agreed in the supplemental agreement that if so requested by PWJC and if other stockholders have not requested registration of at least 150,000 shares of PWJC common or preferred stock, he will use his best efforts to cause members of his family so to register not less than 150,000 such shares. The department of stock list of the NYSE has indicated that, on the basis of the foregoing, the applications to list both the PWJC common and preferred stock will be granted.

Moreover, the supplemental agreement provides that all such affiliates of Abacus will have, during the 3-year period following the effectiveness of the merger the right (i) to require the registration by PWJC, under the Securities Act of 1933, on one occasion only, of not less than 100,000 shares of PWJC common or preferred stock received by them in the merger and (ii) to have any such shares included in any registration statement filed by PWJC under such Act covering shares of its capital stock, other than a registration statement in connection with employee benefit plans or an acquisition merger or exchange of stock. Any registration of shares pursuant to the supplemental agreement will be without cost to the holders thereof other than their own legal expenses.

(h) *Effective date, conditions, and termination.* If the stockholders of both Abacus and PWJC approve the merger agreement, it is expected that the merger will be made effective on March 31, 1972. The merger agreement may be terminated (notwithstanding stockholder approval) by the mutual consent of the boards of directors of Abacus and PWJC prior to the time the merger agreement is filed with the Secretary of State of the State of Delaware (filing time). The merger agreement may be terminated prior to the filing time by the board of directors of PWJC if the sale of certain promissory notes of ABJ Co. has not been completed or if the net asset value per share of Abacus common stock is less

than \$15.45, at the close of business on the day preceding the filing time, and may be terminated by the board of directors of Abacus if the holders of more than 10 percent of PWJC common stock dissent from the merger in accordance with the Delaware General Corporation Law. The merger agreement may be terminated prior to the filing time by the board of directors of either party if, among other things, (i) any agreement, representation, or warranty of the other in the merger agreement or the supplemental agreement has been breached or is deficient in any material respect, (ii) any necessary approval or consent has not been obtained, including that of the Commission, the NYSE, and the National Association of Securities Dealers, Inc., (iii) if there is any actual or threatened litigation which seeks to restrain, prohibit, or invalidate the transactions contemplated by the merger agreement or which may affect the right of PWJC to own, operate, or control the assets, property or business of Abacus after the merger, and (iv) if the distribution of Elliman stock is not completed prior to the merger. Applicant has agreed that the order requested under section 17(d) and rule 17d-1 shall not become effective, and none of the transactions set forth in the application shall be consummated until the proposed merger has been approved by the shareholders of Abacus and the merger agreement relating thereto has been filed with the Secretary of State of the State of Delaware. Abacus has applied to the NYSE for its approval of the merger and the related transactions. Abacus represents that the NYSE has indicated that its approval will be granted prior to the consummation of the merger.

4. *Federal income tax consequences.* It is a condition to the obligations of Abacus and PWJC under the Merger Agreement that, at or prior to the filing of the Merger Agreement with the Secretary of State of the State of Delaware, Messrs. Cravath, Swaine & Moore, counsel for Abacus, shall have delivered an opinion to the effect that, under existing Federal income tax laws:

(1) No gain or loss will be recognized to Abacus or PWJC on the merger;

(2) No gain or loss will be recognized to a holder of Abacus common stock who does not elect the cash option for any of his shares of Abacus common stock on the receipt of PWJC common and preferred stock in exchange for Abacus common stock in the merger (but gain or loss will be recognized on the sale of fractional share interests);

(3) No gain or loss will be recognized to a holder of PWJC preferred stock upon exercise of the right to convert such stock into PWJC common stock except for cash received in lieu of fractional shares; and

(4) A holder of Abacus common stock who elects the cash option for all his shares of Abacus common stock (and who after giving effect to such election does not own, actually or constructively, under section 318 of the Internal Revenue Code, any stock of Abacus or PWJC) will recognize capital gain or loss on the ex-

change (assuming such shares of Abacus common stock are a capital asset in his hands).

Any Abacus stockholder who, pursuant to the merger, receives PWJC common and preferred stock and also cash (except cash received in lieu of fractional shares) under the cash option will recognize gain (but not loss) in respect of all his shares of Abacus common stock, but in an amount not in excess of the cash received. Such gain will be capital gain (assuming such shares of Abacus common stock are a capital asset in his hands), except that such gain may be treated as a dividend under section 356 (a) (2) of the Internal Revenue Code. Any stockholder who is considering taking both cash and shares of PWJC common and preferred stock is therefore advised to consult his own tax adviser as to the tax consequences of such proposed action.

Abacus has received an opinion from Messrs. Kirkpatrick, Lockhart, Johnson and Hutchinson, of Pittsburgh, Pa., to the effect that, although the matter is not altogether free from doubt, (i) the distribution by Abacus pro rata to all its stockholders of all the outstanding stock of Elliman will constitute a distribution of stock of a controlled corporation within the meaning of section 355 of the Internal Revenue Code, (ii) no gain or loss will be recognized to either the Abacus stockholders or to Abacus upon such distribution, (iii) the adjusted basis of the Abacus common stock in the hands of the Abacus stockholders will be allocated between the Elliman shares and the Abacus common stock held immediately after the distribution in proportion to their respective fair market values, (iv) the holding period of the Elliman stock received by the Abacus shareholders will include the period during which such shareholders held the Abacus common stock prior to the distribution of the Elliman stock, provided that such Abacus stock was held as a capital asset on the date of distribution.

Abacus has available for Federal income tax purposes capital loss carry-forwards of \$976,706, \$398,077, and \$2,108,415 which may be carried forward to March 1973, 1974, and 1976, respectively. In addition, through December 31, 1971, Abacus had incurred net capital losses on securities sold of \$832,220. Since, in the opinion of counsel, the merger of Abacus into PWJC will constitute a tax free reorganization for Federal income tax purposes, the capital loss carryforwards of Abacus as of the date of merger will be available to PWJC. However, due to the fact that PWJC does not generate capital gains or losses in the normal course of its business, these carry-forwards may not be realized except to offset any capital gains generated after the consummation of the merger with respect to the business of Abacus.

5. *Amendment of condition in prior order.* The Commission's prior order dated November 26, 1969, Investment Company Act Release No. 5902, relating to the acquisition by Abacus of all the outstanding stock of Star, sets forth a

condition that Abacus "will at all times own and hold beneficially all of the outstanding capital stock of (Star)." Applicants request that the Commission amend the aforesaid condition to the extent necessary to permit consummation of the proposed merger, wherein PWJC will succeed to ownership of all the outstanding stock of Star on the effective date of the merger. The Commission has power to amend its orders pursuant to section 38(a) of the Act.

6. *Supporting statements.* Section 17 (d) of the Act and Rule 17d-1 thereunder, provide that persons affiliated with a registered investment company are prohibited from effecting any transaction in connection with any joint enterprise or other joint arrangement or profit sharing plan in which such registered company is a participant unless the Securities Exchange Commission has, on application, granted a request that such transaction be permitted. Rule 17d-1 further provides that in passing upon such application, the Commission will consider whether the participant of such registered company in such joint enterprise, joint arrangement or profit sharing plan on the basis proposed, is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants. An affiliated person of another person is defined under section 2(a)(3) of the Act to include a director of such other person, any person owning directly or indirectly 5 percent or more of the outstanding voting securities of such other person, and any person 5 percent or more of whose outstanding voting securities are directly or indirectly owned, controlled or held with power to vote, by such other person.

Mr. Weil and Mr. Sharp, who are directors and principal shareholders and thus affiliates of Abacus, are participating, along with persons controlled by them, in the proposed merger of Abacus into PWJC in the manner discussed above.

Abacus asserts that its participation in the proposed merger with PWJC is consistent with the provisions, policies, and purposes of the Act and is not on a basis different from or less advantageous than that of Mr. Weil and Mr. Sharp. In support thereof, Abacus states that Kuhn, Loeb & Co., a registered broker-dealer and a member of the New York Stock Exchange has rendered its opinion to the Board of Directors of Abacus, at the board's request, that the terms of the proposed merger are fair and equitable to the stockholders of Abacus; that the terms of the Merger Agreement are the result of arm's-length negotiations between representatives of Abacus and PWJC; that Kuhn, Loeb & Co. has advised Abacus that it is prepared to underwrite, on a firm basis, a public offering of PWJC securities to be received by Abacus stockholders as a result of the

proposed merger at a net price to such stockholders in excess of the per share net asset value of the Abacus common stock; that each of the Abacus directors (except Mr. Sharp) has advised Abacus that he and his associates will exchange their Abacus shares for PWJC securities; that Weil's proposed employment by PWJC is based upon his qualifications for such employment; that Weil will not receive any advantage in the consummation of the proposed merger, on a pro rata basis, over any other stockholder of Abacus; that Sharp's participation in the preparation for the proposed merger has not served to put him in a position more advantageous, on a pro rata basis, than any other stockholder of Abacus; and that the registration rights granted to affiliates of Abacus as that term is defined under Rule 133 of the Securities Act of 1933 by PWJC are available to all such affiliates, and under the terms of Rule 133 of the Securities Act of 1933, registration will not be needed by stockholders of Abacus who receive stock of PWJC in the merger and who, pursuant to Rule 133, are not deemed to be "underwriters" within the meaning of section 2(11) of the Securities Act of 1933.

Notice is further given that any interested person may, not later than March 27, 1972, 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, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should 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 Applicant 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.

By the Commission.

[SEAL]

RONALD F. HUNT,
Secretary.

[FR Doc. 72-3927 Filed 3-15-72; 8:47 am]

[812-3124]

ABACUS FUND, INC. AND PETER SHARP

Notice of Filing of Application for Order Exempting Transaction

MARCH 9, 1972.

Notice is hereby given that Abacus Fund, Inc. (Abacus), 76 Beaver Street, New York, NY 10005, a closed-end, non-diversified, management investment company registered under the Investment Company Act of 1940 (Act), and Peter Sharp (Sharp), 663 Fifth Avenue, New York, NY 10022, (hereinafter referred to as "Applicants") have filed an application for an order pursuant to section 17(b) of the Act exempting from the provisions of section 17(a) of the Act the proposed purchase from Abacus by Mr. Sharp or an affiliated person of Mr. Sharp of three promissory notes of ABJ company, (ABJ). All interested persons are referred to the application on file with the Commission for a statement of applicants' representations which are summarized below.

Mr. Sharp, a director of and beneficial owner of approximately 23 percent of Abacus common stock, has entered into an agreement with Abacus dated November 17, 1971, amended February 17, 1972, to purchase himself or through an affiliate of his from Abacus three 5 percent secured promissory notes of ABJ, dated June 2, 1969. ABJ is a New York general partnership engaged in the real estate business of which Mr. Sharp is a general partner and in which Mr. Sharp has in excess of a 99 percent interest.

The three ABJ notes are in the principal amounts, respectively, of \$1,500,000, maturing June 2, 1973, \$1,666,628, maturing June 2, 1974, and \$1,500,000, maturing June 2, 1975, and in the aggregate total \$4,666,628. In June of 1969, Abacus sold to Mr. Sharp 188,918 shares of its stock in return for such notes in connection with the merger of Peter Sharp & Co., a New York corporation 90 percent owned by Mr. Sharp, with Abacus.

The purchase agreement provides that the purchase price will be computed on the date of the purchase to represent an effective yield to the purchaser of 12 percent per annum to maturity, and will reflect a discount from the principal amounts of the notes. If the sale of the notes is consummated on March 29, 1972, as presently contemplated, such price would be \$4,050,197.

Applicants state that following the execution of the purchase agreement, Abacus and Paine, Webber, Jackson & Curtis, Inc. (PWJC) announced, on December 16, 1971, that a preliminary agreement had been reached relating to the proposed merger of Abacus into PWJC. A letter of intent signed by Abacus and PWJC with respect to the proposed merger set forth a condition of the merger insisted upon by PWJC to the effect that the ABJ notes must be sold

by Abacus pursuant to the purchase agreement prior to the effectiveness of the merger of Abacus into PWJC. PWJC's insistence on the sale of the ABJ Notes results from its desire to acquire only cash and readily marketable securities from Abacus as a result of the merger. Insistence on the sale of the ABJ notes and the provisions of a Security Agreement respecting them, the face value of the ABJ Notes would not be fully includible as assets for purposes of computing PWJC's "net capital" pursuant to Rule 325 of the New York Stock Exchange. Accordingly, PWJC has made it a condition of the merger that the ABJ Notes be sold by Abacus prior to or simultaneously with the effectiveness of the merger.

Section 17(a) of the Act prohibits, with certain exceptions, an affiliated person of a registered investment company, or an affiliated person of such a person, from selling to, or purchasing from, such company, any security or other property, unless the Commission finds upon application under section 17(b) of the Act that the terms of the proposed transaction are reasonable and fair and do not involve overreaching and that the proposed transaction is consistent with the policy of the registered investment company and the general purposes of the Act.

An "affiliated person" of another person is defined in section 2(a)(3) of the Act to include any director of such other person, any person owning 5 percent or more of the voting securities of such other person, and any person 5 percent or more of whose outstanding voting securities are owned by such other person.

Mr. Sharp, by virtue of his beneficial ownership of 773,684 shares of Common Stock of Abacus (23 percent of the shares outstanding) and by reason of his being a director of Abacus, may be deemed to be an "affiliated person" of Abacus. Similarly, any entity, such as a partnership or corporation in which Sharp holds a 5 percent or greater voting interest, would be deemed to be an "affiliated person" of Sharp. Accordingly, either Sharp or any such entity deemed to be an "affiliated person" of Sharp would be subject to the prohibitions of section 17(a) of the Act.

Applicants represent that, with deliberate forethought toward satisfying the evidentiary requirements under section 17(b) of the Act, the Board of Directors of Abacus directed the Abacus management to seek to discount the ABJ notes with an independent lending institution with the intention of receiving from such independent lending institution an offer to discount such ABJ notes, and then to reoffer the ABJ notes to Sharp or an affiliated third party upon identical terms and prices as offered by the independent lending institution. In that connection, a letter of intent dated November 1, 1971, was received from Ford Motor Credit Co. (Ford Credit), a financing and lending institution, outlining a proposed commitment contemplating a purchase of the ABJ notes by Ford Credit at an effective yield to maturity of 12 percent. In addition,

the letter of intent stipulated that should a commitment be issued, Ford Credit would require the payment of a commitment fee of \$46,666 as well as requiring more onerous security requirements for the notes on ABJ's part. Abacus thereafter notified Sharp of its dealings with Ford Credit and offered to sell the ABJ notes to Sharp or any affiliated person at a purchase price representing an effective yield of 12 percent per annum to maturity, the same purchase price as offered by Ford Credit but without the requirement of Abacus depositing \$46,666. Abacus and Sharp then, on November 17, 1971, entered into the purchase agreement pursuant to which Sharp committed that he or a third party would purchase such ABJ notes on such terms. If Sharp had not entered into the purchase agreement, and if ABJ Co. would have agreed to the changes in security requirements, Applicants represent that the Abacus Board of Directors would have accepted the offer of Ford Credit, although no assurance can be given that a sale of the ABJ notes would have resulted.

Applicants assert that the terms of the proposed purchase are reasonable and fair and do not involve overreaching on the part of any person concerned and the proposed transaction is consistent with the general purposes of the Act.

Applicants have agreed that the order requested herein under section 17(b) of the Act shall not become effective until the proposed merger of Abacus into PWJC, referred to herein, has been approved by the shareholders of Abacus, and the merger agreement relating thereto has been filed with the Secretary of State of the State of Delaware.

Notice is further given that any interested person may, not later than March 27, 1972, 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, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should 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 addresses 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 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.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.
[FR Doc.72-3926 Filed 3-15-72; 8:47 am]

[70-5166]

ALABAMA POWER CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds and Preferred Stock at Competitive Bidding

MARCH 9, 1972.

Notice is hereby given that Alabama Power Co. (Alabama), 600 North 18th Street, Birmingham, AL 35203, an electric utility subsidiary company of The Southern Co., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Alabama proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, \$100,000,000 principal amount of its First Mortgage Bonds, ----- percent Series, to mature not less than 5 years and not more than 30 years from the second day of the calendar month within which the bonds are issued. Alabama will decide on the maturity of the bonds and notify prospective bidders not less than 72 hours prior to the time of the bidding. The interest rate (which shall be a multiple of $\frac{1}{8}$ percent) and the price, exclusive of accrued interest, to be paid to Alabama (which shall be not less than 99 percent nor more than 102 $\frac{3}{4}$ percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under an Indenture, dated as of January 1, 1942, between Alabama and Chemical Bank, as Trustee, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated as of April 1, 1972, which includes a prohibition until April 1, 1977, against refunding the bonds with the proceeds of funds borrowed at a lower effective interest cost.

Alabama also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 200,000 shares of its ----- percent Cumulative Preferred Stock, par value \$100 per share. The dividend rate of the preferred stock (which shall be a multiple of 0.04 percent) and the price, exclusive of accrued dividends, to be paid to Alabama (which shall be not less than \$100 nor more than \$102.75 per share) will be determined by the competitive bidding. The terms of the preferred stock include a prohibition until April 1, 1977, against refunding the stock, directly or indirectly, with funds obtained from the issuance of debt securities at a lower

effective interest cost or of preferred stock at a lower effective dividend cost. The proceeds from the sales of the bonds and preferred stock will be applied to finance Alabama's 1972 construction program (estimated at \$259 million), to pay short term promissory notes payable in the form of bank notes and commercial paper notes incurred for such purpose, and for other lawful purposes.

It is stated that the issuance and sale of the new bonds and new preferred stock will be expressly authorized by the Alabama Public Service Commission and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. A statement of the fees and expenses to be incurred in connection with the proposed transactions will be supplied by amendment.

Notice is further given that any interested person may, not later than April 7, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc. 72-3928 Filed 3-15-72; 8:47 am]

[811-864]

AMERICAN-HAWAIIAN STEAMSHIP CO.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company

MARCH 10, 1972.

Notice is hereby given that American-Hawaiian Steamship Co. (Applicant), 1345 Avenue of the Americas, New York,

NY 10019, a New Jersey corporation registered as a closed-end nondiversified investment company under the Investment Company Act of 1940, as amended (Act), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations, which are summarized below.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and, if necessary for the protection of investors, such order may be made upon appropriate conditions. Upon the taking effect of such order, the registration of such company shall cease to be in effect.

Section 3(a)(1) of the Act defines as an investment company a company which is or holds itself out as being engaged primarily, or proposes to engage primarily, in the business of investing, reinvesting or trading in securities.

Section 3(a)(3) of the Act further defines as an investment company a company which is engaged or proposes to engage in the business of investing, reinvesting, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 per centum of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis. The term "investment securities" includes all securities except Government securities, securities issued by employees' securities companies, and securities issued by majority-owned subsidiaries of the owner which are not investment companies.

Applicant represents that it is not an investment company as defined in the Act. It states that it is now primarily engaged in the active conduct of a diversified real estate business and in manufacturing. Applicant further states that its activities are conducted both directly and through wholly owned subsidiaries, none of which are investment companies.

Financial statements of Applicant as of June 30, 1971, show that, as determined by the Board of Directors, Applicant had \$65,805,534 or 59.18 percent of its total assets of \$111,189,061 in direct investments in active real estate projects. The term "total assets" used herein means the fair value of all of Applicant's assets on an unconsolidated basis, as determined in good faith by Applicant's Board of Directors, exclusive of Government securities and cash items, in accordance with sections 2(a)(41) and 3(a)(3) of the Act. \$31,417,443 or 28.26 percent of Applicant's total assets represented investments in wholly owned subsidiaries which are also engaged in active real estate projects. Investment in a wholly owned subsidiary engaged in manufacturing represented an additional

\$4,710,871 or 4.24 percent of Applicant's total assets. Thus, Applicant contends substantially less than 40 percent of the value of its total assets are represented by investment securities.

Applicant further states that substantially all of the time of its officers which is spent on Applicant's business is devoted to real estate activities. For the 6 months ended June 30, 1971, gross revenues directly applicable to Applicant and its wholly owned subsidiaries consisted of \$21,841,398 of which \$15,562,130 or 71 percent was derived from real estate activities. Manufacturing activities of a wholly owned subsidiary accounted for \$4,675,106 or 21 percent of revenues. Applicant contends that in view of the substantial portion of its business in the real estate area, it would be entitled to an exemption from the Act pursuant to section 3(c)(6).

At a special meeting of shareholders held December 17, 1969, the holders of a majority of the outstanding voting securities of Applicant approved a proposal that it cease to be a registered investment company. At another special meeting held on December 28, 1971, a proposal similar to that approved in 1969 was approved by a majority of the outstanding voting securities of Applicant. No proxies were solicited for the 1971 meeting.

In addition, at the aforementioned 1971 special meeting of shareholders an agreement was approved which Applicant intends to enter into with its parent, Berkshire Industries, Inc., for the benefit of Applicant's minority shareholders (the "Agreement"). The Agreement will be entered into and become effective on the date of the Commission's order with respect to the instant application for deregistration pursuant to section 8(f) of the Act. Applicant states that the Agreement, which has been made part of the application, will have the effect of satisfying the request of certain minority shareholders for:

1. The election to the Board of Directors of the Applicant of a director nominated by the minority shareholders; and

2. Assurances that no action will be taken by either Berkshire or Applicant by merger or otherwise which will have the effect of forcing any minority stockholder to involuntarily divest himself of stock in Applicant; and

3. An annual 30-day offer by Applicant to purchase shares from those stockholders wishing to sell their shares and for which there is no present market.

In accordance with the Agreement, the application states that Applicant would have no objection if the Commission incorporates in its order on the instant application that continued compliance by Applicant with all the terms of the Agreement subsequent to the date of the order is a condition of deregistration. Accordingly, the Commission will issue its order with respect to the instant application on the conditions that (1) Applicant and Berkshire enter into the Agreement on the date of said order, and (2) Applicant comply with all the terms of the

Agreement subsequent to the date of said order.

Applicant has undertaken to mail a copy of this notice of filing of application to each of its stockholders of record as promptly as possible after the date hereof.

Notice is further given that any interested person may, not later than March 30, 1972, 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 Applicant at the address set forth 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 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,
Secretary.

[FR Doc.72-3990 Filed 3-15-72;8:50 am]

[File No. 500-1]

APPLIED DEVICES CORP.

Order Suspending Trading

MARCH 9, 1972.

The common stock, \$0.50 par value, of Applied Devices Corp. being traded on the American Stock Exchange, and otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such security 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 such securities on the above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for

the period March 14, 1972, through March 23, 1972.

By the Commission.

[SEAL]

RONALD F. HUNT,
Secretary.

[FR Doc.72-3929 Filed 3-15-72;8:47 am]

[File Nos. 2-25717; 22-4284]

DANA CORP.

Notice of Application and Opportunity for Hearing

MARCH 10, 1972.

Notice is hereby given that Dana Corp. (the "Company") has filed an application under Clause (ii) of section 310(b) (1) of the Trust Indenture Act of 1939 ("the Act") for a finding by the Commission that the trusteeship of Manufacturers Hanover Trust Co. ("Manufacturers") under an indenture dated as of December 1, 1966 (the "1966 indenture"), heretofore qualified under the Act, and a new indenture, which will not be qualified under the Act, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Manufacturers from acting as trustee under both indentures.

Section 310(b) of the Act provides, in part, that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interest (as defined in the section), it shall within 90 days after ascertaining that it has such conflicting interest either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions, that a trustee under a qualified indenture shall be deemed to have a conflicting interest if such trustee is acting as trustee under another indenture of the same obligor. However, pursuant to clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture under which other securities of such obligor are outstanding, if the obligor shall have sustained the burden of proving on application to the Commission and after opportunity for hearing thereon, that trusteeship under the qualified indenture and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under both such indentures.

The Company alleges that:

1. As of December 31, 1971, there were outstanding \$33,353,000 principal amount of 6 percent debentures due 1991 which were issued under the 1966 indenture.

2. The Company's wholly owned subsidiary, Dana International Finance Co. ("International"), proposes to issue and sell under the new indenture made among the Company, International and Manufacturers, \$20 million principal amount of — percent Guaranteed Sinking Fund Debentures due 1987 (the "new debentures"). It is proposed that the new debentures will be issued and sold

outside the United States in a transaction which will be exempt from registration under the Securities Act of 1933.

3. The new debentures are to be guaranteed as to payment of principal, interest, premium, if any, and sinking fund, by the Company. The new indenture will not be qualified under the Act.

4. The 1966 indenture is and the new indenture will be, wholly unsecured. The Company is not in default under the 1966 indenture.

5. The obligations of the Company under the 1966 indenture will rank equally with the guarantee of the new debentures by the Company.

6. Such differences as exist between the two indentures are not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Manufacturers from acting as trustee under both indentures.

The Company has waived notice of hearing and hearing in connection with the matter referred to in this application.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application, which is a public document on file in the offices of the Commission at 500 North Capitol Street, Washington, DC 20549.

Notice is further given that any interested person may, not later than March 29, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of law or fact raised by such application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the protection of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,
Secretary.

[FR Doc.72-3930 Filed 3-15-72;8:47 am]

[File No. 500-1]

ECOLOGICAL SCIENCE CORP.

Order Suspending Trading

MARCH 9, 1972.

The common stock, 2 cents par value, of Ecological Science Corp. being traded on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and the Pacific Coast Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Ecological Science Corporation being traded other-

wise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such security 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 such securities on the above mentioned exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 14, 1972, through March 23, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.
[FR Doc. 72-3931 Filed 3-15-72; 8:47 am]

[811-929, 811-2134, 812-3095]

FIRST MIDWEST CORP. AND FIRST MIDWEST CAPITAL CORP.

Notice of Application for Order Declaring That Company Is Not an Investment Company and Exempting Subsidiary

MARCH 9, 1972.

Notice is hereby given that First Midwest Corp. (Midwest), a nondiversified, closed-end management investment company under the Investment Company Act of 1940 (Act), and First Midwest Capital Corp. (SBIC Subsidiary), 703 Northstar Center, 110 South Seventh Street, Minneapolis, MN 55402, Midwest's wholly owned Small Business Investment Company (SBIC) subsidiary, a non-diversified, closed-end management investment company under the Act, have filed an application for an order pursuant to section 8(f) and section 6(c) of the Act declaring that Midwest has ceased to be an investment company and declaring that SBIC Subsidiary be exempt from all provisions of the Act.

All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

I. Midwest was organized in February 1959 with the name of First Midwest Small Business Investment Co. and was licensed in March 1959, as an SBIC under the Small Business Investment Act of 1958. Thereafter, it began its operations as an SBIC. In September 1961, Midwest changed its name to First Midwest Capital Corp. At a shareholders' meeting on July 20, 1970, Midwest's shareholders adopted a plan of reorganization. According to the plan a SBIC subsidiary was created to which the SBIC assets and license and the name First Midwest Capital Corp. were transferred. Also, SBIC subsidiary assumed the \$1,800,000 indebtedness payable to the SBA, which indebtedness is guaranteed by Midwest. The plan allowed Midwest to further change its name to First Mid-

west Corp. and granted Midwest power to engage in unrestricted activity, thus authorizing Midwest to acquire operating assets and controlled companies. Specifically, the plan authorized Midwest to increase its 68 percent interest in Universal Warren Co. (Warren), a real estate development corporation, to 83 percent by issuing Midwest shares for shares of Warren. Under the plan Midwest was authorized to seek deregistration as an investment company at the appropriate time. After the reorganization Midwest increased its activities as an operating company by increasing its ownership of Warren, as planned, and becoming more active in the management of Warren and Midtown Park, Inc. (Park), an automobile parking business in which Midwest has a 42.5 percent direct interest.

Section 3(a) (1) of the Act defines an investment company as any issuer which is or holds itself out as being engaged primarily, or proposes to engage primarily, in the business of investing, reinvesting, or trading in securities.

Section 3(a) (3) defines an investment company as any issuer which is engaged or proposes to engage in the business of investing, reinvesting, owning, holding or trading in securities, and owns or proposes to acquire investment securities having a value of 40 per centum of the value of issuer's total assets (exclusive of government securities and cash items) on an unconsolidated basis. As defined in section 3 of the Act, investment securities includes all securities except (A) Government securities, (B) securities issued by employees' securities companies, and (C) securities issued by majority-owned subsidiaries of the owner which are not investment companies.

Midwest claims that it is not an investment company as defined by section 3(a) (1) of the Act for the reason that it is not and does not propose to be engaged primarily in the business of investing, reinvesting or trading in securities. Midwest asserts that it is not an investment company under section 3(a) (3) of the Act because its investment securities constitute less than 40 percent of the value of its total assets. Midwest claims that for the purposes of section 3(a) (3), Midtown Park, Inc. (Park) should be considered a majority-owned subsidiary of Midwest because Midwest owns directly a 42.5 percent interest in Park and an additional 7.5 percent interest through SBIC Subsidiary. (See Table I, below.) Nevertheless, Midwest asserts that, even if considered an investment company within the meaning of section 3(a) (3), it would be entitled to an order pursuant to section 3(b) (2) declaring that Midwest is not an investment company under the Act.

Section 3(b) (2) provides that, notwithstanding section 3(a) (3) any issuer with the Commission finds and by order declares to be primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities either directly or (A) through majority-owned subsidiaries or (B) through controlled companies conducting similar types of businesses.

The following Table shows the assets of Midwest and SBIC Subsidiary as of September 30, 1971.

TABLE I

	Direct business and wholly owned, majority-owned and controlled businesses	Other
Direct Business:		
Cash and Government securities	19,955	
Note receivable	148,050	
Interest receivable	107,406	
Accounts receivable	48,247	
Organization expense	14,863	
Other assets	5,006	
Majority-owned or controlled businesses:		
Universal Warren (85.9%)	3,040,000	
Midtown Park, Inc. (42.5%)	557,500	
Investment Securities CSC, Inc. (25.9%)		260,000
SBIC Subsidiary (wholly owned):		
Midtown Park, Inc. (7.5%)	107,500	
Cash	4,584	
U.S. Treasury bills	98,771	
Note receivable	24,281	
Interest receivable	5,428	
Organization expense	1,392	
Miscellaneous assets	20,168	
Certificate of deposit	1,600,000	
Investment securities	1,602,563	
Totals	4,048,527	3,617,187

If allocated as shown in Table I, 52.81 percent of Midwest and SBIC Subsidiary's total assets may be considered to be related to businesses other than that of investing, owning, holding, or trading in securities.

Applicant asserts that two transactions have occurred since September 30, 1971, which strengthen its request for an order pursuant to section 3(b) (2). First, on November 4, 1971, SBIC Subsidiary paid \$750,000 to the SBA to reduce its obligation to \$1,050,000 (and correspondingly reduced Midwest's guarantee of SBIC Subsidiary's debt payable to the SBA). Second, Midwest recently acquired 97.86 percent of the stock of Royal Pantry Food, Inc. (Pantry), a frozen bakery products manufacturer and distributor. Midwest's investment in Pantry totals approximately \$276,000. SBIC Subsidiary at one time had an investment in Pantry, but with the acquisition by Midwest, SBIC Subsidiary's investment terminated.

Midwest represents that it controls Warren, a real estate development business, and Park, an automobile parking business.

Midwest owns 89.5 percent of Warren's total outstanding stock. Three of Warren's four directors are directors of Midwest and three of Warren's five officers are officers of Midwest. There is only one other shareholder of Warren. Midwest asserts that all Warren's policy matters are determined by Midwest.

Midwest owns 42.5 percent of Park's total outstanding stock. SBIC Subsidiary owns an additional 7.5 percent. The next two largest shareholders each owns 5.6 percent. Midwest asserts that no primary or policy decisions are made without consulting Midwest.

Midwest also represents that its officers devote the principal portion of their time to the operation of Warren and Park.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order which may be made upon appropriate conditions necessary for the protection of investors, and upon the taking effect of such order the registration of such company shall cease to be effective.

II. SBIC Subsidiary seeks an order pursuant to section 6(c) exempting it from all provisions of the Act. SBIC Subsidiary is a wholly owned subsidiary of Midwest, a company represented not to be an investment company. Because of the nature of its business, SBIC Subsidiary is an investment company.

SBIC Subsidiary represents that but for its outstanding debts to the SBA it would not be an investment company within the meaning of the Act by reason of the provisions of section 3(b)(3). That section excepts from the definition of "investment company" any issuer all of the outstanding securities of which (other than short-term paper and directors qualifying shares) are directly or indirectly in a business or businesses other than that of investing, owning, holding or trading in securities.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provisions of the Act, 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.

SBIC Subsidiary represents that under all the circumstances it would appear appropriate and consistent with the protection of investors as well as the purposes intended by the Act to exempt SBIC Subsidiary from all provisions of the Act. SBIC Subsidiary states that its operations will be subject to extensive regulation by the SBA, including regulation of its relations with "associates," including Midwest.

SBIC Subsidiary has consented that any order exempting it from the provisions of the Act may be issued with the imposition of the following conditions:

1. SBIC Subsidiary shall:

(a) Not issue any securities (other than short-term paper as defined in section 2(a)(38) of the Act) except to Midwest or securities issued or guaranteed in connection with SBA programs, unless such transaction is expressly permitted by order of the Commission;

(b) File with the Commission within 120 days after the close of each fiscal year of SBIC Subsidiary the data required by Items 5, 6, 7, and 8 of the annual report on Form N-5R adopted by the Commission pursuant to section 30(a) of the Act;

(c) File with the Commission within 120 days after the close of each fiscal year of SBIC Subsidiary and Midwest (i) a balance sheet of each company show-

ing assets in reasonable detail as of the close of such fiscal year, with a schedule showing such assets at value (taking securities for which market quotations are readily available to market value and taking other securities and assets at value as determined in good faith by the board of directors) and (ii) a statement of income for such fiscal year and a statement of paid-in surplus and retained earnings as of the close of such fiscal year for SBIC Subsidiary and Midwest. SBIC Subsidiary may incorporate by reference in any material filed to meet the requirements of this condition any document or part thereof previously or concurrently filed with the Commission pursuant to any of the Acts administered by the Commission.

2. No person other than Midwest shall own any outstanding security of SBIC Subsidiary (other than short-term paper), except for short-term paper and for securities issued or guaranteed in connection with SBA programs.

Notice is further given that any interested person may, not later than March 29, 1972, 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, if any, 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 Midwest 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 the matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-3932 Filed 3-15-72; 8:47 am]

[812-3119]

ISL VARIABLE ANNUITY FUND A ET AL.

Notice of Application To Permit Offer of Exchange and for Exemption

MARCH 10, 1972.

Notice is hereby given that ISL Variable Annuity Fund A, ISL Variable An-

nuity Fund B (the "Variable Annuity Funds"), and Investors Syndicate Life Insurance and Annuity Co. (Investors Life), (herein collectively referred to as "Applicants"), Eighth Street and Marquette Avenue, Minneapolis, Minn., have filed an application pursuant to section 11 and section 6(c) of the Investment Company Act of 1940 (Act) for an order permitting the offer of exchange described below and exempting Applicants from section 22(d) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

The Variable Annuity Funds were established on May 10, 1968, and June 10, 1968, respectively, as separate accounts under Minnesota law for the purpose of maintaining assets accruing from the sale of individual variable annuity contracts by Investors Life, and are registered under the Act as open-end diversified management investment companies. Investors Life, which is the principal underwriter of the variable annuity contracts, is a wholly-owned subsidiary of Investors Diversified Services, Inc. (IDS). IDS is the principal underwriter for six open-end, diversified management investment companies: IDS Progressive Fund, Inc.; Investors Mutual, Inc.; Investors Selective Fund, Inc.; Investors Stock Fund, Inc.; Investors Variable Payment Fund, Inc.; and IDS New Dimensions Fund, Inc. (the "IDS Group").

Pursuant to a Commission order dated December 3, 1970, shareholders of each of the funds in the IDS Group can transfer their accumulated investments from any of said funds into one of the Variable Annuity Funds for Individual Single Purchase Payment Immediate Annuity Contracts (the Contracts).

The Contracts provide for a single purchase payment and for annuity payments to start no more than 60 days after the purchase date. Such transfers are made without the usual sales charges, but are subject to administrative charges and applicable state premium taxes. The administrative charges on Variable Annuity Fund A Contracts are 2 percent on the first \$15,000 of purchase payments; 1 percent on the next \$10,000 of purchase payments; and one-half percent on all payments in excess of \$25,000. The administrative charges on Variable Annuity Fund B Contracts is 2 percent of the total amount of purchase payments (Investment Company Act Release No. 6310).

Applicants state the administrative expenses previously approved did not indicate that any payment would be made to salesmen processing any such exchange. Applicants now seek further approval under section 11(a) and for exemption from section 22(d) of the Act to the extent necessary to allow payments to sales representatives who aid in arranging and processing the plan of exchange referred to above.

Applicants consider it necessary and desirable to pay the sales representative who aids in the processing of any exchange from the IDS Group to an im-

[70-5165]

MISSISSIPPI POWER & LIGHT CO.

Notice of Proposed Issue and Sale of
First Mortgage Bonds at Competitive Bidding

MARCH 9, 1972.

Notice is hereby given that Mississippi Power & Light Co. (Mississippi), Post Office Box 1640, Jackson, MS 39205, an electric utility subsidiary company of Middle South Utilities, Inc., a registered holding company, has filed a declaration, pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a) and 7 of the Act and Rule 50 thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Mississippi proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, \$15 million principal amount of first mortgage bonds, ----- percent Series due 2002. The interest rate of the bonds (which will be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Mississippi (which will be not less than 100 percent nor more than 102 3/4 percent of the principal amount thereof) will be determined by competitive bidding. The bonds will be issued under Mississippi's Mortgage and Deed of Trust dated as of September 1, 1944, to Irving Trust Co. and Frederick G. Herbst (E. J. McCabe, successor), as trustees, as heretofore supplemented and as to be further supplemented by a Twelfth Supplemental Indenture to be dated as of May 1, 1972, and which includes a prohibition until May 1, 1977, against refunding the issue with the proceeds of funds borrowed at a lower annual cost of money. The net proceeds derived from the issuance and sale of the bonds are to be applied to reduce the amount of shortterm obligations (estimated, at the time of the issuance of the bonds, at \$18,500,000). Mississippi's construction program for 1972 is estimated at \$44,978,000, requiring an estimated \$22 million total new funds from external sources. It is expected that the remaining new funds, after giving effect to the proposed issue and sale of bonds, will be temporarily financed through additional shortterm borrowings until further permanent financing is required.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. The fees and expenses to be incurred by Mississippi in connection with the bonds are estimated at \$75,000, including legal fees of \$22,400 and auditor's fees of \$7,000. The fee of counsel for the underwriters, to be paid by the successful bidders, is estimated at \$9,000.

Notice is further given that any interested person may, not later than April 14, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised

mediate variable annuity. An exchange between mutual fund: within the IDS Group is generally accomplished directly between the customer and IDS, without any sales representative, because it involves only a very simple change in the customer's investment objectives. Applicants state, however, that at the time of retirement an investor is faced, generally for the first time with a new problem, one of withdrawing the "right" amount of his accumulations to balance his current needs and his future expected requirements. Applicants state that such a decision is complex and requires substantial explanation and discussion to determine a suitable annuity. Once a decision is made to exchange for an annuity, a complex annuity application must be completed in the presence of a sales representative, licensed by the State Insurance Department, and other related papers completed, just as in any cash purchase. The sales representative is expected to perform this service of aiding the customer to exercise the exchange right. Applicants state that the sales representative should be paid for the service he is required to provide. Applicants propose to compensate members of the field force for their services in aiding an IDS Group customer apply for an immediate variable annuity without sales charge under the approved exchange offer, in the flat amount of \$50 per exchange consummated, regardless of the amount of accumulation so exchanged in any one transaction. The \$50 payment will be made from the amount investors pay for administrative expenses.

Applicants state they believe \$50 is sufficient to compensate the field representative for the amount of time, effort and actual costs involved in servicing the customer's needs in the average exchange case and sufficiently small to minimize or eliminate soliciting or overreaching by such representative. Applicants state they believe the main purpose of section 11(a) of the Act is to prevent "churning" of customer accounts. Applicants believe that \$50 payments as herein proposed are insufficient to cause such "churning".

Applicants represent that the ISL sales representatives are and will continue to be prohibited from soliciting any exchanges which may be permitted as a result of this proposal. Applicants further represent that supervision will be maintained as long as such plan of exchange is continued to determine that such exchanges are not "solicited" and that other "overreaching" does not occur, and that if either solicitation or overreaching patterns develop as a result of the \$50 payments proposed herein, the payments to the field force will be changed, reduced or eliminated by ISL as may be necessary to eliminate such patterns, but that in no event will more than \$50 be paid to the field force for any such exchange transaction without further approval of the Commission.

Section 11(a) of the Act provides that it shall be unlawful for any registered open-end company or any principal underwriter for such a company to make or cause to be made an offer to the holder

of a security of such company or of any other open-end investment company to exchange his security for a security in the same or other such company on any basis other than the relative net asset values of the respective securities to be exchanged, unless the terms of the offer have first been submitted to and approved by the Commission. Applicants request approval under section 11 because the offer of exchange will be made at net asset value plus administrative charges, including a direct payment to sales representatives.

Section 22(d) of the Act provides in pertinent part that no registered investment company shall sell any redeemable security issued by it to any person except at a current public offering price described in the prospectus. Applicants request exemption from section 22(d) because investors in the Funds will be able to purchase contracts at the fixed sales load, i.e., at a price different from that described in the prospectus.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transactions from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than March 30, 1972, 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 applicant 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 thereon 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL]

RONALD F. HUNT,
Secretary.

[FR Doc.72-3991 Filed 3-15-72;8:50 am]

by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-3933 Filed 3-15-72;8:48 am]

[70-5158]

MONONGAHELA POWER CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds; and Shares of Cumulative Preferred Stock at Competitive Bidding; and Proposed Charter Amendment

MARCH 10, 1972.

Notice is hereby given that Monongahela Power Co. (Monongahela), 1310 Fairmont Avenue, Fairmont, WV 26554, a registered holding company and a wholly owned electric utility subsidiary company of Allegheny Power System, Inc., also a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a) and 7 thereof and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Monongahela proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, \$30 million principal amount of its first mortgage bonds, ----- percent Series due April 1, 2002. The interest rate of the bonds (which will be a multiple of one-eighth of 1 percent) and the price (exclusive of accrued interest) to be paid to Monongahela for the bonds (which will be not less than 100 percent nor more than 102¾ percent of the principal

amount thereof) will be determined by the competitive bidding. The bonds will be issued under the indenture dated as of August 1, 1945, between Monongahela and First National City Bank, trustee, as heretofore supplemented and as to be further supplemented by a supplemental indenture to be dated as of April 1, 1972, and includes a 5-year prohibition against redemption with or in anticipation of moneys borrowed at lower interest costs.

Monongahela also proposes to amend its charter to increase the authorized shares of cumulative preferred stock from 390,000 to 540,000 and to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 50,000 shares of its cumulative preferred stock, Series H, par value \$100 per share. The dividend rate of the preferred shares (which will be a multiple of \$0.04) and the price (exclusive of accrued dividends) to be paid Monongahela for the preferred stock (which will not be less than \$100 nor more than \$102.75 per share) will be determined by the competitive bidding. The terms of the preferred stock include a provision against refunding the preferred stock prior to April 1, 1977, directly or indirectly, with funds derived from the issue of debt securities at a lower effective interest cost or preferred stock at a lower effective dividend cost.

The net proceeds from the sale of the bonds and preferred stock will be used to finance in part the construction program of Monongahela and its subsidiary company (including payment of approximately \$8 million of short-term notes issued and sold therefor) and for other corporate purposes. Construction expenditures of Monongahela and its subsidiary company for the years 1972 and 1973 are estimated to aggregate \$106 million.

It is stated that the Public Utilities Commission of Ohio has jurisdiction over the issue and sale of the bonds and preferred stock and that no other State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The fees and expenses to be paid in connection with the proposed transactions are estimated at \$60,000 for the bonds and \$29,000 for the preferred stock, including accountants' fees of \$3,800 and \$600, respectively, and legal fees of \$10,000 and \$6,000, respectively. The fees of counsel for the underwriters, to be paid by the successful bidders, will be supplied by amendment.

Notice is further given that any interested person may, not later than March 31, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at

the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-3992 Filed 3-15-72;8:50 am]

[811-1589]

TAF ASSOCIATES, INC.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company

MARCH 10, 1972.

Notice is hereby given that Taf Associates, Inc. (Applicant), North Country Road, East Setauket, N.Y., registered under the Investment Company Act of 1940 (1940 Act), as a closed-end investment company, has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company. All interested persons are referred to the application for a statement of the representations contained in the application, which are summarized below.

Applicant was incorporated in the State of New York on February 11, 1964, and since the date of incorporation has engaged primarily in the business of purchasing for its own account securities of other issuers. On January 29, 1968, Applicant filed Form N-8A and on April 26, 1968, Applicant filed Form N-8B-1. On April 29, 1968, Applicant filed a registration statement on Form S-4 under the Securities Act of 1933. Such registration statement never became effective nor were any shares sold to the public pursuant to such statement. Applicant's registration statement was withdrawn on March 2, 1972.

Applicant represents that it has never made a public offering of its securities, and has no plans to make one but expects to continue its operations as described above.

Applicant represents that as of December 31, 1971, it had assets of \$12,571, liabilities of \$1,710 and 210,850 shares of common stock issued and outstanding among 25 shareholders.

Applicant asserts that it is not an investment company pursuant to section 3(c)(1) of the 1940 Act. Section 3(c)(1)

provides that any issuer whose outstanding securities are beneficially owned by not more than one hundred persons and which is not making and does not presently propose to make a public offering of its securities is not an investment company.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than March 31, 1972, 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, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should 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 Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by a 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-3993 Filed 3-15-72; 8:50 am]

[70-5138]

VERMONT YANKEE NUCLEAR POWER CORP.

Notice of Proposed Issue and Sale of Promissory Notes to Banks

MARCH 10, 1972.

Notice is hereby given that Vermont Yankee Nuclear Power Corp. (Vermont Yankee), 77 Grove Street, Rutland, VT 05701, an electric utility company and an indirect subsidiary company of both Northeast Utilities and New England Electric System, registered holding companies, has filed an application with this Commission pursuant to the Public

Utility Holding Company Act of 1935 (Act), designating section 6(b) of the Act as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Vermont Yankee is constructing a nuclear-powered electric generating plant with a net expected capacity of approximately 540 megawatts which is expected to be in operation in 1972. The total capital cost of the plant, excluding the cost of the initial inventory of nuclear fuel of about \$21 million, is estimated at \$170 million. Its 10 sponsor companies are committed by capital fund requirements and power contracts to provide Vermont Yankee, in accordance with their stock percentages, the capital required by Vermont Yankee, and to purchase a like percentage of the capacity and power output of the Vermont Yankee plant on a cost-of-service basis, which includes an appropriate return on their investment.

In order to obtain interim financing for its initial nuclear fuel inventory, Vermont Yankee has issued and sold its promissory notes to The Chase Manhattan Bank N.A. (Chase) pursuant to a loan agreement (File No. 70-4968). Such notes, outstanding in the amount of \$19,868,033 at December 31, 1971, bear interest at 2 percent the greater of Chase's prime rate or Federal funds rate and mature on the earlier of June 30, 1972, or 5 business days after an operating license to Vermont Yankee under the Atomic Energy Act becomes effective.

Pursuant to the Chase loan agreement, Vermont Yankee now proposes to issue up to \$21 million of replacement notes to refund the outstanding initial notes. The initial notes are and the replacement notes will be secured by a security interest in Vermont Yankee's nuclear fuel assemblies contained in the initial core and certain rights under one or more contracts relating to the acquisition of the assemblies. The replacement notes will also bear interest at 2 percent above the greater of Chase's prime rate or federal funds rate, as determined on a daily basis. Each replacement note will be payable in installments through December 31, 1978. Vermont Yankee may at its option prepay all or part of each replacement note without premium.

It is stated that the Vermont Public Service Board has jurisdiction over the issue and sale of the replacement notes and that no other State commission or any Federal commission, other than this Commission, has jurisdiction over the proposed transactions. Fees and expenses to be incurred in connection with the proposed transactions are to be filed by amendment.

Notice is further given that any interested person may, not later than April 12, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing

thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-3994 Filed 3-15-72; 8:50 am]

[812-3141]

VIRGINIA CAPITAL CORP. ET AL.

Consolidated Notice of Filing of Applications for Order

MARCH 9, 1972.

In the matter of Virginia Capital Corp., Arthur S. Brinkley, Jr., W. Gibson Harris and Robert H. Pratt, Directors, and Officers; Jonathan Bryan III, Frank G. Louthan, Jr., Edmund A. Rennolds, Jr., Directors; S. Douglas Fleet, an affiliated person; Robert L. Burrus, Jr., an Officer; and William R. Waddell, an affiliated person of an affiliated person, 808-A United Virginia Bank Building, Richmond, Va. 23219; Pandick Press, Inc., Edward G. Green and Lawrence L. Roberts, Jr., Directors and Officers, 345 Hudson Street, New York, NY 10014; Allied Capital Corp., Curtis S. Steuart, George C. Williams, and T. Murray Toomey, Directors and Officers; Walter L. Green, Claude A. Jessup, Henry J. Kaufman, and Joseph P. Kreeger, Directors; James F. Glass, Jr., an Officer; Esther T. Steuart, an affiliated person; and Susan A. Sutton, an employee, 1625 Eye Street NW., Washington, DC 20006 (812-3141).

Notice is hereby given that the persons named below (collectively referred to herein as "Applicants"), on behalf of themselves and certain other holders of common stock, \$0.10 par value (Stock), of Pandick Press, Inc. (Pandick), have filed applications pursuant to section 17 (d) of the Investment Company Act of 1940 (Act) and Rule 17d-1 thereunder, for an order permitting: Virginia Capital Corp. (Virginia Capital) to distribute as a dividend to its shareholders 110,375 presently outstanding shares of Stock; Arthur S. Brinkley, Jr., senior vice presi-

dent, treasurer, and a director of Virginia Capital, W. Gibson Harris, chairman of the board of Virginia Capital, Robert H. Pratt, president and a director of Virginia Capital, Jonathan Bryan III, Frank G. Louthan, Jr., and Edmund A. Rennolds, Jr., all of whom are directors of Virginia Capital, and S. Douglas Fleet, an affiliated person of Virginia Capital (or the respective donees of such persons) to sell or distribute shares of Stock acquired by them as recipients of such dividend; Robert L. Burrus, Jr., secretary of Virginia Capital, and William R. Waddell, an affiliated person of an affiliated person of Virginia Capital, to sell or distribute an aggregate of 800 presently outstanding shares of Stock; Edward G. Green and Lawrence L. Roberts, Jr. (both of whom are directors and officers of Pandick and referred to collectively herein as the "Pandick Officers"), or their respective donees, to sell or distribute in the aggregate, 50,000 presently outstanding shares of Stock; Allied Capital Corp. (Allied Capital) to distribute as a dividend to its shareholders 53,706 presently outstanding shares of Stock; George C. Williams, president, treasurer, and a director of Allied Capital, T. Murray Toomey, secretary and a director of Allied Capital, Curtis S. Stewart, chairman of the board of Allied Capital, Walter L. Green, Claude A. Jessup, Henry J. Kaufman, Joseph P. Kreeger, all of whom are directors of Allied Capital, James F. Glass, Jr., assistant secretary and assistant treasurer of Allied Capital (or the respective donees of such persons), to sell or distribute shares of Stock acquired by them as recipients of such dividend. All of the holders of Stock who will be selling or distributing shares of Stock are hereinafter referred to as the "Selling Shareholders." Applicants also seek an order approving the execution and delivery to Pandick of an agreement (Agreement) by certain of the Selling Shareholders. All interested persons are referred to the applications on file with the Commission, for a statement of the representations therein, which are summarized below.

Virginia Capital, incorporated under the laws of the State of Virginia, is registered under the Act as a closed-end, non-diversified investment company, and is licensed as a small business investment company (SBIC) under the Small Business Investment Act of 1958 (1958 Act). Pandick, a New York corporation, which renders printing services to the financial community, has outstanding 1,484,000 shares of Stock. Virginia Capital owns 276,934 shares (or approximately 18.66 percent) of the presently outstanding Stock. Robert L. Burrus, Jr., owns 500 shares or 0.03 percent and William R. Waddell owns 300 shares or 0.027 percent of the presently outstanding Stock. Edward G. Green (Green) and Lawrence L. Roberts, Jr. (Roberts), own 214,600 and 161,573 shares (or approximately 14.45 percent and 10.89 percent) of the presently outstanding Stock, respectively.

Allied Capital, a District of Columbia corporation, is also registered under the Act as a closed-end, nondiversified investment company and licensed as a SBIC, under the 1958 Act. Allied Capital owns 105,600 shares (or approximately 7.12 percent) of presently outstanding Stock.

Section 2(a)(3) includes within the definition of "affiliated person" any person directly or indirectly owning, controlling, or holding with power to vote, 5 per centum or more of the outstanding voting securities of such other person; any person 5 per centum or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by such other person; and any director or officer of such other person. Virginia Capital, Pandick Officers, and Allied Capital are each an affiliate of Pandick and Pandick is an affiliate of each of them. The officers, directors, and other affiliated persons of Virginia Capital referred to above are affiliated persons of Virginia Capital and the officers, directors and other affiliated persons of Allied Capital referred to above are affiliated persons of Allied Capital.

Pandick has filed a registration statement with the Commission under the Securities Act of 1933 with respect to the above described transactions.

Applicants state that Virginia Capital proposes to distribute the Stock to its shareholders in order to permit them to participate in the substantial appreciation in value of its investment in Pandick, and not because of any adverse factors affecting Pandick. Upon exercise for this purpose by Virginia Capital of its rights of registration of the Stock as provided by the note and warrant agreement dated January 19, 1965, all shareholders of Pandick having similar rights were given the unrestricted opportunity to participate in the registration. While Pandick had no desire to offer Stock, persons who may be deemed in "control" of Pandick (including Green and Roberts) were afforded the opportunity to have shares of Stock held by them included in the registration statement, provided that they agreed to pay all incremental increases in the registration costs occasioned by such inclusion. No participation by any particular holder of Stock was required or made contingent upon the participation of any other holder and the extent of participation of Allied Capital or Virginia Capital has not been restricted because of the shares offered by affiliated persons.

Applicants state that all expenses of registration are being paid by Pandick for all the participants, except that each Selling Shareholder is paying his or its own stock transfer taxes and the fees and expenses of separate counsel retained by him or it, and Green and Roberts are paying all incremental increases in the registration costs occasioned by the registration of their stock.

Pursuant to the agreement Pandick proposes to indemnify Allied Capital, its officers, directors, and other affiliated persons, and Virginia Capital, its officers,

directors, and other affiliated persons, against all claims, losses, damages, liabilities, and expenses arising out of or based upon any information contained in documents incidental to the registration and from any omission or alleged omission to state a material fact required to be stated therein or necessary to make the statements made not misleading in the light of the circumstances in which they are made, except as the same may be based upon information furnished in writing by such persons. Such persons (as well as the Pandick Officers) are to furnish similar indemnification to Pandick of such documents.

Applicants represent that the participation of Allied Capital and Virginia Capital in the transactions is not on a basis different from or less advantageous to them than to any of the other participants in the transactions.

Section 17(d) of the Act and Rule 17d-1 thereunder, taken together, provide, among other things, that it shall be unlawful for an affiliated person of a registered investment company or any affiliated person of such a person, acting as principal, to participate in, or effect any transactions in connection with any joint enterprise or arrangement in which any such registered company, or a company controlled by such registered company, is a participant unless prior thereto, an application regarding such arrangement has been filed with and granted by the Commission, and that, in passing upon such application, the Commission will consider whether the participation of such arrangement is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Notice is further given that any interested person may, no later than March 24, 1972, 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 reasons 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 should order a hearing thereon. Any such communications 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 addresses set forth 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 applications herein may be issued by the Commission upon the basis of the information stated in said applications, unless an order for hearing upon said applications 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-3934 Filed 3-15-72;8:48 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 884;
Class B]

ALASKA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of February 1972, because of the effects of a certain disaster, damage resulted to business property located in Fairbanks, Alaska;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitutes a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Assistant Administrator for Administration and Operations of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Fairbanks, Alaska, suffered damage or destruction resulting from a fire occurring on February 22, 1972.

OFFICE

Small Business Administration Branch Office, 504 Third Avenue, Fairbanks, AK 99701.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to September 30, 1972.

Dated: March 3, 1972.

CLAUDE ALEXANDER,
Assistant Administrator for
Administration and Operations.

[FR Doc.72-3988 Filed 3-15-72;8:50 am]

[Application 06/06-5159]

MESBIC OF ARKANSAS, INC.

Notice of Application for a License as a Minority Enterprise Small Business Investment Company

An application for a license to operate as a minority enterprise small business investment company (MESBIC) under

the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), has been filed by MESBIC of Arkansas, Inc., with the Small Business Administration (SBA) pursuant to § 107.102 of the SBA rules and regulations governing small business investment companies (13 CFR § 107.102 (1971)).

The officers and directors of the applicant are as follows:

Robert Doubleday, Post Office Box 77, Little Rock, AR 72203, Chairman of the Board. Samuel S. Sparks, 436 National Old Line Building, Little Rock, AR 72201, Vice Chairman of the Board.

Charles E. Sims, 300 Spring Building, Little Rock, AR 72201, President, General Manager.

Bobby Jefferson, 300 Spring Building, Little Rock, AR 72201, Vice President.

Walter Cunningham, 300 Spring Building, Little Rock, AR 72201, Secretary, Treasurer. Richard Mays, 1820 West 13th Street, Little Rock, AR 72202, Director.

Frank Gordon, 221 West Second Street, Little Rock, AR 72201, Director.

Larry Griffin, Third and Louisiana Streets, Little Rock, Ark. 72201, Director.

Frank Lyon, West 65th Street and Scott Hamilton Drive, Little Rock, Ark. 72209, Director.

B. Frank Mackey, Jr., 1113 Worthen Bank Building, Little Rock, Ark. 72201, Director.

James H. Penick, Sr., Worthen Bank Building, Little Rock, Ark. 72201, Director.

Dan Phillips, 510 Main Street, Little Rock, AR 72201, Director.

Capp Shanks, 200 Main Street, Little Rock, AR 72201, Director.

Jackson T. Stephens, East Capitol Avenue, Little Rock, Ark. 72201, Director.

Cliff Wood, 1 Union National Plaza, Little Rock, Ark. 72201, Director.

The applicant, an Arkansas corporation with its principal place of business located at 300 Spring Building, Suite 620, Little Rock, AR 72201, will begin operations with \$257,000 of paid-in capital and paid-in surplus consisting of 51,400 shares of common stock. The only 10 or more percent stockholders of the applicant licensee will be Inglewood Foundation, a nonprofit organization located at 1113 Worthen Bank Building, Little Rock, Ark. 72201, and Union National Bank of Little Rock, 1 Union National Plaza, Little Rock, Ark. 72201.

Applicant will not concentrate its investments in any particular industry. According to the company's stated investment policy, its investments will be made solely in small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of their proposed owners and management, and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and the SBA rules and regulations.

Any interested person may, not later than 10 days from the date of publica-

tion of this notice, submit to SBA, in writing, relevant comments on the proposed MESBIC. Any such communication should be addressed to the Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, DC 20416.

A copy of this notice shall be published in a newspaper of general circulation in Little Rock, Ark.

Dated: March 15, 1972.

A. H. SINGER,
Associate Administrator
for Investment.

[FR Doc.72-4137 Filed 3-15-72;9:37 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

MARCH 13, 1972.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 129600 Sub 5, Polar Transport, Inc., now assigned April 20, 1972, at Washington, D.C., postponed to June 6, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 200 Sub 228, Riss International Corp., MC 1872 Sub 70, Ashworth Transfer, MC 65475 Sub 9, Jetco, Inc., MC 72243 Sub 24, the Aetna Freight Lines, MC 103435 Sub 207, United-Buckingham Freight Lines, MC 106715 Sub 8, National Aerospace Freight Lines, MC 107993 Sub 15, J. J. Willis Trucking, MC 108676 Sub 31, A. J. Metler Hauling & Rigging, MC 112697 Sub 18, Samuel A. Brasfield, doing business as B & S Enterprises, MC 124947 Sub-8, Machinery Transports, MC 128250 Sub 2, the Robinson Freight Lines, and MC 133252 Sub 2, Midwest Growers Cooperative, now being assigned hearing May 22, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

MC 119395 Sub 2, William's Chemical Transport, Inc., and MC 135109, Seco, Inc., now assigned March 20, 1972, at Wilmington, Del., will be held in Chancery Courtroom No. 1, Public Building, 11th and King Street, instead of ICI America, Inc., Concord Pike and Murphy Road.

MC 135497 Sub 1, I-5 Freightlines, Inc., now assigned April 3, 1972, at Medford, Oreg., will be held at the Holiday Inn Motel, 2300 Crater Lake Boulevard, Medford, Oreg. MC 107295 Sub 562, Pre-Fab Transit Co., MC 114552 Sub 60, Senn Trucking Co., MC 115840 Sub 70, Colonial Fast Freight Lines, Inc., and MC 123407 Sub 88, Sawyer Transport, Inc., now assigned April 18, 1972, at Washington, D.C., postponed to May 15, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

FD 26876, St. Louis Southwestern Railway Co. abandonment between Gideon and Deering Junction, in New Madrid and Pemiscot Counties, Mo., and FD 26876 Sub 1, St. Louis Southwestern Railway Co. abandonment between Truman, Ark., and Leachville Junction, Mo. and Poinsett, Craighead and Mississippi Counties, Ark. and Dunklin County, Mo., assigned for hearing May 17, 1972, at Malden, Mo., in a hearing room to be later designated.

FD 26115, Boston and Maine Corp. Reorganization, assigned for hearing May 1, 1972, in Room 2211B, John Fitzgerald Kennedy Building, Government Center, Boston, Mass.

MC 107295 Sub 564, Pre-Fab Transit, now being assigned hearing May 8, 1972, at Columbus, Ohio, in Room 2, State Office Building, 65 South Front Street.

MC 119632 Sub 45, Reed Lines, Inc., now being assigned hearing May 11, 1972, in Room 2, State Office Building, 65 South Front Street, Columbus, Ohio.

MC 120736 Sub 3, Strothman Express, now being assigned hearing May 9, 1972, in Room 4, State Office Building, 65 South Front Street, Columbus, Ohio.

MC 121046 Sub 4, B. A. Miller & Sons Trucking, now being assigned hearing May 16, 1972, in Room 4, State Office Building, 65 South Front Street, Columbus, Ohio.

MC 133977 Sub 7, Gene's Inc., now being assigned hearing May 15, 1972, in Room 4, State Office Building, 65 South Front Street, Columbus, Ohio.

Finance Docket No. 26810 Sub 1, and Finance Docket No. 26810, Cleveland, Cincinnati, Chicago, and St. Louis Railway Co. and George P. Baker, Richard C. Bond, Jervis Langdon, Jr., Willard Wirtz, trustees of the property of Penn Central Transportation Co., debtor abandonment between Clyde & Tiffin, Sandusky County, Ohio, now being assigned hearing May 18, 1972, in Courtroom, Erie County Courthouse, Columbus Avenue, Sandusky, Ohio.

I & S No. 8711, Grain Transit Accounts, SWL and WTL Territories, assigned for hearing May 9, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. 35520, Midwestern Beef, Inc. v. Chicago and North Western Railway Co., assigned for hearing May 16, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. 35531, Grain Processing Corp. v. Akron, Canton and Youngstown Railroad Co., et al., assigned for hearing May 22, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.72-4046 Filed 3-15-72; 8:54 am]

[Notice 36]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 9, 1972.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REG-

ISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 81814 (Sub-No. 4 TA) (Correction), filed February 9, 1972, published in the FEDERAL REGISTER, issue February 25, 1972, corrected and republished as corrected this issue. Applicant: LOMPOC TRUCK COMPANY, Post Office Box 565, Lompoc, CA 93436. Applicant's representative: David P. Christianson, 825 City National Bank Building, Los Angeles, Calif. 90014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper bags*, in interstate or foreign commerce, from the Los Angeles, Calif., harbor commercial zone to Lompoc and White Hills, Calif., for 180 days. Supporting shipper: Johns-Manville Products Corp., Celite Division, 2500 Miguelito Road, Lompoc, CA 93436. Send protests to: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012. NOTE: The purpose of this republication is to broaden the scope of the authority sought.

No. MC 107295 (Sub-No. 603 TA), filed February 28, 1972. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Post Office Box 146, Farmer City, IL 61842. Applicant's representative: Bruce J. Kinnee (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and pre-finished plywood panels*, from Wilmington, N.C., to points in Arkansas, Illinois, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, for 180 days. Supporting shipper: Phil Klutz, Van-Ply Industries, Post Office Box 8289, Charlotte, NC 28208. Send protests to: Harold C. Jolliff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 325 West Adams Street, Room 476, Springfield, IL 62704.

No. MC 113908 (Sub-No. 222 TA), filed February 28, 1972. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, Post Office Box 3180, Springfield, MO 65804. Applicant's representative: Le Roy Smith (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid concrete admixtures*, in bulk, in tank vehicles, from Springfield, Mo., to points in New Mexico and Wyoming, and refused and rejected shipments on

return, for 180 days. Supporting shipper: Master Builders, Division of Martin Marietta Corp., 2490 Lee Boulevard, Cleveland, OH 44118. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 119829 (Sub-No. 40 TA), filed February 28, 1972. Applicant: F. J. EGNER & SON, INC., 3969 Congress Parkway, Post Office Box 216, Richfield, OH 44286. Applicant's representative: William P. Fromm (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from Harrod, Ohio, to Blissfield, Britton, and Quincy, Mich., and points in Indiana, for 180 days. Supporting shipper: Vistron Corp., Midland Building, Cleveland, Ohio 44115. Send protests to: District Supervisor G. J. Baccei, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 124554 (Sub-No. 8 TA), filed February 28, 1972. Applicant: HILARD F. LANG AND MEDARD SCHMITZ (VIOLA LANG, JOHN F. LANG, AND FRANK J. LANG TRUSTEES), doing business as LANG CARTAGE, 338 South 17th Street, Milwaukee, WI 53233. Applicant's representative: Wm. C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, WI 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household products, cosmetics, and grooming aids*, from Dubuque, Iowa, to points in Grant, Crawford, Vernon, and La Crosse Counties, Wis., for the account of Stanley Home Products, Inc., Westfield, Mass., for 180 days. Supporting shipper: Stanley Home Products, Inc., Westfield, Mass. 01085. Distributing Station, Box No. 58, Dubuque, IA 52001 (Paul J. Ries, manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 128527 (Sub-No. 26 TA), filed February 25, 1972. Applicant: MAY TRUCKING COMPANY, Post Office Box 398, Payette, ID 83661. Applicant's representative: John K. Gatchell, 1115 First Avenue South, Payette, ID 83661. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel pipe and culvert*, from Portland and Clackamas, Oreg., to points in Nevada on and north of U.S. Highway 40; in Idaho on and south of the southern boundary of Idaho County; and points in Wyoming, for 180 days. NOTE: Applicant states it does not intend to interline authority herein applied for. Supporting shippers: G. T. Newcomb, Inc., 729 Commercial Avenue, Twin Falls, ID 83301; Northwest Pipe & Casing, 9200 Southwest Lawnfield Road, Clackamas, OR; Idaho Industrial Sales, Inc., Rupert, Idaho

83350; Beall Pipe & Tank, Boise, Idaho, and Portland, Oreg. Send protests to: C. W. Campbell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 455 Federal Building and U.S. Courthouse, Post Office Box 07, Boise, ID 83702.

No. MC 129612 (Sub-No. 5 TA), filed February 25, 1972. Applicant: BOWIE HALL TRUCKING, INC., Post Office Box 1, Upper Marlboro, MD 20870. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, Washington, DC 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Williamsburg, Va., to Upper Marlboro, Md., for 180 days. Supporting shipper: Bob Hall, Upper Marlboro, Md. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Washington, DC 20423.

No. MC 133106 (Sub-No. 19 TA), filed February 29, 1972. Applicant: NATIONAL CARRIERS, INC., Post Office Box 1358, 1501 East 18th Street, Liberal, KS 67901. Applicant's representative: Acklie & Peterson, Post Office 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pipe fittings and connections, pipe hangers, indicator's post, hydrants, pipe, bars and rods, valves with or without operating apparatus, castings, water motor alarms, pipe cement, joint compound, automatic sprinkler heads, automatic fire projection and prevention systems and air heaters, blowers and parts* (except those commodities which, because of size or weight, require the use of special equipment), from the plants, warehouses and storage facilities utilized by Grinnell Corp. at or near Cranston and West Kingston, R.I., Elmira, N.Y., Columbia and Wrightsville, Pa., to points in Montana, Wyoming, Idaho, Washington, Oregon, Nevada, Utah, California, Arizona, North Dakota, and South Dakota, for 180 days. Supporting shipper: Grinnell Corp., 260 West Exchange Street, Providence, RI 02901. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 133409 (Sub-No. 4 TA), filed February 25, 1972. Applicant: LOUIS FOLTZ, doing business as AIR FREIGHT DELIVERY SERVICE, 1031 Orchard Avenue, Winchester, VA 22601. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, Washington, D.C. 20004. 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, commodities in bulk and commodities requiring special equipment), between points in Clark, Fauquier, and Loudoun Counties, Va., Grant, Mineral, Hardy, and Hampshire Counties, W. Va., on the one hand, and, on the other, Friendship International Airport at Bal-

timore, Md., Dulles International Airport at Chantilly, Va., and Washington National Airport at Alexandria, Va., restricted to the transportation of shipments having an immediately prior or an immediately subsequent movement by air, for 180 days. Supporting shippers: Pierce Pre-Cooked Foods, Moorefield, W. Va. 26836; Penn Ventilator Co., Inc., Keyser, W. Va.; Saville, Buick Sales, Tomney, W. Va.; Carl D. Stickley, Inc., Drawer V, Romney, W. Va.; J. Lynn Cornwell, Inc., Box 548, Purcellville, VA 22132; Bill Martz Chevrolet, Inc., Purcellville, Va. 22132; Leesburg Motors Inc., Leesburg, Va. 22075; Flex-O-Lite Division G.S.I. Keyser, W. Va. 26726; the Bonham Co., Inc., Keyser, W. Va. 26726. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, DC 20423.

No. MC 134145 (Sub-No. 18 TA), filed February 28, 1972. Applicant: NORTH STAR TRANSPORT, INC., Post Office Box 51, Thief River Falls, MN 56701. Applicant's representative: Robert P. Sack, Post Office Box 6010, West St. Paul, MN 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Trailers, snowmobile carrying*, from Omaha, Nebr., to Aurora, Colo., Idaho Falls, Idaho; Wheaton, Ill., Trout Lake and Traverse City, Mich., St. Paul, Minn., Reno, Nev., Rochester, N.Y., Fargo, N. Dak., Lockhaven, Pa., Randolph, Vt., Spokane, Wash., and Neenah, Wis., for 180 days. Supporting shipper: Arctic Enterprises, Inc., Thief River Falls, Minn. 56701. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 2340, Fargo, ND 58102.

No. MC 134631 (Sub-No. 13 TA), filed February 28, 1972. Applicant: SCHULTZ TRANSIT, INC., Post Office Box 503, 323 Bridge Street, Winona, MN 55987. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, in containers, from Chetek, Wis., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: ABC Chetek, Inc., Chetek, Wis. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 135537 (Sub-No. 2 TA), filed February 28, 1972. Applicant: METRO HEAVY HAULING, INC., Post Office Box 88824, Tukwila Branch, Seattle, WA 98188 (Street Address: 21150 77th Avenue South Kent, WA 98031). Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, consisting of pipe, piping, and equipment used in connection

therewith, between Los Angeles and San Francisco on the one hand, and, points in Oregon and Washington on and west of U.S. Highway 97, on the other, for 180 days. Supporting shipper: L. B. Foster Co., 1 California Street, San Francisco, CA 94111. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 136403 TA (Correction), filed February 10, 1972, published FEDERAL REGISTER issue February 25, 1972, corrected and republished as corrected this issue. Applicant: B C & W TRUCKING CO., INC., 416 West Lamar Street, Americus, GA 31709. Applicant's representative: John R. Parks, 206 North Prince Street, Americus, GA 31709. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ground rock phosphate, granular mixed fertilizer, mixed liquid fertilizer, and direct application nitrogen solution*, between points in Georgia, and Cleburne, Randolph, Clay, Tallapoosa, Chambers, Clarke, and Geneva Counties, Ala., and Hamilton County, Fla., under continuing contract or contracts with International Minerals & Chemical Corp., for 180 days. Supporting shipper: International Mineral & Chemical Corp., Post Office Box 607, Americus, GA 31709. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202. Note: The purpose of this republication is to show the correct territorial points as counties in Alabama, in lieu of counties in Georgia.

No. MC 136437 TA, filed February 23, 1972. Applicant: P. KRIMBEL, doing business as KRIMBEL TRUCKING CO., Post Office Box 294, 607 Hill Road, Aberdeen, WA 98550. Applicant's representative: P. Krimbel (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Beer and wine*, from points in California to points in Washington; and (2) *printing paper*, other than news, from Hoquiam, Wash., to Los Angeles, Calif., for 180 days. Supporting shippers: Crown Distributing Co., Post Office Box 690, 111 South Wooding, Aberdeen, WA 98520; Independent Bottling Works, 411 South H Street, Aberdeen, WA 98520; Cammarano Bros., Inc., 98501; Intercity Beverage, Inc., 614 Myrtle Street, Hoquiam, WA 98550; Grays Harbor Paper Co., Post Office Box 60, Hoquiam, WA 98550. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 136445 TA, filed February 28, 1972. Applicant: ZENTITH TRANSPORT LTD., 2040 Alpha Avenue, Burnaby 2, BC Canada. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and*

canned goods and fresh fruit and vegetables, otherwise exempt, when moving with frozen foods, from points in Oregon, Washington, and California to the United States-Canada boundary line at or near Blaine, Wash., restricted to traffic moving to warehouse, storage, or customer facilities of York Farms, division of Canada Packers Ltd., for 180 days. Supporting shipper: York Farms, a division of Canada Packers Ltd., Post Office Box 2000, Sardis, BC, Canada. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 136446 TA, filed February 28, 1972. Applicant: PRINCETON MESSENGER SERVICE, INC., Princeton Service Center, U.S. Highway 1, Princeton, N.J. 08540. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, NJ 07102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Office memoranda, interoffice communications, records, computer data, and other business memoranda*, involving shipments with a maximum weight of 300 pounds per shipment, between points in Mercer County, N.J., on the one hand, and, on the other, New York, N.Y. Supporting shippers: Mobil Research and Development Corp., Post Office Box 1026, Princeton, NJ 08540; FMC Corp., Box 8, Princeton, NJ 08540; the United Piece Dye Works, Post Office Box 5050, Hightstown, NJ 08520; Research 100, Post Office Box 2196, Princeton, NJ 08540; Sibson & Co., Inc., Research Park, 1101 State Road, Princeton, NJ 08540. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 136447 TA, filed February 28, 1972. Applicant: STECO, INC., Post Office Box 488, Mays Boulevard at Bowery Lane, Folkston, GA 31537. Applicant's representative: Sol H. Proctor, 2501 Gulf Life Tower, Jacksonville, FL 32207. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Materials and goods*, used in the manufacture of apparel, from New York, N.Y., Wilkes-Barre, and Philadelphia, Pa., points in North Carolina and South Carolina to Folkston, Wrightsville and Dublin, Ga., Lake Butler and Lake City, Fla., from Lake City, Fla., to Lake Butler, Fla., and Folkston, Ga.; and (2) *apparel*, from Folkston, Wrightsville, and Dublin, Ga., Lake Butler and Lake City, Fla., to Wilkes-Barre, and Philadelphia, Pa., and New York, N.Y., under continuing contract or contracts with Stephenson Enterprises, Inc., Lake Butler Apparel Co., Inc., Buckeye Industries, Inc., and Biljo, Inc., for 180 days. Supporting shippers: Lake Butler Apparel Co., Lake Butler and Lake City, Fla.; Stephenson Enterprises, Inc., Folkston, Ga.; Buckeye Industries, Inc., Wrightsville, Ga.; Biljo, Inc., Dublin, Ga. Send protests to: District Supervisor G. H. Fauss, Jr., Interstate Commerce Commission, Bureau of Opera-

tions, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MOTOR CARRIERS OF PASSENGERS

No. MC 84728 (Sub-No. 59 TA), filed March 1, 1972. Applicant: SAFEWAY TRAILS, INC., 1200 I Street NW., Washington, DC 20005. Applicant's representative: Lawrence E. Linderman, Suite 1032, Pennsylvania Building, Pennsylvania Avenue and 13th Street NW., Washington, DC 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in special operations, between Silver Spring, Md., and Washington, D.C., on the one hand, and, on the other, Dover Downs Racetrack, at or near Dover, Del., for 150 days. Supported by: The application is supported by statements from 24 patrons of the Dover Downs Racetrack. These statements may be examined at the district supervisor's office. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Washington, DC 20423.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.72-4047 Filed 3-15-72; 8:54 am]

[Notice 37]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 10, 1972.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field office named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 53965 (Sub-No. 81 TA), filed February 29, 1972. Applicant: GRAVES TRUCK LINE, INC., Post Office Box 838, 739 North 10th Street, Salina, KS 67401. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, KS 66603. Authority sought to operate as a common carrier, by motor vehicle, over

irregular routes, transporting: *Meat, meat products, and meat byproducts, and articles distributed by meat packing-houses*, as described in sections A and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from the plantsite and/or storage facilities of Farmland Foods, Inc., at or near Denison, Iowa, to points in Kansas, Oklahoma, Texas, Colorado, and Louisiana. Restriction: The authority granted above is restricted to the transportation of traffic originating at the plantsite and storage facilities of Farmland Foods, Inc., at or near Denison, Iowa, and destined to the destination States specified therein, for 180 days. NOTE: Applicant does not intend to tack the authority here applied for to other authority held by it, or to interline with other carriers. Supporting shipper: Farmland Foods, Inc., Denison, Iowa. Send protests to: Thomas P. O'Hara, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Building, Topeka, Kans. 66603.

No. MC 87720 (Sub-No. 127 TA), filed February 29, 1972. Applicant: BASS TRANSPORTATION CO., INC., Post Office Box 391, Flemington, NJ 08822. Applicant's representative: Bert Collins, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs, other than bulk, in tank vehicles, advertising matter, display racks, and premiums*, when moving in the same vehicle at the same time, from the plantsite of American Home Foods Division of American Home Products Corp., Milton, Pa., to points in Massachusetts, Connecticut, Rhode Island, New Hampshire, Vermont, and Maine. Restriction: The proposed service to be performed under contract with American Home Foods Division of American Home Products Corp., for 180 days. Supporting shipper: American Home Foods, Division of American Home Products Corp., 685 Third Avenue, New York, NY 10017. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 114890 (Sub-No. 58 TA), filed March 1, 1972. Applicant: C. E. REYNOLDS TRANSPORT, INC., Terminal: A.A. Highway, Caterville 64835, Post Office Box A, Joplin, MO 64801. Applicant's representative: Frank W. Shagets (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials*, from Springfield, Mo., to points in Arkansas, Kansas, and Oklahoma, for 180 days. Supporting shipper: Willchemco, Inc., National Bank of Tulsa Building, Tulsa, Okla. 74103. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 116710 (Sub-No. 15 TA), filed March 1, 1972. Applicant: MISSISSIPPI CHEMICAL EXPRESS, INC., Post Office Box 1634, Highway 11 South, Hattiesburg, MS 39401. Applicant's representative: Leland D. Smith, Navasota, Tex. 77868. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sulphur dioxide*, in bulk, in tank vehicles, from Baton, La., to Canton, N.C., restricted to transportation under a continuing contract with Stuafter Chemical Co., Baton Rouge, La., for 180 days. Supporting shipper: Stuafter Chemical Co., 299 Park Avenue, New York, NY 10017. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 119630 (Sub-No. 11 TA), filed March 1, 1972. Applicant: VAN TASSEL, INCORPORATED, Fifth and Grand, Pittsburg, Kans. 66762. Applicant's representative: Dean Williamson, 3535 Northwest 58th Street, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, conduit, fittings, and connections*, from Pittsburg, Kans., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Vinylplex, Inc., Pittsburg, Kans. 66762. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 66702.

No. MC 133566 (Sub-No. 15 TA), filed March 2, 1972. Applicant: GANGLOFF & DOWNHAM TRUCKING CO., INC., Post Office Box 676, Logansport, IN 46947. Applicant's representative: William L. Slover, 1224 17th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packing-houses*, as described in sections A and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plant site and storage facilities of Illini Beef Packers, Inc., at Joliet, Ill., to the following destinations: Boston, Haverhill, Springfield, and Marlboro, Mass.; Rochester, Syracuse, and New York, N.Y.; Salem and Roanoke, Va.; Philadelphia, Harrisburg, and Pittsburgh, Pa.; East Hartford, Conn.; Covington and Louisville, Ky.; Landover and Baltimore, Md.; Manchester and Claremont, N.H., for 180 days. Supporting shipper: Illini Beef Packers, Inc., Joliet, Ill. (E. James Bonnette, Director of Transportation). Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, Room 204, Fort Wayne, IN 46802.

No. MC 136449 TA, filed February 29, 1972. Applicant: D & M PRODUCTS,

INC., 11320 Northeast Marx Street, Portland, OR 97220. Applicant's representative: Robert Gentry (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Carver, Oreg., to Tacoma, Wash., for 180 days. Supporting shipper: Rollin Lumber Co., Post Office Box 85, Clackamas, Oreg. 97015. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, OR 97204.

No. MC 136451 TA, filed February 28, 1972. Applicant: HUBBARD CARTAGE, INC., 3737 North Lincoln, Chicago, IL 60613. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer material*, in bulk, from Nilo warehouse facilities used by Olin Corp. 7 miles southwest of Joliet, Ill., to points in Indiana, Michigan, Ohio, and Wisconsin, under continuing contract or contracts with Olin Corp., for 180 days. Supporting shipper: R. H. May, Supervisor, Rates and Analysis, Olin Corp., Agricultural Division, Post Office Box 991, Little Rock, AR 72203. Send protests to: Richard O. Chandler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.72-4048 Filed 3-15-72;8:54 am]

[Notice 20]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

MARCH 10, 1972.

The following applications are governed by § 1100.247¹ 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 section 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made,

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

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 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 section 247(d) (4) of the special rules, and shall include the certification required therein.

Section 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. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

No. MC 441 (Sub-No. 5), filed February 16, 1972. Applicant: HINTON MOTOR SERVICE, INC., 1401 Gardner Expressway, Quincy, IL 62301. Applicant's representative: Robert T. Lawley, 300 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products*, from Quincy, Ill., to points in Arkansas, Alabama, Georgia, Kentucky, Mississippi, Michigan, Minnesota, New York, North Carolina, Pennsylvania, Texas, Tennessee, Virginia, West Virginia, and Wisconsin; and (2) *waste paper, materials, and supplies* used in the manufacture of paper and paper products, from points in Arkansas, Alabama, Georgia, Indiana, Kentucky, Mississippi, Michigan, Minnesota, New York, North Carolina, Pennsylvania, Texas, Tennessee, Virginia, West Virginia, and Wisconsin to Quincy, Ill., for the account of Packaging Corporation of America in (1)

and (2) above. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.; Springfield or Chicago, Ill.

No. MC3062 (Sub-No. 33), filed February 7, 1972. Applicant: L. A. TUCKER TRUCK LINES, INCORPORATED, 321 North Spring Avenue, Cape Girardeau, MO 63701. Applicant's representative: Thomas F. Kilroy, Post Office Box 624, Springfield, VA 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Portageville, Mo., and Dyersburg, Tenn.; from Portageville over Missouri Highway 162 to the Mississippi River, thence via ferry to Tennessee Highway 21, thence over Tennessee Highway 21 to junction Tennessee Highway 78 at Tiptonville, thence over Tennessee Highway 78 to Dyersburg, and return over the same route serving all intermediate points; (2) (a) between Hayti, Mo., and Dyersburg, Tenn.; from Hayti over Missouri Highway 84 to the Mississippi River, thence via ferry to Tennessee Highway 79, thence over Tennessee Highway 79 to junction Tennessee Highway 78, thence over Tennessee Highway 78 to Dyersburg, and return over the same route, serving all intermediate points; (b) from Hayti over Missouri Highway 84 to junction Interstate Highway 55, thence over Interstate Highway 55 to Interstate Highway 155, thence over Interstate Highway 155 to junction Tennessee Highway 78, thence over Tennessee Highway 78 to Dyersburg, and return over the same route, serving all intermediate points; and (3) between Marion, Ill., and Dyersburg, Tenn.; from Marion, Ill., over Interstate Highway 57 to U.S. Highway 51, thence over U.S. Highway 51 to Dyersburg, and return over the same route, serving the intermediate points of Cairo, Ill., and Newbern, Tenn. Restriction: The authority sought in this application is restricted against traffic moving between Memphis, Tenn., and Dyersburg, Tenn. NOTE: Applicant states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or St. Louis, Mo.

No. MC 11207 (Sub-No. 315), filed February 16, 1972. Applicant: DEATON, INC., Post Office Box 938, 317 Avenue West, Birmingham, AL 35201. Applicant's representative: A. Alvis Layne, 915 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, livestock, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, and household goods as defined by the Commission), between the plantsite, warehouse, and storage facilities of Arvin Industries,

Inc., located at or near Monticello, Ark., on the one hand, and, on the other, points in Illinois, Indiana, Ohio, North Carolina, Maryland, Pennsylvania, New York, Alabama, Georgia, Virginia, Delaware, New Jersey, Massachusetts, and the Lower Peninsula of Michigan, restricted to shipments originating at or destined to the plantsite, warehouse, or storage facilities of Arvin Industries, Inc., at or near Monticello, Ark. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC. 20894 (Sub-No. 18), filed February 15, 1972. Applicant: P. CALLAHAN, INC., 5240 Comly Street, Philadelphia, PA 19135. Applicant's representative: Terrence L. Bowers (same address as applicant). 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, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), from the warehouse site of the Singer Co. at Franklin (Somerset County), N.J., to points in those parts of Pennsylvania and Delaware on and east of U.S. Highway 202 from New Hope, Pa., to and including Wilmington, Del., and returned (reshipped) shipments of the above-described commodities from the above-named destination points to the warehouse site of the Singer Co. at Franklin (Somerset County), N.J. NOTE: Applicant also holds contract carrier authority under MC 119140 and subs, therefore dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or New York, N.Y.

No. MC 21269 (Sub-No. 2), filed February 10, 1972. Applicant: HARRY POPOVSKY AND IRENE POPOVSKY, a partnership, doing business as GREEN'S EXPRESS, South State Street, Vineland, NJ 08360. Applicant's representative: Alexander Markowitz, 1180 Karin Street, Post Office Box 793, Vineland, NJ 08360. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the site of the freight terminal of Wilson Freight Co., at or near King of Prussia, Pa., as an off-route point in connection with applicant's regular route authority, serving points in New Jersey, restricted to shipments having an immediately prior or subsequent movement over the lines of Wilson Freight Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 30383 (Sub-No. 10), filed February 17, 1972. Applicant: JOSEPH F. SHELAN CO., INC., 439 West 54th Street, New York, NY 10019. Applicant's

representative: Herbert Burstein, 30 Church Street, New York, NY 10007. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Soap products, stearic acid, vegetable stearine, glycerine oils, cooking fats, soap, soap powder, cleaning and washing compounds, lard substitutes, toilet preparations, empty containers, kegs and drums, advertising matter and premiums and groceries, except commodities in bulk, from East Brunswick, N.J., to points in Nassau, Suffolk, Westchester, and Rockland Counties, N.Y., for the account of Procter & Gamble Manufacturing Co., and Procter & Gamble Distributing Co.* NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 30844 (Sub-No. 392), filed February 18, 1972. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, IA 50704. Applicant's representative: Truman A. Stockton, 1650 Grant Street Building, Denver, CO. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and 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 bulk and hides or skins), from the plantsites and facilities utilized by Royal Packing Co., and Krey Packing Co., at St. Louis, Mo., and St. Louis, Mo., commercial zone to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia, restricted to shipments originating at the above-named plantsites and facilities.* NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 35628 (Sub-No. 327), filed February 10, 1972. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville SW., Grand Rapids, MI 49502. Applicant's representative: Leonard D. Verdier, Jr., 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and 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), between Raymore, Mo., on the one hand, and, on the other, points in Arkansas, Illinois, Iowa, Kansas, Nebraska, Oklahoma, Colorado, Minnesota, Wisconsin, Indiana, Ohio, Michigan, New York, New Jersey, Maryland, Pennsylvania, Delaware, District of Columbia; and Covington and Louisville, Ky.* NOTE: Applicant states that the re-

requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 35628 (Sub-No. 328), filed February 10, 1972. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville SW., Grand Rapids, MI 49502. Applicant's representative: Leonard D. Verdier, Jr., 900 Old Kent Building, Grand Rapids, Mich. 49502. 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* 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 York, Nebr., to points in Indiana, Ohio, Michigan, New York, New Jersey, Maryland, Pennsylvania, Delaware, and the District of Columbia, restricted to traffic originating at York, Nebr. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 39249 (Sub-No. 12), filed February 14, 1972. Applicant: MARTY'S EXPRESS, INC., 2335 Wheatshaf Lane, Philadelphia, PA 19137. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in containers, between Philadelphia, Pa., and Scobeyville, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 41432 (Sub-No. 119), filed February 16, 1972. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, Post Office Box 10125, Dallas, TX 75207. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Wilson Certified Foods, Inc., and its subsidiaries at Oklahoma City, Okla., to points in Alabama, Arizona, Arkansas, California, Georgia, Idaho, Illinois, Indiana, Iowa, Michigan, Missouri, Montana, Ohio, Oregon, Tennessee, Texas, Utah, Washington, and Wyoming, restricted to traffic originating at the above-named origin points and destined to points in the above-named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 42487 (Sub-No. 785), filed February 4, 1972. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025. Applicant's representative: V. R. Oldenburg, Post Office Box 5138, Chicago, IL 60680. 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 commodities requiring special equipment), serving Danville, Mount Sterling, Harrodsburg, Winchester, and Nicholasville, Ky., as off-route points in connection with applicant's presently authorized regular routes. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 51146 (Sub-No. 260), filed February 8, 1972. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, WI 54304. Applicant's representative: D. F. Martin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Doors*, from New London, Wis., to points in Washington, Oregon, California, Nevada, Arizona, Utah, New Mexico, Colorado, Wyoming, Idaho, and Montana, and (2) *materials and supplies* used in the manufacture and distribution of doors, from destination States in (1) above, to New London, Wis. NOTE: Applicant states that the requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. Applicant further states it has various duplicative items of authority under various subs but does not seek duplicative authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 52657 (Sub-No. 690), filed February 22, 1972. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, IL 60620. Applicant's representative: A. J. Bieberstein, 121 West Doty Street, Madison, WI 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers and trailer chassis* (except those designed to be drawn by passenger automobiles), and *trailer converter dollies*, in initial movements, in truckaway service, from Vineland, N.J., to all points in the United States (including Alaska, but excluding Hawaii); (2) (a) *motor vehicle bodies, hoists, power gates, lift gates, packers, compactors, refuse and cargo containers, winches and portable truck cranes*, and (b) *materials, supplies, and parts* (except commodities in bulk), used in the manufacture, assembly and servicing of commodities described in paragraphs 1 and 2(a) above, when moving in mixed shipments and on the same load with such commodities, between Vineland, N.J., on the one hand, and, on the other, points in the United

States (including Alaska, but excluding Hawaii), and (3) *trailers and trailer chassis* (except those designed to be drawn by passenger automobiles), and *trailer converter dollies*, in secondary movements, in truckaway service, from points in the United States (including Alaska, but excluding Hawaii), to Vineland, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Columbus, Ohio.

No. MC 52932 (Sub-No. 25), filed February 4, 1972. Applicant: NORTH PENN TRANSFER, INC., Box 230, Lansdale, PA 19446. Applicant's representative: John W. Frame, Box 626, 2208 Old Gettysburg Road, Camp Hill, PA 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Washington, D.C., and New Tripoli, Pa.; from Washington, D.C., over U.S. Highway 1 to Baltimore, Md., and thence over U.S. Highway 40 to U.S. Highway 13 at Wilmington, Del., and thence over U.S. Highway 202 to West Chester, Pa., and thence over Pennsylvania Highway 100 to junction U.S. Highway 309 at Pleasant Corners, and thence over U.S. Highway 309 to New Tripoli, and return over the same route; (2) between Easton, Pa., and Schnecksville, Pa.; from Easton, Pa., over Pennsylvania Highway 248 to junction with Pennsylvania Highway 873, thence over Pennsylvania Highway 873 to its junction with U.S. Highway 309 at Schnecksville, Pa., and return over the same route; (3) between Bethlehem, Pa., and Portland, Pa.; from Bethlehem, Pa., over Pennsylvania Highway 512 via Wind Gap, Pen Argyl, and Bangor, Pa., to junction with U.S. Highway 611, thence over U.S. Highway 611 to Portland, Pa., and return over the same route;

(4) Between Allentown, Pa., and Easton, Pa.; from Allentown, Pa., over U.S. Highway 22 to Easton, Pa., and return over the same route; (5) between Philadelphia, Pa., and Portland, Pa.; from Philadelphia, Pa., over U.S. Highway 611 to Portland, Pa., and return over the same route; (6) between Philadelphia, Pa., and New Tripoli, Pa.; from Philadelphia, Pa., over U.S. Highway 309 to New Tripoli, Pa., and return over the same route; (7) between Philadelphia, Pa., and Pottstown, Pa.; from Philadelphia, Pa., over U.S. Highway 422 to Pottstown, Pa., and return over the same route; (8) between Philadelphia, Pa., and Hereford, Pa.; from Philadelphia, Pa., over Pennsylvania Highway 63 to junction Pennsylvania Highway 29 at Green Lane, thence over Pennsylvania Highway 29 to junction Pennsylvania Highway 100 at Hereford, Pa., and return over the same route; (9) between Wilmington,

Del., and Philadelphia, Pa.; from Wilmington, Del., over U.S. Highway 13 to Philadelphia, Pa., and return over the same route; (10) between Phillipsburg, N.J., and New York, N.Y.; from Phillipsburg, N.J., over U.S. Highway 22 to New York, N.Y., and return over the same route, serving all intermediate points on the above-specified routes and those off-route points in Lehigh and Northampton Counties, Pa., and those within 20 miles of Lansdale, Pa. (except those intermediate points in Lehigh and Northampton Counties, Pa., and those within 20 miles of Lansdale, Pa., specified on the regular route description in 1 through 8 above). Restriction: The authority is restricted against the transportation of traffic (1) originating at Phillipsburg, N.J., and destined to points in Lehigh and Northampton Counties, Pa., and (2) originating at points in Lehigh and Northampton Counties, Pa., and destined to Phillipsburg, N.J., and further that traffic originating at or destined to points in Pennsylvania within a 20-mile radius of Lansdale, Pa., restricted to interchange point Phillipsburg, N.J. NOTE: Applicant states that it presently holds the above authority as irregular route and off-route point authority and the purpose of this application is to convert irregular route and off-route point authority into regular route authority. Applicant further states that any duplication of authority granted herein or in the extent that such authority duplicates any heretofore granted to or now held by carrier shall not be construed as conferring more than one operating right. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 60186 (Sub-No. 43), filed February 15, 1972. Applicant: NELSON FREIGHTWAYS, INC., 47 East Street, Rockville, CT 06066. Applicant's representative: Vernon V. Baker, 1250 Connecticut Avenue NW., Washington, DC 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Food, food preparations, and foodstuffs*, in vehicles equipped to protect such products from heat or cold (except in bulk, in tank vehicles), from the plantsites and/or warehouse facilities of Kraftco Corp. at or near Fogelsville and Allentown, Pa., to points in Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, Vermont, and the District of Columbia, restricted to traffic originating at the named origins and destined to points in the named territory. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., New York, N.Y., or Philadelphia, Pa.

No. MC 61955 (Sub-No. 17), filed February 18, 1972. Applicant: CENTROPOLIS TRANSFER CO., INC., 6700 Wilson Avenue, Kansas City, MO 64125. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, MO 64105. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer materials*, from

Springfield, Mo., to points in Arkansas, Kansas, and Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 65626 (Sub-No. 27), filed February 10, 1972. Applicant: FREDONIA EXPRESS, INC., Post Office Box 222, Fredonia, NY 14063. Applicant's representative: Harry C. Ames, Jr., 705 McLachlen Bank Building, 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Food, food preparations, and foodstuffs*, in vehicles equipped to protect such products from heat or cold (except in bulk, in tank vehicles), from the plantsites and/or warehouse facilities of Kraftco Corp. at or near Allentown and Fogelsville, Pa., to points in Delaware, Maryland, New York, and Ohio, restricted to traffic originating at and destined to the points named. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., New York, N.Y., or Washington, D.C.

No. MC 75320 (Sub-No. 158), filed February 11, 1972. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., Post Office Box 807, Springfield, MO 65801. Applicant's representative: Phineas Stevens, Post Office Box 22567, Jackson, MS 39205. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Bloomington, Ill., and Milwaukee, Wis.: From Bloomington over U.S. Highway 51 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction Wisconsin Highway 15, thence over Wisconsin Highway 15 to Milwaukee and return over the same route serving all intermediate points located on said route in Ogle and Winnebago Counties, Ill., and serving junction of U.S. Highway 51 and Interstate Highway 80 for purposes of joinder only, and (2) between Chicago, Ill., and junction U.S. Highway 51 and Interstate Highway 80 as follows: From Chicago over U.S. Highway 34 to junction Illinois Highway 71 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 51 and return over the same route, serving all intermediate points on said route located in Kendall, Kans., Du Page and Cook Counties, Ill., and serving the junction of U.S. Highway 51 and Interstate Highway 80 for purposes of joinder only. NOTE: Applicant does not seek authority to serve any point not presently authorized to be served by applicant under its existing authority. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 77424 (Sub-No. 39), filed February 10, 1972. Applicant: WENHAM TRANSPORTATION, INC., 3200 East 79th Street, Cleveland, OH 44104. Applicant's representative: B. G. Bamer (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Concrete additives, flooring compounds, grouting compounds, and curing compounds*, from Buffalo, N.Y., to the Lower Peninsula of Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 80428 (Sub-No. 77), filed February 4, 1972. Applicant: McBRIDE TRANSPORTATION, INC., Post Office Box 430, Goshen, NY 10924. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Liquid sugar, liquid invert, liquid dextrose, corn syrups, and blends thereof* in stainless steel tank vehicles, from Cleveland, Ohio, to points in New York and Pennsylvania; and (2) *prefabricated buildings and shipping containers*; mounted on wheeled undercarriages; and/or trailers, via the tow-away method, from points in Orange County, N.Y., to points in Connecticut, Delaware, District of Columbia, Florida, Georgia, Indiana, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Albany or Rochester, N.Y.

No. MC 80428 (Sub-No. 78), filed February 4, 1972. Applicant: McBRIDE TRANSPORTATION, INC., Post Office Box 430, Goshen, NY 10924. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY 14580. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, when moving in refrigerated vehicles, from Newburgh, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, Delaware, Florida, Georgia, Maryland, New York, North Carolina, Pennsylvania, South Carolina, and Virginia, restricted to traffic originating at the plantsite of Avoset Food Corp. and destined to points in the States indicated. NOTE: If a hearing is deemed necessary, applicant requests it be held at Syracuse or Albany, N.Y.

No. MC 82079 (Sub-No. 26), filed February 4, 1972. Applicant: KELLER TRANSFER LINE, INC., 1239 Randolph Avenue SW., Grand Rapids, MI 49507. Applicant's representative: J. M. Neath, Jr., 900 1 Vandenberg Center, Grand Rapids, MI 49502. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transport-

ing: *Food, foodstuffs, and food commodities* in vehicles equipped with mechanical refrigeration, from Grand Rapids, Mich., to points in Ohio, Indiana, and Illinois, with the exception of those in Chicago and the Chicago commercial zone, and with return of *damaged and rejected merchandise*. Note: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., or Chicago, Ill.

No. MC 83539 (Sub-No. 329), filed February 11, 1972. Applicant: C & H TRANSPORTATION CO., INC., 1936 2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dozer blades, implement drawbars, loaders, scarifiers, forklifts, back hoes, and plows*, and (2) *trailers, parts and accessories*, used in connection with commodities named in (1) above, from Fairview, Okla., to points in the United States (except Oklahoma, Hawaii, and Alaska). Note: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority, but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla.

No. MC 85374 (Sub-No. 7), filed February 14, 1972. Applicant: FERRO TRUCKING, INC., 112 Hudson Street, New York, NY 10007. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Food products, animal feeds, and materials* used in the manufacture, sale, and distribution of such commodities in vehicles equipped to protect such products from heat or cold, except in bulk, in tank vehicles, between the plantsite and warehouse facilities of Kraftco Corp. at or near Fogelsville and Allentown, Pa., on the one hand, and, on the other, points in the counties of Warren, Hunterdon, Morris, Somerset, Middlesex, Monmouth, Union, Essex, Hudson, Bergen, and Passaic, N.J.; Westchester, Nassau, Suffolk, Rockland, Orange, New York, Kings, Queens, Bronx, and Richmond, N.Y., under contract with Kraftco Corp., a division of Kraft Foods. Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 94201 (Sub-No. 105), filed February 17, 1971. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, Gadsden, AL 35903. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham,

Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, plywood, and moldings*, from the plantsites of, and the facilities utilized by U.S. Plywood-Champion Papers, Inc., at or near Charleston, S.C., and at or near Orangeburg, S.C., to points in Illinois, Indiana, Kentucky, Ohio, and West Virginia. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 94350 (Sub-No. 303), filed February 14, 1972. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, SC 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial shipments, from points in Johnson County, Tenn., and from points in Wilkes County, N.C., to points in the United States east of the Mississippi River (except Louisiana and Minnesota). Note: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Knoxville, Tenn.

No. MC 94350 (Sub-No. 304), filed February 14, 1972. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, SC 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial shipments, from points in Payette County, Idaho, to points west of the Mississippi River. Note: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 94350 (Sub-No. 306), filed February 14, 1972. Applicant: TRANSIT HOMES, INC., Haywood Road, Post Office Box 1628, Greenville, SC 29602. Applicant's representative: Mitchell King, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial movements, from points in Nebraska (excluding Kearney and the plantsite of Champion Home Builders at York) to points in the United States west of the Mississippi River. Note: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 97357 (Sub-No. 45), filed February 8, 1972. Applicant: ALLYN TRANSPORTATION COMPANY, a cor-

poration, 14011 South Central Avenue, Los Angeles, CA 90059. Applicant's representative: Warren N. Grossman, 606 South Olive Street, Los Angeles, CA 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel Oil*, in bulk, in tank-truck vehicles, from points in Los Angeles and Kern Counties, Calif., to electric-generating facilities located at or near Phoenix, Glendale, Tempe, Red Rock, Casa Grande, Tucson, Chandler, and Yuma, Ariz. Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 100666 (Sub-No. 212), filed February 10, 1972. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representative: Wilburn L. Williamson, 3535 Northwest 58th, 280 National Foundation Life Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, tubing, fittings, and connections*, from the plantsite of Tex-Tube Division of Cyclops Corp., at or near Houston, Tex., to points in the United States (except Alaska and Hawaii). Note: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 102982 (Sub-No. 25), filed February 8, 1972. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, also Post Office Box 6064, Ellet Station, Akron, OH 44312. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Conduit and other pipe* (except iron and steel) and *attachments, parts, and fittings* therefor, from the plantsite of the Flintkote Co. located at or near Ravenna, Ohio, in Rootstown Township, Portage County, Ohio, to points in Delaware, District of Columbia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and Wisconsin, under contract with the Flintkote Co. Note: Applicant holds common carrier authority under MC 125533 and subs thereunder, therefore, common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 103051 (Sub-No. 244), filed February 11, 1972. Applicant: FLEET TRANSPORT COMPANY, INC., Post Office Box 90408, Nashville, TN 37209. Applicant's representative: Harlan Dodson, 900 Nashville Trust Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except asphalt products), in bulk, in

tank vehicles, (1) from Mobile, Ala., to points in Florida; and (2) from Birmingham, Ala., to points in Georgia and South Carolina. NOTE: Applicant states it intends to tack at Atlanta, Savannah, Rome, Hilton, and Columbus, Ga. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 104004 (Sub-No. 186), filed February 10, 1972. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, NY 10017. Applicant's representative: John P. Tynan, 69-20 Fresh Pond Road, Ridgewood, NY 11227. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Synthetic plastic, or composition flooring or tile*; (2) *facing or floor covering*; (3) *laying accessories*; and (4) *materials, equipment, and supplies used in the manufacture of (1), (2), and/or (3), between Lisbon, Maine, and points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, West Virginia, Wisconsin, District of Columbia, Georgia, Florida, Vermont, North Carolina, and South Carolina*. NOTE: Applicant states no duplication is sought. It is presently authorized to serve the origin point but over a series of regular routes to the destinations involved. Some new authority being sought in each State as applicant cannot now serve every point in each State authorized to serve. Applicant further states tacking possibilities exist and tacking could be performed at any point on applicant's system as they would be common. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 105269 (Sub-No. 52), filed February 17, 1972. Applicant: GRAFF TRUCKING COMPANY, INC., 2110 Lake Street, Kalamazoo, MI 49005. Applicant's representative: John M. Veale, Suite 1700, 1 Woodward Avenue, Detroit, MI 48226. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products, paper mill materials and supplies, except in tank vehicles, between Marion, Ind., and St. Louis, Mo.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 107818 (Sub-No. 59), filed February 15, 1972. Applicant: GREENSTEIN TRUCKING COMPANY, a corporation, 280 Northwest 12th Avenue, Post Office Box 608, Pompano Beach, FL 33061. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products, and nondairy cream sub-*

stitutes, nondairy snack dips, nondairy cottage cheese, and nondairy whipped toppings, from Chicago, Ill., to points in Alabama, Florida, Georgia, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 107882 (Sub-No. 25) (Correction), filed January 11, 1972, published in the FEDERAL REGISTER, issue of February 17, 1972, and republished, in part, as corrected this issue. Applicant: ARMORED MOTOR SERVICE CORPORATION, 160 Ewingville Road, Trenton, NJ 08638. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, DC 20006. The purpose of this partial republication is to include New York, N.Y., as a destination point, which was inadvertently omitted in the previous publication. The rest of the application remains as previously published.

No. MC 108053 (Sub-No. 110), filed February 17, 1972. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, NE 68025. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods and potato products, not frozen, from points in Oregon and Washington, to Kennewick, Wash., restricted to the transportation of traffic moving to Kennewick, Wash., for intransit storage*. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Oreg.

No. MC 108207 (Sub-No. 342), filed February 15, 1972. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, also Post Office Box 5888, Dallas, TX 75207. Applicant's representative: J. B. Ham, Post Office Box 5888, Dallas, TX 75222. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods, from Chickasha, Okla., to points on and west of a line beginning at the Ohio River at Fort Thomas, Ky.; thence over U.S. Highway 27 to Lexington, Ky.; thence over U.S. Highway 68 to Glasgow, Ky.; thence over U.S. Highway 31-E to Nashville, Tenn.; thence over U.S. Highway 31 to Columbia, Tenn.; thence over U.S. Highway 43 to the Tennessee-Alabama State line*. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Dallas, Tex.

No. MC 18411 (Sub-No. 5), filed February 14, 1972. Applicant: STEARLY'S MOTOR FREIGHT, INC., Box B, Collegeville, Pa. 19426. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, PA 17011. Authority sought to operate as a common

carrier, by motor vehicle, over irregular routes, transporting: *Overhead traveling cranes, gantry cranes, wall cranes, electric hoists, chain hoists, and fabricated steel products, which by reason of size or weight require the use of special equipment, including parts and accessories therefor when moving as part of the same shipment, between Pottstown and Stowe, Pa., on the one hand, and, on the other, points in the States east of North Dakota, South Dakota, Nebraska, Colorado, and New Mexico*. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 108884 (Sub-No. 20), filed February 10, 1972. Applicant: ROGERS TRANSFER, INC., Route 46, Post Office Box 175, Great Meadows, NJ 07838. Applicant's representative: Bert Collins, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Food, food preparations, and foodstuffs, in vehicles equipped to protect such products from heat or cold (except in bulk, in tank vehicles), from the plantsite and/or warehouse facilities of Kraftco Corp., at or near Fogelsville and Allentown, Pa., to points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, Vermont, Virginia, and West Virginia, restricted to traffic originating at named origins and destined to points in named territory*. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 109265 (Sub-No. 23), filed February 17, 1972. Applicant: W. L. MEAD, INC., Cleveland Road, Post Office Box 31, Norwalk, OH 44857. Applicant's representative: Rollie R. Miller (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, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving North Hampton, Ohio, as an off-route point in connection with carrier's regular routes*. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus or Dayton, Ohio.

No. MC 109397 (Sub-No. 265), filed February 15, 1972. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, MO 64801. Applicant's representative: A. N. Jacobs (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Switch gears, circuit breakers, and rectifiers; parts of the above-named commodities, from Philadelphia, Pa., to points in the United States, including Alaska, but excluding Hawaii*. NOTE: Applicant states that the requested authority can be tacked with its Sub 195 where "size or weight" commodities are involved. However, tacking is not intended. Common control may be

involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 109632 (Sub-No. 26), filed February 10, 1972. Applicant: LOPEZ TRUCKING, INC., 131 Linden Street, Waltham, MA 02154. Applicant's representative: Kenneth B. Williams, 111 State Street, Boston, MA 02109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urethane, urethane products, roofing and roofing materials, insulating materials, composition board, and gypsum products, and materials used in the installation thereof* (except commodities in bulk), from Andover, Mass., to points in Maine, New Hampshire, and Vermont. NOTE: Applicant states that the requested authority can be tacked with its existing authority at Andover, Mass., and serve points in Massachusetts, New Hampshire, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 109649 (Sub-No. 11), filed February 17, 1972. Applicant: L. P. TRANSPORTATION, INC., Cross and Main Streets, Chester, NY 10918. Applicant's representative: John L. Alfano, 2 West 45th Street, New York, NY 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from Providence, R.I., to points in Connecticut, Maine, Massachusetts, Pennsylvania, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 109821 (Sub-No. 31), filed February 10, 1972. Applicant: H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsboro, PA 16901. Applicant's representative: Robert DeKroyft, 24 Branford Place, Newark, NJ 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food preparations, and foodstuffs* in vehicles equipped to protect such products from heat or cold, except in bulk, in tank vehicles, from the plantsite and warehouse facilities of Kraftco Corp., at or near Fogelsville and Allentown, Pa., to points in New York, restricted to traffic originating at named origins and destined to points in the named States. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y., Philadelphia, Pa., or Washington, D.C.

No. MC 109847 (Sub-No. 11), filed February 10, 1972. Applicant: BOSS-LINCO LINES, INC., 1 West Genessee Street, Suite 450, Genessee Building, Buffalo, NY 14240. Applicant's representative: Harold G. Hernly, Jr., 2030 North Adams Street, Arlington, VA 22201.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food preparations, and foodstuffs*, in vehicles equipped to protect such products from heat or cold, except in bulk, in tank vehicles, from the plantsite and/or warehouse facilities of Kraftco Corp., at or near Allentown and Fogelsville, Pa., to points in Delaware, Maryland, New York, Virginia, and the District of Columbia, restricted to traffic originating at the named origins and destined to points in the named destination territory. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 111940 (Sub-No. 53), filed February 14, 1972. Applicant: SMITH'S TRUCK LINES, a corporation, Post Office Box 88, Muncy, PA 17756. Applicant's representative: John M. Musselman, Post Office Box 1146, 400 North Third Street, Harrisburg, PA 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except classes A and B explosives), in cargo containers, between points in Lycoming County, Pa., on the one hand, and, on the other, points in Delaware, New Jersey, New York, Maryland, and Pennsylvania, restricted to the transportation of shipments having a prior or subsequent movement by water; and (2) *cargo containers*, between points in Lycoming County, Pa., on the one hand, and, on the other, points in Delaware, New Jersey, New York, Maryland, and Pennsylvania. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 112822 (Sub-No. 226), filed February 11, 1972. Applicant: BRAY LINES, INCORPORATED, Post Office Box 1191, 1401 North Little, Cushing, OK 74023. Applicant's representative: K. Charles Elliott (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in containers, in vehicles equipped for temperature control in transportation, from the plantsites and storage facilities of Anderson, Clayton & Co., at or near Jacksonville, Ill., to points in Arizona, California, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, and Washington. NOTE: Applicant states that the requested authority can be tacked with its existing authority, but indicates that it has no present intention to tack, and, therefore, does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Dallas or Houston, Tex.

No. MC 113828 (Sub-No. 199), filed February 10, 1972. Applicant: O'BOYLE TANK LINES, INCORPORATED, Post Office Box 30006, Washington, DC 20014. Applicant's representative: William P. Sullivan, Federal Bar Building West, 1819 H Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in bulk, between points in Virginia and Elizabeth, N.J., and Baltimore, Md. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114019 (Sub-No. 229), filed February 10, 1972. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, IL 60629. Applicant's representative: Arthur J. Sibik (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Corn products and blends*, in bulk, from Hammond, Ind., to points in the United States (except Alaska, Hawaii, Illinois, Indiana, Iowa, New York, Ohio, Pennsylvania, and Wisconsin); and (2) *corn products and blends*, inedible, in bulk, from Hammond, Ind., to points in Illinois, Indiana, Iowa, New York, Ohio, Pennsylvania, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114045 (Sub-No. 355), filed February 17, 1972. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, TX 75222. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products*, from points in Cook County, Ill., to points in New Mexico, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114045 (Sub-No. 356), filed February 17, 1972. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, TX 75222. Applicant's representative: J. B. Stuart (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products*, from points in Cook County, Ill., to points in Arizona, California, Nevada, Utah, Oregon, and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Com-

mon control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 115), filed February 4, 1972. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, IA 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., Cedar Rapids, IA 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods*, from the plantsite and warehouse facilities of The Kitchens of Sara Lee at or near New Hampton, Iowa, to points in Indiana, Ohio, and Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 116), filed February 4, 1972. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 68, Cedar Rapids, IA 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue, NE., Cedar Rapids, IA 52402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods*, from the plantsite and warehouse facilities of The Kitchens of Sara Lee at or near New Hampton, Iowa, to points in Connecticut, Delaware, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114989 (Sub-No. 14), filed February 17, 1972. Applicant: KENTUCKY WESTERN TRUCK LINES, INC., Post Office Box 623, Hopkinsville, KY 42240. Applicant's representative: Richard D. Gleaves, 601 Stahlman Building, Nashville, Tenn. 37201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages; milk cartons; used bottles; paper, and cardboard boxes and baled rags*, from, to or between: (1) To transport malt beverages for the account of Cravens Distributing Co., from New Orleans, La., to points in Christian County, Ky.; (2) to transport malt beverages from Memphis, Tenn., to Hopkinsville, Ky., for the account of Hopkinsville Beverage Co.; (3) to transport milk cartons for the account of U. C. Milk Co. from Sikeston, Mo., to Madisonville, Ky.; (4) to transport used bottles, paper, and cardboard boxes for the account of Kentucky Waste Paper Co., from points on or west of U.S. Highway 431 in Kentucky to Mount Carmel, Ill.; St. Louis, Mo., and to points in Indiana and Tennessee and (5) to transport baled rags from Hopkinsville, Ky., to Birmingham, Ala.; Cincinnati, Ohio; Detroit, Mich., and Baltimore, Md., for the ac-

count of the Salvation Army, Hopkinsville, Ky., under contract with U. C. Milk Co., Madisonville, Ky., and Cravens Distributing Co., Hopkinsville, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hopkinsville, Ky., or Nashville, Tenn.

No. MC 115162 (Sub-No. 245), filed February 14, 1972. Applicant: POOLE TRUCK LINE, INC., Post Office Drawer 500, Evergreen, AL 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: *Plastic pipe and fittings*, from points in Cumberland County, Pa., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 115162 (Sub-No. 246), filed February 14, 1972. Applicant: POOLE TRUCK LINE, INC., Post Office Drawer 500, Evergreen, AL 36401. Applicant's representative: Robert E. Tate (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wallboard, fiberboard, pulpboard, adhesive cement, plastic and fiberglass plate, and sheets, nails, eave filler strips, wood moulding, and aluminum flashing*, from Lodi, N.J., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 115654 (Sub-No. 16), filed January 14, 1972. Applicant: TENNESSEE CARTAGE CO., INC., 809 Ewing Avenue, Nashville, TN 37202. Applicant's representative: Walter Harwood, Suite 1822 Parkway Towers, 404 James Robertson Parkway, Nashville, TN 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery, confectionery products, chocolate and related chocolate items, advertising and promotional materials moving in conjunction with said commodities (except in bulk), in vehicles mechanically equipped for protection against heat and cold*, from Cincinnati, Ohio, to points in Bath, Bell, Boyle, Breathitt, Carter, Casey, Clark, Clay, Elliott, Estill, Floyd, Garrard, Harlan, Jackson, Jessamine, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lincoln, McCreary, Madison, Magoffin, Martin, Menifee, Mercer, Montgomery, Morgan, Owsley, Pike, Perry, Powell, Pulaski, Rockcastle, Rowan, Russell, Wayne, Whitley, Wolfe, and Woodford Counties, Ky. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary,

applicant requests it be held at Nashville, Tenn.

No. MC 115841 (Sub-No. 427), filed February 10, 1972. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Birmingham, AL 35204. Applicant's representative: Roger M. Shaner, Post Office Box 168, Concord, TN 37720. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods (except commodities in bulk)*, from Allentown and Chambersburg, Pa., to Chickasha, Okla. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.; Chicago, Ill., or Washington, D.C.

No. MC 116077 (Sub-No. 322), filed February 10, 1972. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, TX 77027. Applicant's representative: Pat H. Robertson, Suite 401, First National Life Building, Austin, TX 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the plantsite of Ideal Cement Co. located in Harris County, Tex., to points in Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex.

No. MC 117574 (Sub-No. 215), filed February 15, 1972. Applicant: DAILY EXPRESS, INC., Post Office Box 39, 1076 Harrisburg Pike, Carlisle, PA 17013. Applicant's representative: James W. Hagar, Post Office Box 1166, 100 Pine Street, Harrisburg, PA 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air, sewage, water, and refuse treatment systems* which because of size or weight require the use of special equipment; and, (2) *tools, materials, parts, and supplies* used in connection with the erection and construction of air, sewage, water, and refuse treatment systems (except commodities in bulk), between Culpeper, Va., on the one hand, and, on the other, points in the United States (except Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming). NOTE: Applicant states that the authority sought herein can be tacked with applicant's existing authority. It is not however, applicant's present intention to tack, therefore, the tackable authorities are not identified herein. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 216), filed February 15, 1972. Applicant: DAILY EXPRESS, INC., Post Office Box 39, Car-

lisle, PA 17013. Applicant's representative: James W. Hagar, 100 Pine Street, Post Office Box 1166, Harrisburg, PA 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bituminous fiber pipe and conduit, parts, attachments and fittings*, from West Bend, Wis., to points in Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin. NOTE: Applicant states that the requested authority sought herein can be tacked with its existing authority. It is not however, applicant's present intention to tack, therefore, the tacking authorities are not identified herein. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117799 (Sub-No. 30), filed February 14, 1972. Applicant: BEST WAY FROZEN EXPRESS, INC., Room 205, 3033 Excelsior Boulevard, Minneapolis, MN 55416. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic laminates and plastic laminated products, and resin impregnated paper*, from Auburn, Maine, to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Boston, Mass.

No. MC 118089 (Sub-No. 11), filed February 10, 1972. Applicant: ROBERT HEATH TRUCKING, INC., 2909 Avenue C, Lubbock, TX 79408. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, Nebr. 68106. 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 in tank vehicles), from the plantsite and storage facilities utilized by Swift Fresh Meats Co. at Clovis, N. Mex., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted

to traffic originating at the above-named plantsite and destined to the named States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex.

No. MC 119654 (Sub-No. 20), filed February 16, 1972. Applicant: HI-WAY DISPATCH, INC., 1401 West 26th Street, Marion, IN 46952. Applicant's representative: Robert C. Smith, 711 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, closures therefore, fiberboard boxes and sheets, and materials, equipment and supplies* used in the manufacture, distribution, packaging, and sale of glass containers, closures, and fiberboard boxes and sheets (except commodities which, because of size or weight, require the use of special equipment and those commodities in bulk), between Dunkirk, Ind., on the one hand, and, on the other, Plainfield, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 119774 (Sub-No. 40), filed February 15, 1972. Applicant: MARY ELLEN STIDHAM, N. M. STIDHAM, A. E. MANKINS, INEZ MANKINS, AND JAMES E. MANKINS, SR., a partnership, doing business as EAGLE TRUCKING COMPANY, Post Office Box 471, Kilgore, TX 75662. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and plastic tubing*, with or without plastic fittings, from the plantsite of Tex-Tube Division, Detroit Steel Corp., Houston, Tex., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it holds mercer and earth drilling commodity authority, and, if commodities qualify under intended use test, could it tack at Houston, Tex., to points in the States of Arkansas, Alabama, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Montana, Nevada, New Mexico, Oklahoma, Tennessee, Utah, and Wyoming. If a hearing is deemed necessary, applicant requests it be held at Houston or Dallas, Tex.

No. MC 119880 (Sub-No. 51), filed February 10, 1972. Applicant: DRUM TRANSPORT, INC., Post Office Box 2056, East Peoria, IL 61611. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in bulk, in tank vehicles, from Pekin, Ill., to Cincinnati, Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119988 (Sub-No. 50), filed February 14, 1972. Applicant: GREAT

WESTERN TRUCKING CO., INC., Highway 103 East, Post Office Box 1384, Lufkin, TX 75901. Applicant's representative: Mert Starnes, Post Office Box 2207, Austin, TX 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and from New Orleans, La., to points in Texas (except Dallas and Houston); (2) *newspaper supplements* otherwise exempted from economic regulation under section 203(b)(7) of the Interstate Commerce Act when transported in mixed loads with printed advertising matter, from New Orleans, La., to points in Alabama, Georgia, Florida, Mississippi, North Carolina, South Carolina, Tennessee (except Memphis), Kentucky, Illinois (except Chicago), Indiana, Ohio, Pennsylvania, New Jersey, Michigan, Virginia, West Virginia, Maryland, New York, Massachusetts, Vermont, Rhode Island, and Maine; and (3) from the plantsite of EasTex, Inc., located at or near Silsbee, Tex., to Port Gibson, Miss. NOTE: Applicant intends to tack Part (1) of the above at points in Texas with its Sub 26 to provide through service on the commodities sought in this application to points in the United States (except Los Angeles and San Francisco, Calif., St. Louis, Mo., Memphis, Tenn., points in Escambia and Santa Rosa Counties, Fla., points in Carroll, Glayton, Cobb, De Kalb, Douglas, Fulton, and Haralson Counties, Ga., and except points in Alabama, Alaska, Arkansas, Connecticut, Hawaii, Indiana, Illinois, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Texas, Vermont, West Virginia, and Wisconsin). NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex., or New Orleans, La.

No. MC 120120 (Sub-No. 6), filed July 26, 1971. Applicant: CANNING TRUCK SERVICE, INC., 1105 East 23d Street, Fairbury, NE 68352. Applicant's representative: James E. Ryan, 214 Sharp Building, Lincoln, Nebr. 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over regular/irregular routes, transporting: *Regular routes: General commodities* (except those requiring special equipment), between Fairbury and Omaha, Nebr., over Nebraska Highway 136 to Beatrice, thence over U.S. Highway 77 to Lincoln, thence over U.S. Highway 6 to Omaha, Nebr., and return over the same route, serving the intermediate points of Beatrice and Lincoln. *Alternate route:* From Fairbury over Nebraska Highway 15 to junction U.S. Highway 6, thence over U.S. Highway 6 and U.S. Highway 34 to Lincoln, thence over U.S. Highway 6 to Omaha, Nebr. *Irregular routes:* Between points in Webster, Nuckolls, Thayer, Jefferson, Gage, Pawnee, Johnson, Lancaster, Seward, York, Saline, Clay, and Fillmore Counties, Nebr., on the one hand, and, on the other, points in York and Seward Counties, Nebr., south of U.S. Highway 34; Adams and Webster Counties, Nebr., east of U.S. Highway 281; and points in Johnson and Pawnee

Counties, Nebr., west of Nebraska Highway 50. Restriction: No portion of the regular route authority shall be tacked or joined, directly or indirectly, with any portion of the irregular route authority requested. **NOTE:** Applicant states that no tacking would be performed between points under this application, but there would be tacking of the regular route points in the application and points in Sub 2 authority and Sub 5. Applicant further states no duplicate authority is sought and it has no objection to the removal of duplicating authority. The purpose of this application is to convert the certificate of registration under MC 120120 (Sub-No. 1) into a certificate of public convenience and necessity. If a hearing is deemed necessary, applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 123634 (Sub-No. 11), filed February 14, 1972. Applicant: K. N. DISTRIBUTORS, INC., 360 Park Avenue South, New York, NY 10010. Applicant's representative: Arthur J. Piken, 1 Lefrak City Plaza, Flushing, NY 11368. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General department store merchandise*, between the storage facilities and stores of S. Klein Department Stores, Inc., its subsidiaries, affiliates, and concessionaires located at New York, Yonkers, East Farmingdale, Commack, West Hempstead, Hicksville, New Hyde Park, and Valley Stream, N.Y.; Newark, Woodbridge, Wayne Township, Cherry Hill, and East Brunswick, N.J.; Philadelphia and York, Pa.; points in Marple Township, Levittown, and Glenholden, Pa.; Greenbelt, Md.; Boston, Mass.; and Alexandria, Va., under contract with S. Klein Department Stores, Inc., its subsidiaries and affiliate corporations and concessionaires. **NOTE:** Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 124078 (Sub-No. 511), filed February 11, 1972. Applicant: SCHWERTMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, WI 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, from Kansas City, Mo., La Cygne, Kans., and the plantsite of Kansas City Power & Light Co. near Clinton, Mo., to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Nebraska, and Oklahoma. **NOTE:** Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority, but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary applicant requests it be held at Kansas City, Mo.

No. MC 124129 (Sub-No. 6), filed January 17, 1972. Applicant: KAPRI TRANSPORTATION CO., a corporation, 207 East Valley, Valley, NE 68064. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, NE 68106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed limestone products* (except cement), from points in Nebraska to points in Missouri, under contract with Kerford Limestone Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 125785 (Sub-No. 13), filed January 11, 1972. Applicant: SATURN EXPRESS, INC., Room 206, The Plaza 90 Building, 90th and L Streets, Omaha, NE 68127. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal buildings and parts, equipment, materials, and supplies* used in the erection, repair, maintenance, manufacture, and distribution thereof, between the plantsites and storage facilities of Stran-Steel Corp., in Harris County, Tex., on the one hand, and, on the other, points in Arkansas, Louisiana, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, and North Carolina, under continuing contract with Stran-Steel Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 127689 (Sub-No. 46), filed February 17, 1972. Applicant: PASCA-GOULA DRAYAGE COMPANY, INC., 701 East Pine Street, Post Office Box 987, Hattiesburg, MS 39401. Applicant's representative: Wally Fondaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and composition boards and finished lumber*, from Beaumont, Miss., to points in Alabama, Florida, Georgia, North Carolina, and South Carolina, and on return, *damaged, rejected, or refused shipments of such commodities* to the point of origin. **NOTE:** Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Hattiesburg or Jackson, Miss.

No. MC 128007 (Sub-No. 42), filed February 11, 1972. Applicant: HOFER, INC., Post Office Box 583, 4032 Parkview Drive, Pittsburg, KS 66762. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, KS 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cement and plaster*, in bags, and *materials and supplies* used in the installation of cement and plaster, from Iola, Kans., to points in the United States (except Alaska and Hawaii); and (2) *materials and supplies* used in the manufacture of (1) above, from the destination States, to Iola, Kans. **NOTE:** Applicant states tack-

ing possibilities but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 128075 (Sub-No. 16), filed February 4, 1972. Applicant: LEON JOHNSRUB, 757 Second Street West, Cresco, IA 52136. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and packinghouse products* (except hides and commodities in bulk), from the facilities of the Rod Barnes Packing and/or Flanery Meat Co. at or near Huron, S. Dak., to points in Georgia, North Carolina, and South Carolina, restricted to traffic originating at named origin points and destined to the named destinations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128283 (Sub-No. 13), filed February 17, 1972. Applicant: PINTO TRUCKING SERVICE, INC., 1219 Morris Street, Philadelphia, Pa. 19148, also 414 Calcon Hook Road, Sharon Hill, Pa. 19079. Applicant's representative: James W. Patterson, 2107 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk), between points in Allegany, Baltimore City, Calvert, Caroline, Charles, Dorchester, Garrett, Kent, Queen Annes, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester Counties, Md.; Kent, New Castle, and Sussex Counties, Del.; Accomack, Northampton, and Loudoun Counties, Va.; and the District of Columbia, on the one hand, and, on the other, Dulles International Airport, Fairfax and Loudoun Counties, Va.; Washington National Airport, Gravelly Point, Va.; Friendship International Airport, Anne Arundel County, Md.; Philadelphia International Airport, Philadelphia, Pa.; La Guardia Airport, New York, N.Y.; John F. Kennedy International Airport, New York, N.Y.; Newark Airport, N.J. **NOTE:** Applicant states that the requested authority sought herein may be tacked with its existing authority held by it and also with authorities pending under Subs 6, 9, and 10, if that authority is granted. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128545 (Sub-No. 3), filed February 16, 1972. Applicant: MIDWEST TRANSPORT, INC., 2609 South Halsted Street, Chicago, IL 60608. Applicant's representative: Richard A. Smykal (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Dairy products and other commodities* distributed by dairies (except commodities in bulk), from the plantsites, warehouse storage and production facilities utilized by Land O'Lakes, Inc., at Chicago, Ill., and points in its commercial zone, and Reedsburg and Spencer, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 129799 (Sub-No. 1), filed February 10, 1972. Applicant: RONALD L. KLINE, Rural Delivery No. 1, Winfield, Pa. 17889. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Gym mats*, from Northumberland, Pa., to points in Virginia, West Virginia, Maryland, Delaware, New York, New Jersey, and Connecticut, and (2) *vinyl material*, from points in Connecticut to Northumberland, Pa., under a continuing contract with Resilite Sports Products, Inc., of Northumberland, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 133123 (Sub-No. 6), filed February 2, 1972. Applicant: RUJAC TRUCKING CORP., 1133 Sixth Avenue, Room 3210, New York, NY. Applicant's representative: Morris Honig, 150 Broadway, New York, NY 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electrical goods*, from points in the New York, N.Y., commercial zone as defined in the fifth supplemental report commercial zones and Terminal Areas, 53 M.C.C. 451, and Port Elizabeth and Port Newark, N.J., to Albany, N.Y., under contract with Matsushita Electric Corporation of America. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 133409 (Sub-No. 3), filed February 11, 1972. Applicant: LOUIS H. FOLTZ, doing business as AIR FREIGHT DELIVERY SERVICE, 1031 Orchard Avenue, Winchester, VA 22601. Applicant's representative: Daniel B. Johnson, 716 Perpetual Building, 1111 E Street NW., Washington, DC 20004. 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, commodities in bulk and commodities requiring special equipment), between points in Clark, Fauquier, and Loudoun Counties, Va.; Grant, Mineral, Hardy, and Hampshire Counties, W. Va., on the one hand, and, on the other, Friendship International Airport at Baltimore, Md.; Dulles Inter-

national Airport at Chantilly, Va., and Washington National Airport at Alexandria, Va., restricted to the transportation of shipments having an immediately prior or an immediately subsequent movement by air. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicate authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Winchester, Va., or Washington, D.C.

No. MC 133425 (Sub-No. 3), filed February 10, 1972. Applicant: BAYLESS AND ROBERTS, INC., Copper Center, Alaska 99573. Applicant's representative: Roger A. McShea, Suite 300, 425 G Street, Anchorage, AK 99501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Seattle, Wash., and Portland, Oreg., on the one hand, and, points in Alaska (except points South of Haines, Alaska), on the other, including service over the Alaska Marine Highway. NOTE: Applicant states that the requested authority can be tacked at the international boundary line between the United States (Alaska) and Canada with applicant's existing Alaska Interstate authority; tacking also at Haines, Alaska, with applicant's existing Alaska Interstate authority. If a hearing is deemed necessary, applicant requests it be held at Fairbanks or Anchorage, Alaska.

No. MC 133565 (Sub-No. 6) (Amendment), filed January 10, 1972, published in the FEDERAL REGISTER issue of February 10, 1972, and republished as amended this issue. Applicant: TRUE TRANSPORT, INC., Starboard and Export Streets, Port Newark, N.J. 07036. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102. 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 commodities requiring special equipment), in containers or trailers, having a prior or subsequent movement by water, (1) Between those ports of entry on the United States-Canada boundary line at or near Rouses Point and Champlain, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, those in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line at or near Lawrenceville, Pa., and extending along U.S. Highway 15 to junction U.S. Highway 11 at or near Camp Hill, Pa., thence along U.S. Highway 11 to the Pennsylvania-Maryland State line, and points in Rhode Island, and (2) between Boston and Palmer, Mass., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, those in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-

New York State line at or near Lawrenceville, Pa., and extending along U.S. Highway 15 to junction U.S. Highway 11 at or near Camp Hill, Pa., thence along U.S. Highway 11 to the Pennsylvania-Maryland State line, and points in Rhode Island. NOTE: Applicant states that the requested authority can be tacked with its Sub 2 application, but tacking is not contemplated. The purpose of this republication is to redescribe the territorial scope of the application. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133565 (Sub-No. 7), filed February 17, 1972. Applicant: TRUE TRANSPORT, INC., Starboard and Export Streets, Port Newark, NJ 07036. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102. 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 commodities requiring special equipment), in containers or trailers, in foreign commerce, having a prior or subsequent movement by water, (1) between those ports of entry on the international boundary line between the United States and Canada at or near Rouses Point and Champlain, N.Y.; and (2) between Boston and Palmer, Mass., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, those points in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line at or near Lawrenceville, Pa., and extending along U.S. Highway 15 to junction U.S. Highway 11 at or near Camp Hill, Pa., thence along U.S. Highway 11 to the Pennsylvania-Maryland State line, and points in Rhode Island. NOTE: Applicant states that tacking is possible with its pending Sub-2, but tacking is not contemplated. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 134050 (Sub-No. 4), filed February 17, 1972. Applicant: J. M. FOSTER, Route 6, Box 247, Brookhaven, MS 39601. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty Bank Building, Post Office Box 22628, Jackson, MS 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pressure treated wood products*, from the plantsite of Mississippi Wood Preserving Co., at Brookhaven, Miss., to points in Alabama, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Missouri, Ohio, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought. If a hearing is deemed

necessary, applicant requests it be held at Jackson, Miss.

No. MC 134068 (Sub-No. 12), filed February 18, 1972. Applicant: KODIAK REFRIGERATED LINES, INC., 4510 Seville Avenue, Vernon, CA 90058. Applicant's representative: Duane W. Acklie, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, other than frozen, in boxes, in straight shipments, and/or mixed shipments of foodstuffs and canned goods, from the plantsite of Hunt-Wesson Foods, Inc., at Fullerton, Hayward, Davis, and Oakdale, Calif., to points in Colorado, Georgia, Kansas, Louisiana, Minnesota, Missouri, Nebraska, Oklahoma, South Dakota, Tennessee, and Wyoming.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 134477 (Sub-No. 18), filed February 14, 1972. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118. Applicant's representative: Paul Schanno (same address as applicant). 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 Denison, Fort Dodge, Le Mars, and Mason City, Iowa; Dakota City and West Point, Nebr.; and Luverne, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, West Virginia, Vermont, and the District of Columbia, restricted to traffic originating at the plantsites and storage facilities of Iowa Beef Processors, Inc., at or near the named origin.* NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul or Minneapolis, Minn.

No. MC 134665 (Sub-No. 3) (Amendment) filed January 11, 1972, published FEDERAL REGISTER issue of February 10, 1972 and republished as amended, this issue. Applicant: DWAYNE C. ATKINS, doing business as ATKINS TRUCKING, Post Office Box 4, R.F.D. 33, Sioux Falls, SD 57106, Tea, S. Dak. 57064. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feed, and animal and poultry feed ingredients, (a) from the plantsite and warehouse facilities of Zip Feed Mills, Inc., at Huron, S. Dak., to points in Iowa, Minnesota, Nebraska, and North Dakota; and (b) from points in Kansas, Iowa, Minnesota, Ne-*

braska, and North Dakota, to the plantsite and warehouse facilities of Zip Feed Mills, Inc., at Huron and Sioux Falls, S. Dak. Restriction: The authority sought herein is limited to a transportation service to be performed under a continuing contract or contracts, with Zip Feed Mills, Inc., of Huron and Sioux Falls, S. Dak. NOTE: The purpose of this republication is to broaden the scope of authority sought by adding Iowa, Minnesota, Nebraska, and North Dakota to the origin points in (1)b. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Omaha, Nebr.

No. MC 136023 (Sub-No. 1), filed February 17, 1972. Applicant: N. C. W., INC., 989 Loper, Post Office Box 136, Prineville, OR 97754. Applicant's representative: Russell M. Allen, 1200 Jackson Tower, Portland, Ore. 97205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood residuals, from the Heppner Lumber Co. in Wheeler and Morrow Counties, Ore., to points in Walla Walla County, Wash., and from Blue Mountain Forest Products Co. in Grant and Umatilla Counties, Ore., to points in Walla Walla County, Wash., under contract with Heppner Lumber Co. and Blue Mountain Forest Products Co.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 136098 (Sub-No. 1), filed February 14, 1972. Applicant: PAUL E. LOBDELL, Box 386, Lena, IL 61048. Applicant's representative: Robert T. Lawley, 300 Reich Building, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prepared animal and poultry feed, and prepared animal and poultry feed health ingredients, and animal and poultry health products, from Lena, Ill., to points in Wisconsin; and (2) prepared animal and poultry feed, and animal and poultry feed ingredients, from points in Wisconsin to Lena, Ill.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., St. Louis, Mo., or Springfield, Ill.

No. MC 136099 (Sub-No. 1), filed February 17, 1972. Applicant: BECAN-COUR TRANSPORT EXPRESS INC., C. P. 127, St. Jean Deschaillons, Lotbiniere County, PQ Canada. Applicant's representative: Adrian R. Paquette, 200 St. James Street West, Montreal 126, PQ Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Terra Cotta products, from the ports of entry on the international boundary line between the United States and Canada located in Maine and Vermont to points in Maine, Massachusetts, Rhode Island, Connecticut, Vermont, and New Hampshire, under contract with Montreal Terra Cotta (1966) Ltee.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt., or Albany or Plattsburgh, N.Y.

No. MC 136263 (Sub-No. 2), filed February 14, 1972. Applicant: DEL TRANSPORT LIMITED, a corporation, 385 Richelieu Avenue, McMasterville, PQ Canada. Applicant's representative: G. P. Bergeron (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives classes A and B, blasting supplies and materials, and component parts thereof, and material and supplies incidental thereto (not in bulk), from ports of entry on the international boundary line between the United States and Canada located at or near Champlain, Trout River, and Herdman, N.Y., to Kenil, N.J.; and Ellenberg and Plattsburgh, N.Y.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt., or Albany, N.Y.

No. MC 136356, filed January 13, 1972. Applicant: DENZEL M. ARMSTRONG, doing business as ARMSTRONG TRUCKING, 16291 Hendricks, Lowell, IN 46356. Applicant's representative: Charles E. Van Nada, 313 East Commercial Avenue, Lowell, IN 46356. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm supplies, farm commodities, feed, fertilizer, and antifreeze, (1) from Peoria and Bloomington, Ill., and Lafayette, Ind., to (a) points in Waukegan, South Beloit, Geneseo, Pekin, Lincoln, Arcola, and Kansas, Ill.; (b) Spencer, Franklin, Cambridge City, and Union City, Ind.; (c) north on the Indiana-Ohio State line to the Michigan State line; (d) west on the Indiana State line to Chicago, Ill.; and (e) north to Waukegan, Ill.; (2) from Peoria and Bloomington, Ill., and Lafayette, Ind., to St. Louis, Mo., and (3) from Peoria and Bloomington, Ill., and Lafayette, Ind., to Moline, Ill.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Fort Wayne or Indianapolis, Ind.

No. MC 136402 (Sub-No. 1), filed February 17, 1972. Applicant: TOMMY A. McCARTY, doing business as McCARTY TRUCKING, 2A Bob-O-Link Drive, Mount Sterling, KY 40353. Applicant's representative: James S. Wilson, 226 Main Street, Post Office Box 151, Paris, KY 40361. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobiles, in truckaway service, in secondary movements, (1) from points in Indiana (except Fort Wayne, South Bend, and Dyer), Ohio (except Dayton and Cleveland), and Michigan (except Detroit), to points in Montgomery County, Ky.; and (2) from points in Montgomery County, Ky., to points in Tennessee.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Frankfort, Ky.

No. MC 136426, filed February 17, 1972. Applicant: LESCO, INC., 3900 Dahlman Avenue, Omaha, NE. Applicant's representative: J. Max Harding, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor ve-

hicle, over irregular routes, transporting: (1) *Unprocessed edible fats*, in containers, from points in Iowa and Missouri, to Waterloo, Nebr., under contract with Midwest Animal By-products Corp. of Omaha, Nebr.; (2) *food processing machinery*, from Omaha, Nebr., to points in the United States (except Alaska and Hawaii), and *materials, supplies, and equipment* used in the manufacture, sale and distribution of food processing machinery, on return; and (3) *partially fabricated iron and steel*, from Omaha, Nebr., to Kansas City, Mo., under contract with Omaha Manufacturing and Engineering Co. of Omaha, Nebr., in (2) and (3) above. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 136427, filed February 17, 1972. Applicant: JOE H. COOK, Box 96, Woodward, OK. Applicant's representative: Dean Williamson, 280 National Foundation Life Center, 3535 Northwest 58th, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed rock, sand, and gravel*, from points in Hemphill County, Tex., to points in Cimarron, Texas, Beaver, Harper, Woods, Woodward, Roger Mills, Ellis, and Dewey Counties, Okla. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 136416, filed February 3, 1972. Applicant: ALLEGHENY BEVERAGE CORPORATION, 17200 Warwick Boulevard, Newport News, VA 23602. Applicant's representative: Irvin P. Miller (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Woodpulp board*, in rolls, from Newport News and West Point, Va., to Baltimore, Md., Philadelphia, Pa., and New York, N.Y. (including Brooklyn, Queens, Manhattan, Bronx, Richmond, and Long Island), under contract with the Chesapeake Corp. of Virginia, West Point, Va. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Newport News or Richmond, Va.

No. MC 136432, filed February 7, 1972. Applicant: DONNA HALLSTROM, doing business as D & M EXPRESS, Post Office Box 231, Route 19, Evans City, PA 16033. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Railway car or locomotive brake shoes and brake shoe parts*, from the warehouse facilities of D & M Express, located in Cranberry Township, Butler County, Pa., to railroad shops or yards, or railroad car manufacturers located at points in Ohio, West Virginia, Indiana, Maryland, New York, and Pennsylvania; and (2) *railway car or locomotive brake shoes and brake shoe parts*, from Waukegan, Ill., and Laurinburg, N.C., to the warehouse facilities of D & M Express, located in Cranberry Township, Butler County, Pa., under a continuing contract with Railroad Friction Prod-

ucts Corp. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 136442, filed February 16, 1972. Applicant: EL VIEJO SAN JUAN MOVING AND SHIPPING, INC., 862 Southern Boulevard, Bronx, NY 10459. Applicant's representative: Blanton P. Bergen, 137 East 36th Street, New York, NY 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods and personal effects* (including used automobiles when shipped as personal effects), in containers, having a prior or subsequent movement by water, (1) between points in that part of New York, N.Y., commercial zone as defined by the Commission in the Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exempt provisions provided by section 203(b) (8) of the Act (exempt zone), and (2) between Bridgeport, Hartford, Meriden, New Haven, and Stamford, Conn., on the one hand, and, on the other, New York, N.Y. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 136433, filed February 14, 1972. Applicant: F QUARTER CIRCLE RANCH, INC., Route 3, Billings, Mont. 59101. Applicant's representative: Jerome Anderson, 100 Transwestern Building, 404 North 31st Street, Billings, MT 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock*, all kinds, used in showing, racing, rodeo, polo, exhibition, breeding, or other special uses, including *stable equipment, supplies, feed, personal effects of attendants, livestock tack and show equipment*, between points in the United States (except Alaska and Hawaii). **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., Billings, Mont., or Portland, Oreg.

No. MC 136440, filed February 17, 1972. Applicant: C. A. PETERSEN, doing business as PETERSEN TANK LINES, Clayton, Wis. 54004. Applicant's representative: Gary L. Bakke, 103 North Knowles Avenue, New Richmond, WI 54017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, from Chaska, Minn., to Rock Island, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Sub-No. 174), filed February 14, 1972. Applicant: GREYHOUND LINES, INC., 1400 West Third Street, Cleveland, OH 44113. Applicant's representative: L. C. Major, Jr., 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: *Passengers and their baggage*, and

express and newspapers in the same vehicle with passengers, between Goldsboro, N.C., and Petersburg, Va.; from Goldsboro, N.C., over U.S. Highway 117 to junction U.S. Highway 301 near Wilson, N.C., thence over U.S. Highway 301 to junction access highway near Battleboro, N.C., thence over access highway to junction Interstate Highway 95, thence over Interstate Highway 95 to Petersburg, Va., and return over the same route serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's presently authorized operations. **NOTE:** Applicant states it intends to tack the requested authority with its existing authority as an alternate route for operating convenience only. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 61802 (Sub-No. 5), filed February 17, 1972. Applicant: THE COLONIAL TRANSIT COMPANY, INCORPORATED, 310 Charlotte Street, Fredericksburg, VA 22401. Applicant's representative: L. C. Major, Jr., Suite 301, Tavern Square, 421 King Street, Alexandria, VA 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: I. *Irregular route charter authority—passengers and their baggage*, in the same vehicle with passengers, in round-trip charter operations, beginning and ending at points in Caroline, Essex (except points south of Virginia Highway 631), Fauquier, King George, Orange, Prince William (except points east of Interstate Highway 95 and Virginia Highways 234 and 659), Spotsylvania, Stafford, and Westmoreland Counties, Va., and extending to points in Florida. II. *Regular route authority—passengers and their baggage and express and newspapers* in the same vehicle with passengers, between Dale City, Va., and Washington, D.C., as follows: From Dale City, Va., over Virginia Highway 642 to junction with Virginia Highway 640, thence over Virginia Highway 640 to junction Virginia Highway 253, thence over Virginia Highway 253 to junction Interstate Highway 95, and thence over Interstate Highway 95 to Washington, D.C., and return over the same route, serving no intermediate points and as an alternate route for operating convenience purposes only. In connection with the latter requested authority, pursuant to the Certificate of Public Convenience and Necessity previously issued to applicant in Docket No. MV-61802 Sub-No. 4, applicant is presently authorized to conduct motor passenger operations between Dale City, Va., and Washington, D.C., via Virginia Highway 642 and Interstate Highway 95 and, as indicated, the above-requested authority is being sought as an alternate route to applicant's present operations and for operating convenience purposes only. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123577 (Sub-No. 12), filed February 10, 1972. Applicant: WAR-

WICK-GREENWOOD LAKE AND NEW YORK TRANSIT, INC., DONALD A. ROBINSON, TRUSTEE, 419 Anderson Avenue, Fairview, NJ 07022. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, NJ 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and newspapers and express* in the same vehicle with passengers, (1) between Totowa, N.J., and New York, N.Y., from the junction of U.S. Highway 46 and Union Avenue, over Union Avenue to junction of the entrance roads of Interstate Highway 80 at Union Avenue in Totowa, N.J., thence over the entrance roads to Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 95 at Teaneck-Ridgefield Park, N.J., boundary line, thence over Interstate Highway 95 to Secaucus, N.J., Interstate Highway 95 being known as the New Jersey Turnpike between Ridgefield Park, N.J., and Secaucus, N.J., thence over Interstate Highway 95 exit road to junction Interstate Highway 495, in North Bergen, N.J., thence over Interstate Highway 495 to New York, N.Y., via the Lincoln Tunnel, and return over the same routes using Interstate Highway 95 (New Jersey Turnpike) access road in North Bergen, N.J., serving no intermediate points. Note (1): The applicant in MC 123577 (Sub-No. 1) has existing rights to operate over unnumbered highways in Totowa, N.J., serving no intermediate points for operating convenience only in connection with its existing routes between Warwick, N.Y., and New York, N.Y., via New Jersey. Applicant requests that such existing restriction be amended to permit joinder of the proposed route to applicant's existing route in MC 123577 (Sub-No. 1) for purposes of joinder only: (2) between Paterson, N.J., and Paterson, N.J., from the junction of New Jersey Highway 4 (Broadway) and Madison Avenue in Paterson, N.J., over Madison Avenue to junction entrance ramps Interstate Highway 80 in Paterson, and return over the same route, serving all intermediate points.

Note (2): The applicant in MC 123577 (Sub-No. 1) has existing authority to operate between Warwick, N.Y., and Paramus, N.J., serving all intermediate points including Paterson, N.J., such route authorizing service from Paterson, N.J., over New Jersey Highway 4 to New Jersey Highway 17 in Paramus, serving all intermediate points. The applicant proposes to join such route to Interstate Highway 80 via Madison Avenue in Paterson as stated and proposes to operate via Interstate Highway 80 and Interstate Highway 95 as described in route (1) to and from New York, N.Y. In order that the applicant may join the proposed route to Interstate Highway 80 described in route (1) above, it is requested that the restriction on Interstate Highway 80 described in route (1) above be lifted so

as to enable the applicant to join the proposed route in Interstate Highway 80 in Paterson; and (3) between Hackensack, N.J., and Hackensack, N.J., from junction New Jersey Highway 17 and Interstate Highway 80 in Hackensack, N.J., over Interstate Highway 80 access road to Interstate Highway 80 in Hackensack, N.J., and return over the same routes using Interstate Highway 80 access road at New Jersey Highway 17, serving no intermediate points. Note (3): The applicant is presently authorized to operate on New Jersey Highway 17 in Hackensack, N.J., with closed doors. Applicant requests that such restriction be modified to permit joinder of the proposed route to its existing route at the junction of Interstate Highway 80 and New Jersey Highway 17 in Hackensack. Service is not proposed in intermediate points. Note (4): The applicant proposes to join the above-described proposed routes (1), (2), and (3) to all its existing routes in Docket MC 123577 and sub numbers thereunder in order to provide service between all points on its existing routes in New Jersey and New York via such existing routes and the proposed routes. Applicant now holds contract carrier authority under its No. MC 129976 (Sub-No. 2), therefore dual operations may be involved. Common control may also be involved. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 129038 (Sub-No. 8), filed February 17, 1972. Applicant: TRI-STATE COACH LINES, INC., 2322 West Ninth Avenue, Gary, IN 46401. Applicant's representative: Harold M. Olsen, 712 South Second Street, Springfield, IL 62705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers, baggage, and express*, between points in Milwaukee, Racine, and Kenosha Counties, Wis., and O'Hare International Airport in Illinois, restricted to traffic having an immediate, prior or subsequent transportation by air. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 136428, filed February 11, 1972. Applicant: EVANSTON BUS COMPANY, a corporation, 1201 Central Street, Evanston, IL 60201. Applicant's representative: Bruce E. Mitchell, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, from points in Cook and Lake Counties, Ill., to points in the United States, including Alaska but excluding Hawaii, and return. Note: If a hearing is deemed necessary, applicant requests it be held at Evanston, Ill.

No. MC 136430, filed February 14, 1972. Applicant: AMERICAN TRAILS, INC., Meadowview Avenue, Hewlett, N.Y. 11557. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage and outdoor equipment*, in personally conducted, all expense, special round-trip operations, in vehicles limited to 14 passengers, not including driver and escort, beginning and ending at New York, N.Y., and extending to points in the United States (except Hawaii but including Alaska). Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130164, filed January 13, 1972. Applicant: COMMERCIAL TRUCK BROKERS OF MOORHEAD, MINNESOTA, INC., Post Office Box 39B RR, Glyndon, MN. Applicant's representative: Raymond A. Lamb, Eight Street Professional Center, 1022 Eight Street South, Moorhead, MN 56560. For a license (BMC-4) to engage in operations as a *broker* at Moorhead, Minn., and Ellenburg, Wash., in arranging for the transportation in interstate or foreign commerce of *general commodities*, between points in the United States, including Alaska and Hawaii.

APPLICATION FOR POSTAL CERTIFICATE

INTERSTATE COMMERCE COMMISSION, No. MC-137012 (Notice of Filing an Application for a Postal Certificate of Public Convenience and Necessity), filed February 22, 1972. Applicant: LINK TRUCKING, INC., 1410 South Third West, Salt Lake City, UT 84104. Applicant's representative: Robert Foulger (same address as applicant). By application filed February 22, 1972, applicant seeks a postal certificate of public convenience and necessity to transport mail in the following territory:

Between Salt Lake City, Utah, and Reno, Nev., over irregular routes. Appended to the application is a copy of a postal contract held by applicant which was in effect on July 1, 1971, the critical "grandfather" date: Route No. 89415 relating to service between Salt Lake City, Utah, and Reno, Nev. Applicant holds motor carrier authority in No. MC-121043.

Any interested person desiring to oppose the application may file with the Commission an original and one copy of his written representations, views, or arguments in opposition to the application within 30 days from the date of this publication in the FEDERAL REGISTER. A copy of each such pleading should be served upon applicant's representative.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-3911 Filed 3-15-72; 8:45 am]

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THURSDAY, MARCH 16, 1972
WASHINGTON, D.C.

Volume 37 ■ Number 52

PART II



DEPARTMENT OF THE INTERIOR

Bureau of Land Management



Alaska; Public Land Orders
Withdrawals of Land

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5169]

ALASKA

Withdrawals for Selections by Village Corporations and Regional Corporation in Arctic Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a)(3) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 696 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) For selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporations"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operation of the Arctic Slope Native Association (said corporation being referred to hereinafter as the "Regional Corporation"):

a. Barrow:

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

Tps. 5 to 8 N., R. 41 W. (W $\frac{1}{2}$).
Tps. 5 to 8 N., R. 42 W.

The area described aggregates approximately 138,240 acres.

b. Kaktovik:

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 S., Rs. 21 to 23 E.
T. 2 S., Rs. 21 to 24 E.
T. 3 S., Rs. 22 to 25 E.
T. 4 S., Rs. 23 and 24 E.
T. 5 S., R. 24 E.
T. 5 S., R. 25 E.

The area described aggregates approximately 345,600 acres.

c. Point Hope:

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

T. 9 S., Rs. 58 to 60 W.
T. 10 S., Rs. 58 to 60 W.

T. 11 S., Rs. 58 and 59 W.
T. 12 S., Rs. 57 to 59 W.

KATEEL RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 33 N., Rs. 30 to 32 W.
T. 34 N., Rs. 30 to 32 W.

The area described aggregates approximately 391,690 acres.

2. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for selection by said Regional Corporation under section 12 of said Act:

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 1 and 2 E., that portion east of Naval Petroleum Reserve No. 4.
T. 1 N., Rs. 3 through 12 E.
T. 2 N., R. 2 E., that portion east of Naval Petroleum Reserve No. 4.
T. 2 N., Rs. 3 through 11 E.
T. 3 N., Rs. 3 through 11 E.
T. 4 N., Rs. 3 through 8 E.
T. 1 N., R. 41 W., that portion west of Naval Petroleum Reserve No. 4.
T. 1 N., Rs. 42, 43, and 44 W.
T. 2 N., R. 41 W., that portion west of Naval Petroleum Reserve No. 4.
T. 2 N., Rs. 42, 43, and 44 W.
T. 3 N., R. 41 W., that portion west of Naval Petroleum Reserve No. 4.
T. 3 N., R. 42 W.
T. 4 N., R. 41 W., that portion west of Naval Petroleum Reserve No. 4.
T. 4 N., R. 42 W.
T. 1 S., R. 1 W., that portion east of Naval Petroleum Reserve No. 4.
T. 1 S., R. 41 W., that portion west of Naval Petroleum Reserve No. 4.
T. 1 S., Rs. 42 through 45 W.
T. 2 S., Rs. 1, 42 through 45 W.
T. 2 S., R. 41 W., that portion west of Naval Petroleum Reserve No. 4.
T. 3 S., Rs. 1, 42 through 47 W.
T. 3 S., R. 41 W., that portion west of Naval Petroleum Reserve No. 4.
T. 3 S., R. 48 W. (fractional).
T. 4 S., Rs. 1, 42 through 48 W.
T. 4 S., R. 41 W., that portion west of Naval Petroleum Reserve No. 4.
T. 4 S., R. 49 W. (fractional).
T. 5 S., Rs. 1, 2, 3, 43 through 50 W.
T. 5 S., R. 42 W., that portion west of Naval Petroleum Reserve No. 4.
T. 5 S., Rs. 51 and 52 W. (fractional).
T. 6 S., Rs. 1, 2, 3, 43 through 51 W.
T. 6 S., R. 42 W., that portion west of Naval Petroleum Reserve No. 4.
T. 6 S., Rs. 52 through 55 W. (fractional).
T. 7 S., Rs. 1, 2, 3, 43 through 55 W.
T. 7 S., R. 42 W., that portion west of Naval Petroleum Reserve No. 4.
T. 7 S., Rs. 56, 57, and 58 W. (fractional).
T. 8 S., Rs. 1 through 4, 43 through 58 W.
T. 8 S., R. 42 W., that portion west of Naval Petroleum Reserve No. 4.
T. 9 S., Rs. 1 through 4, 43 through 58 W.
T. 9 S., R. 42 W., that portion west of Naval Petroleum Reserve No. 4.
T. 10 S., Rs. 1, 2, 43 through 58 W.
T. 10 S., R. 42 W., that portion west of Naval Petroleum Reserve No. 4.
T. 11 S., Rs. 1, 2, 45 through 58 W.
T. 12 S., Rs. 1 through 4 W.
T. 13 S., Rs. 2, 3, and 4 W.
T. 14 S., Rs. 2, 3, and 4 W.

T. 15 S., Rs. 2, 3, and 4 W.
T. 1 S., Rs. 1 through 20 E.
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T. 3 S., Rs. 1 through 21 E.
T. 4 S., Rs. 1 through 18 E.
T. 5 S., Rs. 1 through 18 E.
T. 6 S., Rs. 1 through 18 E.
T. 7 S., Rs. 1 through 18 E.
T. 8 S., Rs. 1 through 18 E.
T. 9 S., Rs. 1 through 18 E.
T. 10 S., Rs. 1 through 18 E.
T. 11 S., Rs. 1 through 18 E.
T. 12 S., Rs. 1, 2, 3, 13 through 18 E.
T. 13 S., Rs. 13 through 18 E.
T. 14 S., Rs. 13 through 17 E.
T. 15 S., R. 13 E.

KATEEL RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 31 N., Rs. 28 and 29 W.
T. 32 N., Rs. 26 through 29 W.
T. 33 N., Rs. 25 through 29 W.
T. 34 N., Rs. 22 through 29 W.

The area described aggregates approximately 9,700,000 acres.

3. After each Village Corporation has exhausted its rights of selection under subsections 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional Corporation may select any of the remaining lands under section 12 of said Act.

4. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

5. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 and paragraph 2 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

6. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human

environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3935 Filed 3-15-72;8:45 am]

[Public Land Order 5170]

ALASKA

Withdrawals for Selections by Village Corporations and Regional Corporation in Bering Straits Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a)(3) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 696 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public lands laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) For selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporation"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operation of the Bering Straits Association (said corporation being referred to hereinafter as the "Regional Corporation"):

a. Gambell:

KATEEL RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 8 S., Rs. 37 and 38 W.
T. 8 S., R. 39 W. (fractional).
T. 9 S., Rs. 37 and 38 W.
T. 9 S., R. 39 W. (fractional).
T. 10 S., Rs. 37 to 39 W. (fractional).

The area described aggregates approximately 161,280 acres.

b. Inalik:

KATEEL RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 41 and 42 W.
T. 2 N., Rs. 41 and 42 W.
T. 3 N., Rs. 41 and 42 W.
T. 4 N., Rs. 40 to 43 W.
T. 4 N., R. 44 W. (fractional).
T. 5 N., Rs. 40 to 42 W. (fractional).
T. 6 N., R. 41 W. (fractional).

The area described aggregates approximately 276,480 acres.

2. After each Village Corporation has exhausted its rights of selection under subsections 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional Corporation may select any of the remaining lands under section 12 of said Act.

3. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

4. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

5. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3936 Filed 3-15-72;8:45 am]

[Public Land Order 5171]

ALASKA

Withdrawal for Selections by Village Corporations and Regional Corporation in Northwest Alaska Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a)

(3) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 696 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) For selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporations"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operation of the Northwest Alaska Native Association (said corporation being referred to hereinafter as the "Regional Corporation"):

a. Kotzebue:

KATEEL RIVER

PROTRACTED DESCRIPTIONS

T. 11 N., R. 15 W. (fractional).
T. 12 N., R. 14 W. (fractional).
T. 12 N., R. 15 W. (fractional).
T. 13 N., R. 15 W. (fractional).
T. 14 N., R. 16 W. (fractional).
T. 15 N., R. 16 W. (fractional).
T. 16 N., R. 16 W. (fractional).
T. 20 N., Rs. 16 through 20 W.

The area described aggregates approximately 207,360 acres.

2. After each Village Corporation has exhausted its rights of selection under subsections 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional Corporation may select any of the remaining lands under section 12 of said Act.

3. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

4. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the

State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

5. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3937 Filed 3-15-72;8:45 am]

[Public Land Order 5172]

ALASKA

Withdrawals for Selections by Village Corporations and Regional Corporation in Association of Village Council Presidents Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a)(3) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 696 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) For selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporations"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operation of the Association of Village Council Presidents (said corporation being referred to hereinafter as the "Regional Corporation"):

a. Chervornak:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 81, 82 W.
T. 1 N., R. 83 W. (E $\frac{1}{2}$).

T. 2 N., Rs. 81, 82 W.
T. 2 N., R. 83 W. (E $\frac{1}{2}$)
T. 3 N., R. 82 W.
T. 3 N., R. 83 W. (E $\frac{1}{2}$)
T. 4 N., R. 82 W.
T. 4 N., R. 83 (E $\frac{1}{2}$)
T. 5 N., R. 83 W. (fractional).
T. 6 N., R. 83 W. (fractional).

The area described aggregates approximately 207,360 acres.

b. Chevak:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 16 N., Rs. 85 to 87 W.
T. 17 N., Rs. 85 to 87 W.
T. 18 N., Rs. 85 to 87 W.
T. 19 N., Rs. 85 to 87 W.
T. 20 N., Rs. 85 to 87 W.

The area described aggregates approximately 345,600 acres.

c. Hooper Bay:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 21 N., Rs. 83 to 86 W.
T. 22 N., Rs. 83 to 86 W.

The area described aggregates approximately 184,320 acres.

d. Kotlik:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 31 N., R. 76 W.
T. 32 N., Rs. 75 and 76 W.

The area described aggregates approximately 69,120 acres.

e. Mekoryuk:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 4 N., Rs. 80 and 81 W.
T. 5 N., Rs. 80 to 82 W.
T. 6 N., Rs. 80 to 82 W.
T. 7 N., Rs. 80 and 81 W.
T. 7 N., R. 82 W. (fractional).
T. 8 N., Rs. 80 and 81 W.
T. 8 N., R. 82 W. (fractional).

The area described aggregates approximately 299,520 acres.

f. Napakiak:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 5 N., R. 76 W.
T. 6 N., Rs. 76 and 77 W.

The area described aggregates approximately 69,120 acres.

g. Napakiak:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 4 N., Rs. 69 and 70 W.
T. 5 N., R. 69 W.

The area described aggregates approximately 69,120 acres.

h. Newtok:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 9 N., R. 82 W.
T. 9 N., R. 83 W. (fractional).
T. 9 N., R. 84 W. (fractional).
T. 10 N., R. 82 W.
T. 10 N., R. 83 W. (fractional).

The area described aggregates approximately 69,120 acres.

i. Nightmute:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 9 N., Rs. 80 and 81 W.
T. 10 N., Rs. 80 and 81 W.

T. 11 N., R. 80 W.
T. 12 N., R. 80 W.

The area described aggregates approximately 138,240 acres.

j. Toksook Bay:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., R. 80 W.
T. 2 N., R. 80 W.
T. 3 N., Rs. 80 and 81 W.
T. 6 N., Rs. 78 and 79 W.
T. 7 N., R. 79 W.
T. 8 N., R. 79 W.

The area described aggregates approximately 184,320 acres.

k. Tununak:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 16 N., Rs. 83 and 84 W.
T. 17 N., Rs. 83 and 84 W.
T. 18 N., Rs. 83 and 84 W.

The area described aggregates approximately 138,240 acres.

2. After each Village Corporation has exhausted its rights of selection under subsections 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional Corporation may select any of the remaining lands under section 12 of said Act.

3. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

4. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

5. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed state-

ment pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3938 Filed 3-15-72; 8:45 am]

[Public Land Order 5173]

ALASKA

Withdrawals for Selections by Village Corporations and Regional Corporation in Tanana Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a) (3) of the Alaska Native Claims Settlement Act, 85 Stat. 683, 696 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) For selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporations"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operation of the Tanana Chiefs' Conference (said corporation being referred to hereinafter as the "Regional Corporation"):

a. Minto:

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 4 N., R. 12 W.
T. 5 N., Rs. 10 to 12 W.
T. 6 N., Rs. 6 to 10 W.
T. 7 N., Rs. 7 to 10 W.
T. 8 N., R. 10 W.

The area described aggregates approximately 322,560 acres.

b. Nenana:

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 4 S., R. 4 W. (fractional).
T. 5 S., R. 4 W. (fractional).
T. 5 S., Rs. 5 and 6 W.
T. 6 S., R. 3 W. (fractional).
T. 6 S., Rs. 4 to 6 W.
T. 7 S., Rs. 4 to 6 W.

The area described aggregates approximately 230,400 acres.

2. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from

all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for selection by said Regional Corporation under section 12 of said Act:

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

T. 16 S., Rs. 31 and 32 E.

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 26 through 30 E.
T. 2 N., Rs. 26 through 30 E.
T. 3 N., Rs. 26, 27, and 28 E.
T. 4 N., Rs. 26, 27, 32, and 33 E.
T. 5 N., Rs. 31 and 32 E.
T. 6 N., Rs. 29 through 32 E.
T. 7 N., Rs. 29 through 32 E.
T. 8 N., Rs. 21 through 32 E.
T. 9 N., Rs. 20 through 32 E.
T. 10 N., Rs. 21 through 32 E.
T. 11 N., Rs. 21 through 32 E.
T. 12 N., Rs. 21 through 32 E.
T. 13 N., Rs. 24 through 32 E.
T. 14 N., Rs. 24 through 32 E.
T. 15 N., Rs. 27 through 32 E.
T. 16 N., Rs. 27 through 32 E.
T. 17 N., Rs. 27 through 31 E.
T. 18 N., Rs. 27 through 31 E.
T. 19 N., Rs. 27 through 31 E.
T. 20 N., Rs. 27 through 31 E.
T. 21 N., Rs. 27 through 31 E.
T. 22 N., Rs. 27 through 31 E.
T. 23 N., Rs. 27 through 31 E.
T. 24 N., Rs. 27 through 31 E.
T. 25 N., Rs. 28, 29, and 30 E.
T. 26 N., Rs. 28, 29, and 30 E.
T. 27 N., Rs. 29 and 30 E.
T. 28 N., Rs. 29 and 30 E.
T. 31 N., R. 6 E., north of Venetie Indian Reserve.
T. 32 N., R. 6 E.
T. 33 N., R. 6 E.
T. 34 N., Rs. 6 and 11 E.
T. 35 N., Rs. 6 and 11 E.
T. 35 N., R. 7 E., west of Venetie Indian Reserve.
T. 36 N., Rs. 6 and 11 E.
T. 36 N., R. 7 E., west of Venetie Indian Reserve.
T. 37 N., Rs. 12 and 13 E. (fractional).
T. 2 N., Rs. 19, 25, 26, and 27 W.
T. 3 N., Rs. 19, 25, 26, and 27 W.
T. 4 N., Rs. 19, 25, 26, and 27 W.
T. 5 N., Rs. 24, 25, and 26 W.
T. 6 N., Rs. 19 and 24 W.
T. 7 N., Rs. 22, 23, and 24 W.
T. 13 N., Rs. 16 through 20 W.
T. 14 N., Rs. 16 through 21 W.
T. 15 N., Rs. 15 through 21 W.
T. 16 N., Rs. 21 and 22 W.
T. 17 N., Rs. 22 through 25 W.
T. 22 N., Rs. 17 through 21 W.
T. 23 N., Rs. 17 through 21 W.
T. 24 N., Rs. 17 and 18 W.
T. 27 N., Rs. 7 through 10 W.
T. 28 N., Rs. 7 through 10 W.
T. 29 N., Rs. 7 through 10 W.
T. 30 N., Rs. 7, 8, and 9 W.
T. 31 N., Rs. 7, 8, and 9 W.
T. 32 N., Rs. 7, 8, and 9 W.
T. 33 N., Rs. 7 and 8 W.
T. 34 N., R. 12 W.
T. 35 N., R. 12 W.
T. 36 N., R. 12 W.
T. 5 S., R. 14 W.
T. 6 S., R. 14 W.
T. 7 S., R. 15 W.

T. 8 S., Rs. 15 and 16 W.
T. 9 S., Rs. 16 through 28 W.
T. 10 S., Rs. 15 through 21, 27, and 28 W.
T. 11 S., Rs. 21, 27, and 28 W.
T. 12 S., Rs. 27 and 28 W.
T. 16 S., R. 4 W.
T. 17 S., Rs. 3 and 4 W.
T. 18 S., Rs. 2, 3, and 4 W.
T. 19 S., Rs. 1 through 4 W.
T. 19 S., R. 1 E.
T. 20 S., Rs. 1 through 8 E.
T. 21 S., Rs. 1 through 8 E.

COPPER RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 19 N., R. 16 E.
T. 20 N., Rs. 13 through 16 E.
T. 21 N., Rs. 12 through 16 E.
T. 22 N., Rs. 10 through 13 E.
T. 23 N., Rs. 10 through 13 E.
T. 24 N., Rs. 10 through 13 E.
T. 25 N., Rs. 11, 12, and 13 E.

KATEEL RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 3 and 4 E.
T. 2 N., Rs. 3 and 4 E.
T. 6 N., Rs. 18 and 19 E.
T. 7 N., Rs. 6 through 15, 18, and 19 E.
T. 8 N., Rs. 6 through 19 E.
T. 9 N., Rs. 6 through 19, 24 E.
T. 10 N., Rs. 24 and 25 E.
T. 11 N., Rs. 24, 25, and 26 E.
T. 12 N., Rs. 25 and 26 E.
T. 13 N., Rs. 25 and 26 E.
T. 14 N., Rs. 25 and 26 E.
T. 15 N., Rs. 25 and 26 E.
T. 16 N., Rs. 25, 26, and 27 E.
T. 17 N., Rs. 25, 26, and 27 E.
T. 12 S., R. 3 W.
T. 13 S., R. 3 W.
T. 14 S., R. 3 W.
T. 15 S., R. 3 W.
T. 16 S., Rs. 1, 2, and 3 W.
T. 17 S., Rs. 1 through 4 W.
T. 18 S., Rs. 3, 4, and 5 W.
T. 19 S., Rs. 3, 4, and 5 W.
T. 20 S., Rs. 1 through 5 W.
T. 21 S., Rs. 2 through 6 W.
T. 22 S., Rs. 5 and 6 W.
T. 23 S., Rs. 5 and 6 W.
T. 24 S., Rs. 5 and 6 W.
T. 25 S., Rs. 2 through 8 W.
T. 26 S., Rs. 3 through 8 W.
T. 27 S., Rs. 3 through 8 W.
T. 1 S., Rs. 3 and 4 E.
T. 2 S., Rs. 3 and 4 E.
T. 3 S., Rs. 3, 4, 27, 28, and 29 E.
T. 4 S., Rs. 3, 4, 24, 25, and 26 E.
T. 5 S., Rs. 3, 21 through 26, and 29 E.
T. 6 S., Rs. 19, 20, 24, 25, and 26 E.
T. 7 S., Rs. 1, 19, and 20 E.
T. 8 S., Rs. 1, 19, and 20 E.
T. 9 S., Rs. 1, 2, and 20 E.
T. 10 S., Rs. 1, 2, and 20 E.
T. 16 S., Rs. 22 through 30 E.
T. 17 S., Rs. 22 through 30 E.
T. 18 S., Rs. 22 through 30 E.
T. 19 S., Rs. 22 through 30 E.
T. 20 S., Rs. 22 through 27 E.
T. 21 S., Rs. 22 through 26 E.
T. 22 S., Rs. 22 through 25 E.
T. 23 S., Rs. 22 through 25 E.
T. 24 S., Rs. 22 through 25 E.

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 23 N., Rs. 51 through 54, 60, and 61 W.
T. 24 N., Rs. 45 through 54, 60, and 61 W.
T. 25 N., Rs. 39 through 54 W.
T. 26 N., Rs. 39 through 54 W.
T. 27 N., Rs. 39 through 55 W.
T. 29 N., Rs. 34 and 35 W.
T. 30 N., Rs. 34 and 35 W.

The area described aggregates 14,300,000 acres.

3. After each Village Corporation has exhausted its rights of selection under subsections 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional Corporation may select any of the remaining lands under section 12 of said Act.

4. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

5. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d) (1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 and paragraph 2 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

6. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3939 Filed 3-13-72;8:45 am]

[Public Land Order 5174]

ALASKA

Withdrawals for Selections by Village Corporations and Regional Corporation in Cook Inlet Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a)(3) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 696 (here-

inafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) for selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporations"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operations of the Cook Inlet Association (said corporation being referred to hereinafter as the "Regional Corporation"):

a. Tyonek:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 10 N., R. 16 W. (W. 1/2).
T. 10 N., Rs. 17 to 20 W.
T. 11 N., Rs. 17 to 20 W.
T. 12 N., Rs. 16 to 20 W.
T. 13 N., Rs. 16 to 20 W.
T. 14 N., Rs. 16 to 20 W.
T. 15 N., Rs. 15 to 20 W.
T. 16 N., Rs. 15 to 20 W.
T. 17 N., Rs. 15 to 20 W.
T. 18 N., Rs. 15 to 20 W.
T. 19 N., Rs. 15 to 18 W.
T. 20 N., Rs. 15 to 17 W.

The area described aggregates approximately 1,253,500 acres.

b. Eklutna:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 12 N., Rs. 4 and 5 E.
T. 13 N., Rs. 4 to 6 E.
T. 14 N., Rs. 4 to 7 E.
T. 15 N., Rs. 4 to 8 E.
T. 16 N., Rs. 4 to 10 E.
T. 17 N., Rs. 4 to 10 E.
T. 18 N., Rs. 4 to 10 E.
T. 19 N., Rs. 6 and 7 E.
T. 20 N., R. 3 E.
T. 21 N., Rs. 1 to 5 E.
T. 22 N., Rs. 1 to 4 E.
T. 23 N., R. 1 E.
T. 21 N., Rs. 1 and 2 W.
T. 22 N., Rs. 1 and 2 W.

The area described aggregates approximately 1,036,800 acres.

2. After each Village Corporation has exhausted its rights of selection under subsections 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional Corporation may select any of the remaining lands under section 12 of said Act.

3. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the

Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

4. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d) (1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

5. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C., section 4332(2)(C) is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3940 Filed 3-15-72;8:45 am]

[Public Land Order 5175]

ALASKA

Withdrawals for Selections by Village Corporations and Regional Corporation in Aleut League Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a)(3) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 696 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of Feb-

ruary 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) for selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporations"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operation of the Aleut League (said corporation being referred to hereinafter as the "Regional Corporation"):

a. Pauloff Harbor:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 55 S., R. 82 W.
T. 56 S., R. 81 W. (fractional).
T. 56 S., R. 82 W.
T. 56 S., R. 83 W. (fractional).
T. 58 S., R. 89 W. (fractional).
T. 59 S., R. 89 W.
T. 59 S., R. 90 W. (fractional).
T. 60 S., R. 89, 90 W. (fractional).
T. 60 S., R. 91 W. (fractional).
T. 57 S., R. 80 W. (island).
T. 58 S., R. 78 W. (island).
T. 59 S., R. 80 W. (island).

The area described aggregates approximately 207,360 acres.

b. Squaw Harbor:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 55 S., R. 77 W. (fractional).
T. 57 S., Rs. 66 and 68 W. (islands).
T. 58 S., Rs. 66 and 68 W. (islands).
T. 59 S., Rs. 66 to 68 W. (islands).
T. 60 S., Rs. 65 to 69 W. (islands).
T. 61 S., Rs. 65, 69, and 70 W. (islands).
T. 62 S., R. 70 W. (island).

The area described aggregates approximately 69,120 acres.

c. Sand Point:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 52 S., R. 66 W. (island).
T. 53 S., Rs. 66 and 67 W. (island).
T. 51 S., R. 69 W. (fractional).
T. 51 S., R. 70 W.
T. 51 S., R. 71 W. (fractional).
T. 52 S., Rs. 71 and 72 W. (fractional).
T. 53 S., R. 74 W., W $\frac{1}{2}$.
T. 53 S., Rs. 75 to 77 W.
T. 54 S., R. 74 W. (fractional).
T. 54 S., R. 75 W. (fractional).
T. 54 S., R. 76 W. (fractional).
T. 54 S., R. 77 W.

The area described aggregates approximately 207,360 acres.

d. Villages:

Akutan.
Atka.
Belkofsky.
Nikolski.
St. George.
St. Paul.
Unalaska.

All land in the Fox and Pribilof Island Group not withdrawn for the Aleutian Islands National Wildlife Refuge, containing approximately 2,150,000 acres.

2. After each Village Corporation has exhausted its rights of selection under subsections 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional

Corporation may select any of the remaining lands under section 12 of said Act.

3. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

4. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d) (1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 and paragraph 2 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

5. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3941 Filed 3-15-72; 8:45 am]

[Public Land Order 5176]

ALASKA

Withdrawals for Selections by Village Corporations and Regional Corporation in Chugach Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a)(3) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 696 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from

all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) For selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporations"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operation of the Chugach Native Association (said corporation being referred to hereinafter as the "Regional Corporation"):

a. English Bay:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 7 S., Rs. 7 and 8 W. (fractional).
T. 7 S., Rs. 9 and 10.
T. 8 S., Rs. 7 and 8 W. (fractional).
T. 8 S., Rs. 9 and 10.

The area described aggregates approximately 161,280 acres.

2. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for selection by said Regional Corporation under section 12 of said Act.

COPPER RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 7 S., Rs. 6 through 11 W.
T. 8 S., Rs. 4 and 8 through 11 W., north of Chugach National Forest.
T. 9 S., R. 2 W.
T. 10 S., Rs. 2, 3, and 4 W.
T. 10 S., R. 5 W., east of Chugach National Forest.
T. 11 S., Rs. 2 and 3 W.
T. 11 S., Rs. 4 and 5 W., east of Chugach National Forest.
T. 12 S., R. 1 W.
T. 12 S., Rs. 2 and 3 W., east of Chugach National Forest.
T. 13 S., R. 1 W., east of Chugach National Forest.
T. 14 S., R. 1 W., east of Chugach National Forest.
T. 13 S., R. 1 E.
T. 14 S., R. 1 E., east of Chugach National Forest.

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 S., Rs. 3, and 4 W.
T. 1 S., R. 5 W., east of Kenai National Moose Range.
T. 2 S., Rs. 2, 3, and 4 W.
T. 2 S., R. 5 W., east of Kenai National Moose Range.
T. 3 S., Rs. 2 and 3 W. (fractional).
T. 3 S., R. 4 W.

T. 3 S., R. 5 W., east of Kenai National Moose Range.
 T. 4 S., Rs. 2, 3, and 4 W. (fractional).
 T. 4 S., R. 5 W., east of Kenai National Moose Range.
 T. 5 S., Rs. 2, 3, and 4 W. (fractional).
 T. 5 S., R. 5 W., east of Kenai National Moose Range.
 T. 6 S., Rs. 2, 3, 4, 5, 8, 9, and 10 W. (fractional).
 T. 6 S., Rs. 6 and 7 W. (fractional), south of Kenai National Moose Range.
 T. 7 S., Rs. 5 and 6 W. (fractional).
 T. 8 S., R. 6 W. (fractional).
 T. 9 S., Rs. 6 and 7 W. (fractional).
 T. 10 S., Rs. 6 and 7 W. (fractional).

The area described aggregates approximately 1,100,000 acres.

3. After each Village Corporation has exhausted its rights of selection under subsection 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional Corporation may select any of the remaining lands under section 12 of said Act.

4. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

5. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d) (1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 and paragraph 2 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

6. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
 Secretary of the Interior.

MARCH 9, 1972.

[FR Doc. 72-3942 Filed 3-15-72; 8:45 am]

[Public Land Order 5177]

ALASKA

Withdrawals for Selections by Village Corporations and Regional Corporation in Kodiak Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a)(3) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 696 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved: (a) For selection under section 12 of said Act by the corporations established pursuant to section 8 of said Act for the villages named below (hereinafter called "Village Corporation"); and (b) for reallocation to Village Corporations under section 12(b) of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operation of the Kodiak Area Native Association (said corporation being referred to hereinafter as the "Regional Corporation"):

a. Akhiok:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 27 S., R. 45 W. (fractional).
 T. 28 S., Rs. 43 to 45 W. (fractional).
 T. 29 S., R. 42 W. (fractional).
 T. 29 S., Rs. 43 to 45 W.
 T. 30 S., R. 42 W. (fractional).
 T. 30 S., Rs. 43 to 45 W.
 T. 31 S., Rs. 42 and 43 W. (fractional).
 T. 31 S., Rs. 44 and 45 W.
 T. 32 S., R. 44 W. (fractional).
 T. 32 S., R. 45 W.
 T. 33 S., Rs. 44 and 45 W. (fractional).

The area described aggregates approximately 414,720 acres.

b. Larsen Bay:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 26 S., Rs. 40 to 42 W. (fractional).
 T. 27 S., R. 40 W.
 T. 28 S., R. 40 W.
 T. 28 S., R. 41 W. (fractional).
 T. 29 S., Rs. 40 and 41 W.
 T. 30 S., Rs. 40 and 41 W. (fractional).
 T. 31 S., Rs. 40 and 41 W. (fractional).

The area described aggregates approximately 184,320 acres.

c. Old Harbor:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 26 S., R. 39 W.
 T. 27 S., R. 39 W.
 T. 28 S., R. 39 W. (fractional).
 T. 29 S., R. 39 W. (fractional).

The area described aggregates approximately 92,160 acres.

d. Ouzinkie:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 26 S., R. 38 W.
 T. 27 S., R. 38 W.
 T. 28 S., Rs. 37 and 38 W. (fractional).

The area described aggregates approximately 69,120 acres.

2. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for selection by said Regional Corporation under section 12 of said Act:

Kodiak:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 27 S., R. 45 W. (fractional).
 T. 28 S., R. 45 W.
 T. 29 S., R. 46 W.

The area described aggregates approximately 57,000 acres.

3. After each Village Corporation has exhausted its rights of selection under subsections 12(a) and 12(b) of said Act in the area withdrawn in its behalf in paragraph 1 of this order, said Regional Corporation may select any of the remaining lands under section 12 of said Act.

4. Prior to the conveyance of any of the lands withdrawn by this order to any Village Corporation or said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

5. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d) (1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 and paragraph 2 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by corporations formed pursuant to section 7 or section 8 of said

Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

6. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3943 Filed 3-15-72;8:46 am]

[Public Land Order 5178]

ALASKA

Withdrawals for Selections by Regional Corporation in Copper River Region and for Classification for Lands in Withdrawals

By virtue of the authority vested in the Secretary of the Interior in section 11(a) (3) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 696 (hereinafter called the "Act") it is ordered as follows:

1. Subject to valid existing rights and prior appropriations, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for selection under section 12 of said Act by the corporation established pursuant to section 7 of said Act as the Regional Corporation for the approximate area covered by the operation of the Copper River Native Association (said corporation being referred to hereinafter as the "Regional Corporation"):

COPPER RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 4 through 8 E.
T. 2 N., Rs. 4 through 8 E.
T. 3 N., Rs. 4 through 8 E.
T. 4 N., Rs. 4 through 9 E.
T. 5 N., Rs. 4 through 9 E.
T. 6 N., Rs. 4 through 9 E.
T. 7 N., Rs. 7 through 17 E.
T. 8 N., Rs. 7 through 17 E.
T. 9 N., Rs. 1, 11 through 17 E.
T. 10 N., Rs. 1, 11, 15, and 16 E.
T. 10 N., Rs. 12, 13 and 14 E.; that portion south of Tetlin Indian Reserve.
T. 11 N., R. 1 E.
T. 12 N., Rs. 1 through 5 E.
T. 13 N., Rs. 1 through 5 E.
T. 14 N., Rs. 5 and 6 E.
T. 14 N., Rs. 1 through 4 E. (fractional).
T. 15 N., Rs. 5 and 6 E.
T. 1 N., Rs. 3 through 11 W.
T. 2 N., Rs. 3, 4, 10 and 11 W.
T. 7 N., Rs. 9 and 10 W.
T. 8 N., Rs. 9 and 10 W.
T. 9 N., Rs. 9 and 10 W.

T. 10 N., Rs. 9 and 10 W.
T. 11 N., R. 9 W.
T. 12 N., Rs. 3 through 8 W.
T. 13 N., Rs. 3 through 8 W.
T. 14 N., Rs. 3 through 7 W. (fractional).
T. 1 S., Rs. 3 through 11 W.
T. 2 S., Rs. 1 through 11 W.
T. 3 S., Rs. 1 through 11 W.
T. 4 S., Rs. 1 through 11 W.
T. 5 S., Rs. 1 through 11 W.
T. 6 S., Rs. 2 through 9 W.
T. 7 S., Rs. 2 through 5 W.
T. 1 S., Rs. 4 through 8 E.
T. 2 S., R. 8 E.
T. 3 S., Rs. 8 and 9 E.
T. 4 S., Rs. 8, 9, and 10 E.
T. 5 S., Rs. 8, 9, and 10 E.
T. 6 S., Rs. 8, 9, and 10 E.

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 15 N., R. 11 and 12 E.
T. 16 N., R. 11 and 12 E.
T. 17 N., R. 11 and 12 E.
T. 18 N., R. 11 and 12 E.
T. 19 N., R. 11 and 13 E.
T. 20 N., Rs. 11 and 12 E.
T. 21 N., Rs. 11 and 12 E.
T. 22 N., Rs. 11 and 12 E.
T. 26 N., R. 12 E.
T. 27 N., R. 12 E.
T. 28 N., R. 12 E.

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 21 S., Rs. 14, 15, and 16 E.
T. 22 S., Rs. 6, 7, 8, 10, 11, 14, 15, and 16 E.

The area described aggregates approximately 5,200,000 acres.

2. Prior to the conveyance of any of the lands withdrawn by this order to said Regional Corporation, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

3. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(1) of said Act, it is ordered as follows:

Subject to valid existing rights, the lands described in paragraph 1 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection pursuant to section 12 of said Act by the corporation formed pursuant to section 7 of said Act, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

4. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3944 Filed 3-15-72;8:46 am]

[Public Land Order 5179]

ALASKA

Withdrawal of Lands in Aid of Legislation Concerning Addition to or Creation of Units of the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems and for Classification

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(2)(A) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 709, it is ordered as follows:

1. Subject to valid existing rights, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selection by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and from selection by Regional Corporations under section 12 of the Alaska Native Claims Settlement Act, supra, and are hereby reserved for study and for possible recommendations to the Congress as additions to or creation as units of the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems:

KATEEL RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 5 through 17 E.
T. 2 N., Rs. 5 through 9, and 15 through 22 E.
T. 3 N., Rs. 5 through 9, and 15 through 22 E.
T. 4 N., Rs. 4 through 9, and 15 through 22 E.
T. 5 N., Rs. 4 through 9, and 14 through 23 E.
T. 6 N., Rs. 4 through 9, and 14 through 17 E.
T. 7 N., Rs. 4, 5, 16, and 17 E.
T. 15 N., Rs. 15 through 20 E.
T. 16 N., Rs. 15 through 20 E.
T. 17 N., Rs. 14 through 20 E.
T. 18 N., Rs. 1, 2, 15, and 19 through 26 E.
T. 18 N., R. 27 E. (fractional).
T. 19 N., Rs. 1, 2, and 19 through 26 E.
T. 19 N., R. 27 E. (fractional).
T. 20 N., Rs. 1, 2, and 19 through 26 E.
T. 20 N., R. 27 E. (fractional).
T. 21 N., Rs. 1, 2, 11, and 19 through 26 E.

T. 22 N., Rs. 1, 2, and 11 through 26 E.
 T. 23 N., Rs. 1 through 26 E.
 T. 24 N., Rs. 1 through 26 E.
 T. 25 N., Rs. 1 through 25 E.
 T. 25 N., R. 26 E. (fractional).
 T. 26 N., Rs. 1 through 25 E.
 T. 26 N., R. 26 E. (fractional).
 T. 27 N., Rs. 1 through 25 E.
 T. 27 N., R. 26 E. (fractional).
 T. 28 N., Rs. 1 through 25 E.
 T. 28 N., R. 26 E. (fractional).
 T. 29 N., Rs. 1 through 12 and 14 through 25 E.
 T. 29 N., R. 26 E. (fractional).
 T. 29 N., R. 13 E., south of Naval Petroleum Reserve No. 4.
 T. 30 N., Rs. 1 through 12 and 14 through 25 E.
 T. 30 N., R. 26 E. (fractional).
 T. 30 N., R. 13 E., south of Naval Petroleum Reserve No. 4.
 T. 31 N., Rs. 1 through 10 and 14 through 25 E.
 T. 31 N., R. 26 E. (fractional).
 T. 31 N., Rs. 11 and 12 E., south of Naval Petroleum Reserve No. 4.
 T. 32 N., Rs. 1 through 8 and 14 through 25 E.
 T. 32 N., R. 26 E. (fractional).
 T. 32 N., Rs. 9 through 11 E., all south of Naval Petroleum Reserve No. 4.
 T. 33 N., Rs. 1 through 4 and 14 through 24 E.
 T. 33 N., R. 25 E. (fractional).
 T. 33 N., Rs. 5 through 9 E., all south of Naval Petroleum Reserve No. 4.
 T. 33 N., R. 13 E., east of Naval Petroleum Reserve No. 4.
 T. 34 N., Rs. 1, 2, and 14 through 25 E., all fractional.
 T. 34 N., Rs. 3 through 5 E., south of Naval Petroleum Reserve No. 4.
 T. 34 N., R. 13 E., east of Naval Petroleum Reserve No. 4.
 T. 1 N., Rs. 21 through 25 W.
 T. 2 N., Rs. 21 through 25 W.
 T. 3 N., Rs. 21, 22, and 36 through 38 W.
 T. 4 N., Rs. 36 through 38 W.
 T. 5 N., Rs. 36 through 38 W.
 T. 6 N., Rs. 36 through 38 W.
 T. 6 N., Rs. 39 and 40 W. (fractional).
 T. 7 N., Rs. 22 through 37 W.
 T. 7 N., Rs. 38 through 40 W. (fractional).
 T. 8 N., Rs. 26 through 32 W.
 T. 8 N., Rs. 22 through 25, 33, and 38 W. (all fractional).
 T. 9 N., Rs. 27 through 32 W.
 T. 9 N., Rs. 14, 25, and 26 W. (all fractional).
 T. 10 N., Rs. 26 through 32 W.
 T. 10 N., Rs. 11 through 14, 24, and 25 W. (all fractional).
 T. 11 N., Rs. 25 through 29 W.
 T. 11 N., Rs. 11 through 13, 24, and 30 through 32 W. (all fractional).
 T. 12 N., Rs. 9 through 12 and 25 through 28 W.
 T. 12 N., Rs. 13, 24, and 29 W. (all fractional).
 T. 13 N., Rs. 9 through 13 and 25 through 27 W.
 T. 13 N., Rs. 14, 24, and 28 W. (all fractional).
 T. 14 N., Rs. 9 through 13 W.
 T. 14 N., Rs. 14, 15, and 23 through 28 W. (all fractional).
 T. 15 N., Rs. 9 and 14 W.
 T. 15 N., R. 15 W. (fractional).
 T. 16 N., R. 14 W.
 T. 16 N., R. 15 W. (all fractional).
 T. 17 N., R. 4 W.
 T. 17 N., R. 14 W. (fractional).
 T. 18 N., Rs. 1 through 4 W.
 T. 18 N., R. 14 W. (fractional).
 T. 19 N., Rs. 1 through 4 W.
 T. 19 N., Rs. 14, 15, 21, and 22 W. (all fractional).
 T. 20 N., Rs. 1 through 4, 10 through 15, and 21 W.
 T. 20 N., Rs. 22 and 23 W. (fractional).

T. 21 N., Rs. 1 through 21 W.
 T. 21 N., Rs. 22 and 23 W. (all fractional).
 T. 22 N., Rs. 1 through 21 W.
 T. 23 N., Rs. 1 through 17 W.
 T. 24 N., Rs. 1 through 17 W.
 T. 25 N., Rs. 1 through 16 W.
 T. 26 N., Rs. 1 through 16 W.
 T. 27 N., Rs. 1 through 16 W.
 T. 28 N., Rs. 1 through 21 W.
 T. 29 N., Rs. 1 through 20 W.
 T. 30 N., Rs. 1 through 19 W.
 T. 31 N., Rs. 1 through 17 W.
 T. 31 N., Rs. 30 and 31 W. (fractional).
 T. 32 N., Rs. 1 through 16, 30, and 31 W.
 T. 32 N., R. 32 W. (fractional).
 T. 33 N., Rs. 1 through 16 W.
 T. 34 N., Rs. 1 through 16 W. (all fractional).
 T. 1 S., Rs. 22 through 24 W.
 T. 5 S., Rs. 34 through 39 W.
 T. 5 S., Rs. 40 W. (fractional).
 T. 6 S., Rs. 35 through 38 W.
 T. 6 S., Rs. 39 and 40 W. (fractional).
 T. 7 S., Rs. 21, 26 through 29, and 31 through 37 W.
 T. 7 S., Rs. 38 and 39 W. (fractional).
 T. 8 S., Rs. 21, 26 through 29, and 31 through 37 W.
 T. 8 S., Rs. 38 and 39 W. (fractional).
 T. 9 S., Rs. 21, 31, 37, and 38 W.
 T. 9 S., Rs. 39 W. (fractional).
 T. 10 S., Rs. 21 and 31 W.
 T. 10 S., Rs. 37 through 39 W. (fractional).
 T. 11 S., Rs. 31 W.
 T. 11 S., Rs. 21, 29, and 30 W. (fractional).
 T. 12 S., Rs. 21 through 23, 30, and 31 W. (all fractional).
 T. 13 S., Rs. 20 and 21 W. (fractional).
 T. 18 S., Rs. 1 and 2 W.
 T. 19 S., Rs. 1 and 2 W.
 T. 21 S., Rs. 1, 10, and 11 W.
 T. 21 S., Rs. 12 W. (fractional).
 T. 22 S., Rs. 1 through 4 and 11 W.
 T. 22 S., Rs. 12 and 13 W. (fractional).
 T. 23 S., Rs. 1 through 4 and 12 W.
 T. 23 S., Rs. 13 through 15 W. (all fractional).
 T. 24 S., Rs. 1 through 4 and 13 through 15 W.
 T. 25 S., R. 1 W.
 T. 26 S., Rs. 1, 2, 19, and 20 W.
 T. 26 S., Rs. 21 and 22 W. (fractional).
 T. 27 S., Rs. 1, 2, and 19 through 21 W.
 T. 27 S., R. 22 W. (fractional).
 T. 28 S., Rs. 1 through 4 and 19 through 22 W.
 T. 1 S., Rs. 5 through 17 E.
 T. 2 S., Rs. 5 through 13 E.
 T. 3 S., Rs. 5 through 13 E.
 T. 4 S., Rs. 5 through 13, 27, and 28 E.
 T. 5 S., Rs. 9 through 13, 27, and 28 E.
 T. 5 S., R. 29 E. (fractional).
 T. 6 S., Rs. 9 through 18, 20 through 22, 27, and 28 E.
 T. 6 S., R. 29 E. (fractional).
 T. 7 S., Rs. 12 through 14 and 21 through 28 E.
 T. 7 S., R. 29 E. (fractional).
 T. 8 S., Rs. 12 through 14 and 21 through 28 E.
 T. 8 S., R. 29 E. (fractional).
 T. 9 S., Rs. 13, 14, and 21 through 25 E.
 T. 10 S., Rs. 7, 13, 14, and 21 through 25 E.
 T. 11 S., Rs. 3 through 7 and 21 through 25 E.
 T. 12 S., Rs. 3 through 7 and 21 through 25 E.
 T. 13 S., Rs. 4 through 7 E.
 T. 16 S., Rs. 1 and 2 E.
 T. 17 S., Rs. 1 and 2 E.
 T. 18 S., Rs. 1 through 8 E.
 T. 19 S., Rs. 1 through 8 E.
 T. 20 S., Rs. 1 through 12, 28, and 29 E.
 T. 20 S., R. 30 E. (fractional).
 T. 21 S., Rs. 1 through 12 and 27 through 29 E.
 T. 21 S., R. 30 E. (fractional).
 T. 22 S., Rs. 1 through 12 and 26 E.
 T. 23 S., Rs. 1 through 9 and 26 E.
 T. 24 S., Rs. 1 through 9 and 26 E.
 T. 25 S., Rs. 1 through 9 and 25 through 27 E.
 T. 26 S., Rs. 1 through 9 and 25 through 27 E.

T. 27 S., Rs. 1 through 8 and 25 through 27 E.
 T. 27 S., R. 31 E. (fractional).
 T. 28 S., Rs. 1 through 8 and 27 E.
 T. 28 S., R. 31 E. (fractional).

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

T. 4 S., Rs. 19 through 21 E.
 T. 5 S., Rs. 19 through 21 E.
 T. 5 S., R. 22 E., W $\frac{1}{2}$.
 T. 6 S., Rs. 19 through 24 E.
 T. 6 S., R. 25 E., W $\frac{1}{2}$.
 T. 7 S., Rs. 19 through 24 E.
 T. 7 S., R. 25 E., W $\frac{1}{2}$.
 T. 8 S., Rs. 19 through 25 E.
 T. 8 S., R. 26 E., S $\frac{1}{2}$.
 T. 8 S., R. 27 E., SW $\frac{1}{4}$.
 T. 9 S., Rs. 19 through 29 E.
 T. 10 S., Rs. 19 through 27 E.
 T. 11 S., Rs. 19 through 25 E.
 T. 12 S., Rs. 4 through 10 and 19 through 23 E.
 T. 13 S., Rs. 5 through 10 and 19 through 21 E.
 T. 14 S., Rs. 5 through 10, 39 through 48 E., all south of the Arctic National Wildlife Range.
 T. 15 S., Rs. 5 through 10 and 40 through 47 E.
 T. 15 S., Rs. 39 and 48 E., south of the Arctic National Wildlife Range.
 T. 16 S., Rs. 40 through 47 E.
 T. 16 S., R. 39 E., south of the Arctic National Wildlife Refuge.
 T. 16 S., R. 48 E. (fractional).
 T. 1 S., R. 2 W., south of Naval Petroleum Reserve No. 4.
 T. 1 S., R. 46 W.
 T. 1 S., R. 47 W. (fractional).
 T. 2 S., R. 2 and 46 W.
 T. 2 S., R. 3 and 4 W., south of Naval Petroleum Reserve No. 4.
 T. 2 S., R. 47 W. (fractional).
 T. 3 S., Rs. 2 through 4 W.
 T. 3 S., Rs. 5 and 6 W., south of Naval Petroleum Reserve No. 4.
 T. 4 S., Rs. 2 through 5 W.
 T. 4 S., Rs. 6, 7, and 10 through 15 W., south of Naval Petroleum Reserve No. 4.
 T. 5 S., Rs. 4 through 7 and 11 through 14 W.
 T. 5 S., Rs. 8 through 10, 15, and 16 W., all south of Naval Petroleum Reserve No. 4.
 T. 6 S., Rs. 4 through 15 W.
 T. 6 S., R. 16 W., east of Naval Petroleum Reserve No. 4.
 T. 6 S., R. 60 W. (fractional).
 T. 7 S., Rs. 4 through 15 W.
 T. 7 S., R. 16 W., east of Naval Petroleum Reserve No. 4.
 T. 7 S., Rs. 59 and 60 W. (fractional).
 T. 8 S., Rs. 5 through 15 and 59 W.
 T. 8 S., R. 16 W., east of Naval Petroleum Reserve No. 4.
 T. 8 S., R. 60 W. (fractional).
 T. 9 S., Rs. 5 through 16 W.
 T. 9 S., Rs. 32 through 34 W., all south of Naval Petroleum Reserve No. 4.
 T. 10 S., Rs. 3 through 16 and 33 W.
 T. 10 S., Rs. 30 through 32 and 34 through 39 W., all south of Naval Petroleum Reserve No. 4.
 T. 11 S., Rs. 3 through 16 and 31 through 43 W.
 T. 11 S., Rs. 23 through 30 W., all south of Naval Petroleum Reserve No. 4.
 T. 12 S., Rs. 5 through 16 and 29 through 44 W. (all fractional).
 T. 12 S., Rs. 27 and 28 W., south of Naval Petroleum Reserve No. 4.
 T. 13 S., R. 5 W. (fractional).
 T. 14 S., R. 5 W. (fractional).
 T. 15 S., R. 5 W. (fractional).
 T. 16 S., Rs. 2 through 4 W.
 T. 16 S., R. 5 W. (fractional).
 T. 17 S., Rs. 1 through 4 W.

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 3, 4, and 5 E.
 T. 1 N., R. 2 E., east of Kenai National Moose Range, Chugach National Forest.
 T. 2 N., Rs. 3, 4, and 5 E.
 T. 2 N., R. 2 E., east of Kenai National Moose Range, Chugach National Forest.
 T. 3 N., Rs. 4 and 5 E.
 T. 3 N., R. 3 E., east of Kenai National Moose Range, Chugach National Forest.
 T. 4 N., Rs. 3 and 4 E., east of Kenai National Moose Range, Chugach National Forest.
 T. 4 N., R. 5 E. (fractional).
 T. 5 N., Rs. 4 and 5. (fractional) south of Kenai National Moose Range, Chugach National Forest.
 T. 1 N., R. 2 W.
 T. 1 N., Rs. 1, 3, and 4 W., outside of Kenai National Moose Range, Chugach National Forest.
 T. 1 N., Rs. 2 through 29, 34, 35, 58, and 67 through 70 W.
 T. 1 N., Rs. 20, 21, and 22 W. (fractional).
 T. 2 N., Rs. 1, 2, and 3, W., south of Kenai National Moose Range, Chugach National Forest.
 T. 2 N., Rs. 23 through 35, 58, and 67 through 70 W.
 T. 2 N., Rs. 18 through 22 W. (fractional).
 T. 3 N., Rs. 19 through 35 and 67 through 70 W.
 T. 3 N., R. 18 W. (fractional).
 T. 4 N., Rs. 19 through 33, 67, and 68 W.
 T. 5 N., R. 18 W., E $\frac{1}{2}$.
 T. 5 N., Rs. 19 through 29, 66, and 67 W.
 T. 6 N., Rs. 19 through 29 and 66 W.
 T. 7 N., Rs. 19 through 28 and 66 W.
 T. 8 N., R. 19 W., S $\frac{1}{2}$.
 T. 8 N., Rs. 20 through 28 W.
 T. 9 N., R. 17 W., N $\frac{1}{2}$.
 T. 9 N., Rs. 18 through 27 W.
 T. 10 N., Rs. 21 through 27 W.
 T. 11 N., Rs. 21 through 27 and 61 through 63 W.
 T. 12 N., Rs. 21 through 26, 61, 62, 63, and 72 through 77 W.
 T. 13 N., Rs. 21 through 26, 60 through 63, and 68 through 77 W.
 T. 14 N., Rs. 21 through 24, 60 through 63, and 68 through 77 W.
 T. 15 N., Rs. 21, 22, 23, 64 through 67, and 72 through 77 W.
 T. 16 N., Rs. 21, 22, 23, 64 through 67, and 72 through 83 W.
 T. 17 N., Rs. 64, 65, 66, and 72 through 82 W.
 T. 18 N., Rs. 64 and 72 through 82 W.
 T. 19 N., Rs. 64 and 77 through 84 W.
 T. 20 N., Rs. 60 through 64 and 79 through 84 W.
 T. 21 N., Rs. 37, 59 through 64, 81, and 82 W.
 T. 22 N., Rs. 37, 60 through 64, 81, and 82 W.
 T. 23 N., Rs. 37, 38, 39, 62 through 67, and 81 through 85 W.
 T. 24 N., Rs. 37, 38, 39, 62 through 73, and 81 through 85 W.
 T. 25 N., Rs. 9 through 19, 36, 37, 38, 69 through 76, and 81 through 84 W.
 T. 26 N., Rs. 9 through 19, 36, 37, 38, and 69 through 81 W.
 T. 27 N., Rs. 9 through 19, 36, 37, 38, and 69 through 81 W.
 T. 28 N., Rs. 9 through 19, 35, 36, 37, and 69 through 81 W.
 T. 29 N., Rs. 7 through 18 and 68 through 77 W.
 T. 30 N., Rs. 6 through 18 and 68 through 75 W.
 T. 31 N., Rs. 6 through 17, 44 through 52, and 68 through 74 W.
 T. 32 N., Rs. 5 through 11, 15, 16, 44 through 52, and 68 through 73 W.
 T. 32 N., Rs. 12 through 14 W., south of Mount McKinley National Park.
 T. 33 N., Rs. 43 through 53 and 67 through 72 W.

T. 33 N., Rs. 5 through 10, 15, and 16 W.
 T. 33 N., Rs. 11, 12, and 14 W., south of Mount McKinley National Park.
 T. 34 N., Rs. 43 through 54 and 67 through 72 W. (all fractional).
 T. 1 S., Rs. 2, 3, 21 through 29, 35, 36, 59 through 63, and 68 through 71 W.
 T. 1 S., Rs. 19 and 20 W. (fractional).
 T. 1 S., R. 4 W., south of Kenai National Moose Range, Chugach National Forest.
 T. 2 S., Rs. 2, 3, 21 through 25, 35, 36, 59 through 63, and 68 through 74 W.
 T. 2 S., Rs. 20 and 75 W. (fractional).
 T. 2 S., R. 4 W., south of Kenai National Moose Range, Chugach National Forest.
 T. 3 S., Rs. 4, 24, 25, 35, 36, 59 through 63, and 68 through 71 W.
 T. 3 S., Rs. 2, 3, and 20 through 23 W. (fractional).
 T. 3 S., R. 5 W., south of Kenai National Moose Range, Chugach National Forest.
 T. 4 S., Rs. 4, 24, 25, 35, 36, 59 through 63, and 68 through 71 W.
 T. 4 S., Rs. 2, 3, 22, and 23 W. (fractional).
 T. 4 S., Rs. 5, 8, and 9 W., south of Kenai National Moose Range, Chugach National Forest.
 T. 5 S., Rs. 5, 26, 36 through 42, 59 through 66, and 69 through 71 W.
 T. 5 S., Rs. 1 through 4 and 22 through 25 W. (fractional).
 T. 5 S., Rs. 5, 7, and 8 W., south of Kenai National Moose Range, Chugach National Forest.
 T. 6 S., Rs. 8 through 10, 39 through 42, 59 through 66, and 69 through 71 W.
 T. 6 S., Rs. 2 through 5, 22 through 26, 36, 37, and 38 W. (fractional).
 T. 6 S., Rs. 6 and 7 W., south of Kenai National Moose Range, Chugach National Forest.
 T. 7 S., Rs. 9, 10, 27, 28, 29, 40, 41, 42, 59 through 66, and 69 through 71 W.
 T. 7 S., Rs. 5 through 8, 25, 26, 38, and 39 W. (fractional).
 T. 8 S., Rs. 9, 10, 27, 28, 29, 41, 42, and 59 through 71 W.
 T. 8 S., Rs. 5 through 8 and 26 W. (fractional).
 T. 9 S., Rs. 30, 42, and 59 through 72 W.
 T. 9 S., Rs. 6, 7, 27 through 29, 35, and 36 W. (fractional).
 T. 10 S., Rs. 30, 35, 36, 42, and 59 through 70 W.
 T. 10 S., Rs. 6, 7, 28, and 29 W. (fractional).
 T. 11 S., Rs. 30 through 36, 42, 59 through 63, 69, and 70 W.
 T. 11 S., R. 29 W. (fractional).
 T. 12 S., Rs. 31 through 36, 42, 61, 62, 63, 69, and 70 W.
 T. 13 S., Rs. 33 through 43 W.
 T. 14 S., Rs. 16, 17, and 18 W. (fractional).
 T. 14 S., R. 27 W., west of Katmai National Monument.
 T. 14 S., Rs. 28 through 31 and 33 through 43 W.
 T. 15 S., Rs. 29 through 36, 42, 43, and 44 W.
 T. 15 S., Rs. 16, 17, and 18 W. (fractional).
 T. 15 S., Rs. 27, 28, and 37 through 41 W., north of Katmai National Monument.
 T. 16 S., Rs. 30 through 34 and 44 W.
 T. 16 S., Rs. 35, 36, 37, and 41 thru 43 W., north of Katmai National Monument.
 T. 17 S., R. 44 W.
 T. 17 S., Rs. 31 through 35 W., north of Katmai National Monument.
 T. 18 S., R. 43 W., west of Katmai National Monument.
 T. 18 S., R. 44 W.
 T. 19 S., Rs. 43 and 44 W.
 T. 19 S., R. 42 W., west of Katmai National Monument.
 T. 20 S., Rs. 41 and 42 W., west of Katmai National Monument.
 T. 21 S., R. 43 W.
 T. 21 S., Rs. 41 and 42 W., west of Katmai National Monument.
 T. 22 S., Rs. 41 and 42 W., west of Katmai National Monument.

T. 23 S., Rs. 41 and 42 W., west of Katmai National Monument.
 T. 24 S., Rs. 40 and 41 W., west of Katmai National Monument.
 T. 25 S., Rs. 37 through 40 W., south of Katmai National Monument.
 T. 26 S., Rs. 36 and 37 W., west of Katmai National Monument.
 T. 27 S., R. 37 W. (fractional).
 T. 27 S., Rs. 35 and 36 W. (fractional) west of Katmai National Monument.
 T. 37 S., Rs. 55 and 56 W.
 T. 38 S., Rs. 52 through 56 W.
 T. 39 S., Rs. 53 through 56 W.
 T. 39 S., Rs. 51 and 52 W. (fractional).
 T. 40 S., Rs. 52 and 53 W. (fractional).
 T. 41 S., Rs. 51, 52, 53, and 54 W. (fractional).
 T. 44 S., Rs. 63 and 64 W.
 T. 45 S., Rs. 64, 65, and 66 W.
 T. 46 S., Rs. 64, 65, 66, and 67 W.
 T. 47 S., R. 68 W.
 T. 48 S., Rs. 68 and 69 W.
 T. 49 S., R. 69 W.
 T. 50 S., R. 70 W.
 T. 50 S., Rs. 69, 71, and 72 W. (fractional).
 T. 56 S., R. 72 W.
 T. 57 S., Rs. 68 and 69 W. (fractional).
 T. 60 S., R. 68 W. (islands).
 T. 61 S., Rs. 65, 67, 68, and 69 W. (islands).
 T. 62 S., Rs. 67, 68, and 69 W. (islands).
 T. 1 S., Rs. 4 and 5 E.
 T. 1 S., R. 2 E., E $\frac{1}{2}$.

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 18 through 24 E.
 T. 2 N., Rs. 18 through 24 E.
 T. 3 N., Rs. 19 through 25 E.
 T. 4 N., Rs. 20 through 25 E.
 T. 5 N., Rs. 22 through 30 E.
 T. 6 N., Rs. 20 through 28 E.
 T. 7 N., Rs. 19 through 28 E.
 T. 8 N., Rs. 18 through 20 E.
 T. 9 N., Rs. 17 through 19 E.
 T. 12 N., Rs. 6 through 15 E.
 T. 13 N., Rs. 1 through 15 E.
 T. 14 N., Rs. 1 through 15 E.
 T. 15 N., Rs. 1 through 7 E.
 T. 15 N., Rs. 12 through 26 E.
 T. 16 N., Rs. 5 through 7 E.
 T. 16 N., Rs. 12 through 26 E.
 T. 17 N., Rs. 5 and 6 E.
 T. 17 N., Rs. 12 through 26 E.
 T. 18 N., Rs. 5 and 6 E.
 T. 18 N., Rs. 15 through 26 E.
 T. 19 N., Rs. 5 and 6 E.
 T. 19 N., Rs. 15 and 16 E.
 T. 19 N., Rs. 21 through 26 E.
 T. 20 N., Rs. 5 through 7 E.
 T. 20 N., Rs. 8 and 9 E. (fractional), south of Venetie Indian Reservation.
 T. 20 N., Rs. 15 and 16 E.
 T. 20 N., Rs. 21 through 26 E.
 T. 21 N., Rs. 1 through 7 E.
 T. 21 N., R. 8 E. (fractional), west of Venetie Indian Reservation.
 T. 21 N., R. 9 E. (fractional), west of Venetie Indian Reservation.
 T. 21 N., Rs. 14 and 15 E.
 T. 21 N., Rs. 21 through 26 E.
 T. 22 N., Rs. 1 through 7 E.
 T. 22 N., R. 8 E. (fractional), west of Venetie Indian Reservation.
 T. 22 N., Rs. 14 and 15 E.
 T. 22 N., Rs. 21 through 26 E.
 T. 23 N., Rs. 1 through 4 E.
 T. 23 N., R. 10 E. (fractional), east of Venetie Indian Reservation.
 T. 23 N., Rs. 11 through 15 E.
 T. 23 N., Rs. 21 through 26 E.
 T. 24 N., Rs. 1 through 4 E.
 T. 24 N., R. 10 E. (fractional), east of Venetie Indian Reservation.
 T. 24 N., Rs. 11 through 26 E.
 T. 25 N., Rs. 1 through 3 E.
 T. 25 N., R. 10 E. (fractional), east of Venetie Indian Reservation.

T. 25 N., Rs. 11 through 22 E.
 T. 26 N., R. 1 E.
 T. 26 N., R. 2 E. (fractional), southwest of Venetie Indian Reservation.
 T. 26 N., R. 3 E. (fractional), southwest of Venetie Indian Reservation.
 T. 26 N., R. 10 E. (fractional), east of Venetie Indian Reservation.
 T. 26 N., Rs. 11 through 22 E.
 T. 27 N., R. 1 E.
 T. 27 N., R. 2 E. (fractional), west of Venetie Indian Reservation.
 T. 27 N., R. 11 E. (fractional), east of Venetie Indian Reservation.
 T. 27 N., Rs. 12 through 22 E.
 T. 27 N., R. 28 E.
 T. 28 N., R. 11 E. (fractional), southeast of Venetie Indian Reservation.
 T. 28 N., Rs. 12 through 22 E.
 T. 28 N., R. 28 E.
 T. 29 N., Rs. 17 through 22 E.
 T. 29 N., Rs. 27 through 30 E.
 T. 30 N., Rs. 17 through 30 E.
 T. 31 N., Rs. 17 through 30 E.
 T. 32 N., Rs. 17 through 30 E.
 T. 36 N., Rs. 27 through 29 E., N $\frac{1}{2}$ of townships.
 T. 37 N., Rs. 20 through 29 E. (all fractional townships).

T. 1 N., Rs. 18 through 26 W.
 T. 1 N., R. 27 W. (fractional township).
 T. 2 N., R. 18 W.
 T. 3 N., R. 18 W.
 T. 4 N., R. 18 W.
 T. 10 N., Rs. 5 and 6 W.
 T. 11 N., Rs. 5, 6, and 7 W.
 T. 12 N., R. 5 W.
 T. 13 N., Rs. 1 through 4 W.
 T. 14 N., Rs. 1 through 4 W.
 T. 14 N., R. 10 W.
 T. 15 N., Rs. 1 through 4 W.
 T. 15 N., R. 10 W.
 T. 16 N., Rs. 2 through 4 W.
 T. 16 N., R. 10 W.
 T. 16 N., Rs. 15 through 20 W.
 T. 17 N., Rs. 2 through 11 W.
 T. 17 N., Rs. 16 through 21 W.
 T. 18 N., Rs. 2 through 11 W.
 T. 18 N., Rs. 16 through 21 W.
 T. 19 N., Rs. 2 through 9 W.
 T. 19 N., Rs. 17 through 21 W.
 T. 20 N., Rs. 2 through 6 W.
 T. 20 N., Rs. 17 through 21 W.
 T. 21 N., Rs. 1 through 6 W.
 T. 21 N., Rs. 17 through 21 W.
 T. 26 N., Rs. 15 and 16 W.
 T. 27 N., Rs. 15 and 16 W.
 T. 28 N., Rs. 14 through 16 W.
 T. 29 N., Rs. 13 through 15 W.
 T. 29 N., R. 24 W.
 T. 30 N., Rs. 14 through 16 W.
 T. 30 N., R. 24 W.
 T. 31 N., Rs. 14 through 16 W.
 T. 31 N., Rs. 19 through 24 W.
 T. 32 N., Rs. 14 through 17 W.
 T. 32 N., Rs. 19 through 24 W.
 T. 33 N., Rs. 12 through 24 W.
 T. 34 N., Rs. 12 through 24 W.
 T. 35 N., Rs. 12 through 24 W.
 T. 36 N., Rs. 12 through 24 W.
 T. 37 N., Rs. 11 through 24 W. (all fractional townships).

T. 1 S., Rs. 18 through 26 W.
 T. 1 S., R. 27 W. (fractional).
 T. 2 S., Rs. 14 through 17 W.
 T. 3 S., Rs. 14 through 17 W.
 T. 4 S., Rs. 14 through 17 W.
 T. 5 S., Rs. 15 through 17 W.
 T. 6 S., Rs. 15 through 17 W.
 T. 7 S., Rs. 13 and 14 W.
 T. 7 S., Rs. 16 and 17 W.
 T. 8 S., Rs. 11 through 14 W.
 T. 8 S., R. 17 W.
 T. 9 S., Rs. 10 through 15 W.
 T. 10 S., Rs. 9 through 14 W.
 T. 11 S., Rs. 9 through 20 W.
 T. 12 S., Rs. 12 through 21 W.
 T. 13 S., Rs. 12 through 21 W.
 T. 13 S., R. 27 W.
 T. 13 S., R. 28 W. (fractional).

T. 14 S., R. 15 W. (fractional), west of Mount McKinley National Park.
 T. 14 S., Rs. 16 through 22 W.
 T. 14 S., R. 27 W.
 T. 14 S., R. 28 W. (fractional).
 T. 15 S., R. 15 W. (fractional), west of Mount McKinley National Park.
 T. 15 S., Rs. 16 through 27 W.
 T. 15 S., R. 28 W. (fractional).
 T. 16 S., Rs. 15 through 18 W. (fractional), northwest of Mount McKinley National Park.
 T. 16 S., Rs. 19 through 27 W.
 T. 17 S., Rs. 18 through 21 W. (fractional), northwest of Mount McKinley National Park.
 T. 17 S., Rs. 22 through 27 W.
 T. 18 S., Rs. 10 and 11 W., south of Mount McKinley National Park.
 T. 18 S., Rs. 21 through 23 W. (fractional), northwest of Mount McKinley National Park.
 T. 18 S., Rs. 24 through 27 W.
 T. 19 S., Rs. 11, 12, and 13 W. (fractional), southeast of Mount McKinley National Park.
 T. 19 S., R. 10 W.
 T. 19 S., Rs. 24 and 25 W. (fractional), north-west of Mount McKinley National Park.
 T. 19 S., Rs. 26 through 28 W.
 T. 20 S., Rs. 13 through 15 W. (fractional), south and east of Mount McKinley National Park.
 T. 20 S., R. 24 W. (fractional), southwest of Mount McKinley National Park.
 T. 20 S., Rs. 11, 12, and 25 through 28 W.
 T. 21 S., Rs. 12 through 14 W.
 T. 21 S., Rs. 15 through 17 W. (fractional), southeast of Mount McKinley National Park.
 T. 21 S., R. 24 W. (fractional), southwest of Mount McKinley National Park.
 T. 21 S., Rs. 25 through 28 W.
 T. 22 S., Rs. 13 through 16 W.
 T. 22 S., Rs. 17 through 19 W. (fractional), southeast of Mount McKinley National Park.
 T. 22 S., Rs. 23 and 24 W. (fractional), south-west of Mount McKinley National Park.
 T. 1 S., Rs. 18 through 25 E.
 T. 2 S., Rs. 18 through 25 E.
 T. 3 S., Rs. 18 through 23 E.
 T. 4 S., Rs. 18 through 23 E.
 T. 5 S., R. 23 E.

COPPER RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 8 N., Rs. 4 through 7 W.
 T. 9 N., Rs. 3 through 8 W.
 T. 10 N., Rs. 3 through 8 W.
 T. 11 N., Rs. 3 through 8 W.
 T. 9 S., R. 1 W.
 T. 10 S., R. 1 W.
 T. 11 S., R. 1 W.
 T. 5 S., R. 3 E.
 T. 5 S., Rs. 20 to 24 E.
 T. 6 S., Rs. 2 and 3 E.
 T. 6 S., Rs. 19 through 24 E.
 T. 7 S., Rs. 2 through 13 E.
 T. 7 S., Rs. 17 through 24 E.
 T. 8 S., Rs. 1 through 24 E.
 T. 9 S., Rs. 1 through 24 E.
 T. 9 S., R. 25 E. (fractional).
 T. 10 S., Rs. 1 through 24 E.
 T. 10 S., R. 25 E. (fractional).
 T. 11 S., Rs. 1 through 24 E.
 T. 11 S., R. 25 E. (fractional).
 T. 12 S., Rs. 1 through 24 E.
 T. 12 S., R. 25 E. (fractional).
 T. 13 S., Rs. 2 through 24 E.
 T. 13 S., R. 25 E. (fractional).
 T. 14 S., Rs. 2 through 24 E.
 T. 14 S., R. 25 E. (fractional).
 T. 15 S., Rs. 4 through 24 E.
 T. 15 S., R. 3 E., east of Chugach National Forest.
 T. 15 S., R. 25 E. (fractional).
 T. 16 S., Rs. 9 through 24 E.
 T. 16 S., R. 25 E. (fractional).

T. 17 S., Rs. 9 through 24 E.
 T. 17 S., R. 25 E. (fractional).
 T. 18 S., Rs. 9 through 24 E.
 T. 18 S., R. 25 E. (fractional).
 T. 18 S., Rs. 33 through 36 E. (all fractional).
 T. 19 S., Rs. 9 through 16 E.
 T. 19 S., Rs. 18 through 25, 34, and 35 E.
 T. 19 S., Rs. 26 through 32 and 36 E. (all fractional).
 T. 20 S., Rs. 9 through 11 E.
 T. 20 S., Rs. 18 through 35 E.
 T. 20 S., R. 36 E. (fractional).
 T. 21 S., Rs. 20 through 33 and 35 E.
 T. 21 S., R. 34 E. (fractional).
 T. 22 S., Rs. 24 E $\frac{1}{2}$, 25 through 33, 35 N $\frac{1}{2}$, and 36 N $\frac{1}{2}$ E.
 T. 22 S., Rs. 34 and 37 E. (fractional).
 T. 23 S., Rs. 25 through 32 E.
 T. 23 S., Rs. 33, 34, 38, and 39 E. (fractional).
 T. 24 S., Rs. 26 through 31 E.
 T. 24 S., Rs. 24, 25, 32, 33, 38, and 39 E. (fractional).
 T. 25 S., Rs. 30 and 38 E.
 T. 25 S., Rs. 26 through 29, 31, 32, and 39 E. (fractional).
 T. 26 S., Rs. 25 through 31 E. (fractional).
 T. 26 S., Rs. 38 and 39 E.
 T. 27 S., Rs. 38, 39, and 40 E.
 T. 27 S., Rs. 37 and 41 E. (fractional).
 T. 28 S., Rs. 38, 39, and 40 E.
 T. 28 S., Rs. 37 and 41 E. (fractional).
 T. 29 S., Rs. 42 and 43 E.
 T. 29 S., Rs. 38 through 41 E., north of Tongass National Forest.
 T. 29 S., Rs. 44 and 45 E. (fractional).
 T. 30 S., Rs. 43 and 44 E.
 T. 30 S., Rs. 39, 40, and 41 E., north of Tongass National Forest.
 T. 30 N., Rs. 42 and 43 E. (fractional).
 T. 31 S., Rs. 43 and 44 E.
 T. 31 S., R. 42 E., east of Tongass National Forest.
 T. 31 S., Rs. 45 and 46 E. (fractional).
 T. 32 S., R. 42 E., east of Tongass National Forest.
 T. 32 S., Rs. 43 through 46 E.
 T. 32 S., R. 47 E. (fractional).
 T. 33 S., Rs. 43 through 46 E.
 T. 33 S., R. 42 E., east of Tongass National Forest.
 T. 33 S., R. 47 E. (fractional).
 T. 34 S., Rs. 44 through 47 E.
 T. 34 S., Rs. 42 and 48 E. (fractional).
 T. 35 S., Rs. 43 through 47 E., North of Glacier Bay National Monument.

COPPER RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 11 N., Rs. 16 through 23 E.
 T. 12 N., Rs. 22 and 23 E.
 T. 13 N., Rs. 22 and 23 E.
 T. 14 N., Rs. 21 through 23 E.

The areas described aggregate approximately 80 million acres.

2. By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d) (1) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 708, it is ordered as follows:

Subject to valid existing rights, all those lands described in paragraph 1 of this order are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and from selection by Regional

Corporations under section 12 of the Alaska Native Claims Settlement Act, supra, and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification as appropriate.

3. Any lands withdrawn under this order shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

4. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 43 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3945 Filed 3-15-72;8:46 am]

[Public Land Order 5180]

ALASKA

Withdrawal of Lands for Classification and for Protection of Public Interest in Lands

By virtue of the authority vested in the President by the Act of June 25, 1910, as amended, 43 U.S.C. section 141 (1970), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior by section 17 (d) (1) of the Alaska Native Claims Settlement Act, 68 Stat. 688, 708, it is ordered as follows:

1. Subject to valid existing rights, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws (except locations for metaliferous minerals), 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for study to determine the proper classification of the lands under section 17(d)(1) of said Alaska Native Claims Settlement Act, and to ascertain the public values in the land which need protection:

SEWARD MERIDIAN

PROTRACTED DESCRIPTIONS

T. 12 N., R. 6 E.
T. 12 N., Rs. 7, 10, and 11 E. (fractional).
T. 13 N., Rs. 7, 8, 11, and 12 E.
T. 13 N., Rs. 9 and 10 E. (fractional).
T. 14 N., Rs. 8, 9, 11, and 12 E.
T. 14 N., R. 10 E. (fractional).
T. 15 N., Rs. 9 and 10 E.
T. 29 N., Rs. 1 through 12 E.

T. 30 N., Rs. 1 through 12 E.
T. 31 N., Rs. 1 through 12 E.
T. 32 N., Rs. 1 through 12 E.
T. 33 N., Rs. 1 through 12 E. (fractional).
T. 1 N., Rs. 36, 61 through 66 W.
T. 2 N., Rs. 36, 61 through 66 W.
T. 3 N., Rs. 36, 61 through 66 W.
T. 4 N., Rs. 34, 35, 36, 61 through 66 W.
T. 5 N., Rs. 61 through 65 W.
T. 6 N., Rs. 60 through 65 W.
T. 7 N., Rs. 60 through 65 W.
T. 8 N., Rs. 60 through 65 W.
T. 9 N., Rs. 59 through 64 W.
T. 10 N., Rs. 59 through 63 W.
T. 11 N., Rs. 59 and 60 W.
T. 12 N., Rs. 59 and 60 W.
T. 13 N., Rs. 56 through 59 W.
T. 14 N., Rs. 56 through 59 W.
T. 17 N., Rs. 36 and 37 W. (fractional).
T. 18 N., Rs. 32 through 37 W.
T. 19 N., Rs. 32 through 37 W.
T. 20 N., Rs. 32 through 37 W.
T. 21 N., Rs. 33 through 37 W.
T. 22 N., Rs. 33 through 37 W.
T. 23 N., Rs. 33 through 37 W.
T. 24 N., Rs. 33 through 37 W.
T. 25 N., Rs. 30 through 35 W.
T. 26 N., Rs. 29 through 35 W.
T. 27 N., Rs. 27 through 35 W.
T. 28 N., R. 38 W.
T. 29 N., Rs. 1 and 2 W.
T. 29 N., R. 25 W. (fractional).
T. 29 N., Rs. 26 through 33 and 36 through 38 W.
T. 30 N., Rs. 1 and 2 W.
T. 30 N., R. 25 W. (fractional).
T. 30 N., Rs. 26 through 33 and 36 through 38 W.
T. 31 N., R. 1 W.
T. 31 N., Rs. 30 through 32 W.
T. 32 N., R. 1 W.
T. 35 N., Rs. 30 through 32 W.
T. 33 N., Rs. 30 and 31 W.
T. 1 S., Rs. 37, 38, 45 through 50, and 64 through 68 W.
T. 2 S., Rs. 37, 38, 45 through 50, and 64 through 68 W.
T. 3 S., Rs. 37, 38, 49, 50, 64 through 68 W.
T. 4 S., Rs. 37, 38, 39, 49 through 52, and 64 through 68 W.
T. 5 S., Rs. 43, 44, 50 through 53, 67 and 68 W.
T. 6 S., Rs. 43, 44, 50 through 53, 67 and 68 W.
T. 7 S., Rs. 43, 44, 51, 52, 53, 67 and 68 W.
T. 8 S., Rs. 43, 44, 51, 52, 53 W.
T. 9 S., Rs. 43, 44, 45, 52, 53 W.
T. 10 S., Rs. 52 and 53 W.
T. 11 S., R. 52 W.
T. 12 S., Rs. 48 through 52 W.
T. 13 S., R. 48 W.
T. 14 S., R. 48 W.
T. 16 S., Rs. 67 and 68 W. (fractional).
T. 17 S., R. 44 W.
T. 17 S., Rs. 68 and 69 W. (fractional).
T. 18 S., R. 44 W.
T. 18 S., Rs. 68 and 69 W. (fractional).
T. 19 S., Rs. 43 and 44 W.
T. 20 S., Rs. 43 and 44 W.
T. 20 S., R. 45 W. (fractional).
T. 26 S., R. 46 W. (fractional).
T. 27 S., R. 46 W. (fractional).
T. 28 S., Rs. 46 and 47 W.
T. 29 S., R. 47 W.
T. 30 S., Rs. 46 and 47 W.
T. 31 S., Rs. 46 and 47 W.
T. 32 S., Rs. 46 and 47 W.
T. 33 S., Rs. 46 through 48 W.
T. 33 S., Rs. 44 and 45 (fractional).
T. 34 S., Rs. 46 through 52 W.
T. 34 S., Rs. 44 and 45 (fractional).
T. 35 S., Rs. 46 through 50 W.
T. 35 S., Rs. 44 and 45 W. (fractional).
T. 36 S., Rs. 48 through 50 and 52 through 54 W.
T. 36 S., Rs. 45 through 47 W. (fractional).
T. 37 S., Rs. 49 through 54 W.
T. 37 S., Rs. 45 through 48 W. (fractional).
T. 38 S., Rs. 50 and 51 W.
T. 38 S., Rs. 47 through 49 W. (fractional).
T. 39 S., Rs. 49 through 51 W. (fractional).

T. 40 S., Rs. 54 through 58 W.
T. 41 S., Rs. 56 through 62 W.
T. 41 S., Rs. 54 and 55 (fractional).
T. 42 S., R. 62 W.
T. 42 S., Rs. 48 through 50 and 54 through 56 W. (fractional).
T. 43 S., Rs. 63 and 64 W.
T. 43 S., Rs. 54 through 56 W. (fractional).
T. 44 S., Rs. 54 and 55 W. (fractional).

KATEEL RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 1, 2, 18, and 19 E.
T. 2 N., Rs. 1 and 2 E.
T. 3 N., Rs. 1 through 4 E.
T. 4 N., Rs. 1 through 3 E.
T. 5 N., Rs. 1 through 3 E.
T. 6 N., Rs. 1 through 3 E.
T. 7 N., Rs. 1 through 3 E.
T. 8 N., Rs. 1 through 4 E.
T. 9 N., Rs. 1 through 4 E.
T. 10 N., Rs. 1 through 4 E.
T. 11 N., Rs. 1 through 4 E.
T. 12 N., Rs. 1 through 4 E.
T. 13 N., Rs. 1 through 4 E.
T. 14 N., Rs. 1 through 4 E.
T. 15 N., Rs. 1 through 4 E.
T. 16 N., Rs. 1 through 4 E.
T. 17 N., Rs. 1 through 4 E.
T. 1 N., Rs. 1, 2, 19 through 34, 40 W.
T. 2 N., Rs. 1, 2, 19 through 40 W.
T. 3 N., Rs. 1, 2, 19 through 35, 39, and 40 W.
T. 4 N., Rs. 1, 2, 19 through 35, 39 W.
T. 5 N., Rs. 1, 2, 19 through 34, 38, and 39 W.
T. 6 N., Rs. 1, 2, 22 through 34 W.
T. 7 N., Rs. 1 through 9 W.
T. 8 N., Rs. 1 through 9 W.
T. 9 N., Rs. 1 through 9 W.
T. 10 N., Rs. 1 through 10 W.
T. 11 N., Rs. 1 through 11 W.
T. 12 N., Rs. 1 through 3 W.
T. 13 N., Rs. 1 through 3 W.
T. 14 N., Rs. 1 through 3 W.
T. 15 N., Rs. 1 through 3 W.
T. 16 N., Rs. 1 through 3 W.
T. 17 N., Rs. 1 through 3 W.
T. 29 N., R. 28 W. (fractional).
T. 30 N., Rs. 27, 28, and 29 W. (fractional).
T. 1 S., Rs. 1, 2, 18, and 19 E.
T. 2 S., Rs. 1, 2, 14 through 19 E.
T. 3 S., Rs. 1, 2, 14 through 19 E.
T. 4 S., Rs. 1, 2, 14 through 19 E.
T. 5 S., Rs. 1, 2, 14 through 19 E.
T. 6 S., R. 1 E.
T. 9 S., Rs. 26 through 28 E.
T. 9 S., R. 29 E. (fractional).
T. 10 S., Rs. 26 through 28 E.
T. 10 S., R. 29 E. (fractional).
T. 11 S., Rs. 26 through 28 E.
T. 11 S., R. 29 E. (fractional).
T. 12 S., Rs. 26 through 28 E.
T. 12 S., R. 29 E. (fractional).
T. 26 S., Rs. 13 through 19 E.
T. 27 S., Rs. 13 through 19 E.
T. 28 S., R. 13 E.
T. 1 S., Rs. 1, 2, 19 through 34 W.
T. 2 S., Rs. 1, 2, 19 through 28, 34 W.
T. 3 S., Rs. 1, 2, 11 through 28, 34 W.
T. 4 S., Rs. 1, 2, 14 through 28, 34 W.
T. 5 S., Rs. 1, 2, 15 through 29 W.
T. 6 S., Rs. 1, 2, 18 through 29 W.
T. 6 S., Rs. 16, 17 W. (fractional).
T. 7 S., Rs. 1, 2, 19, and 30 W.
T. 7 S., Rs. 17, 18 W. (fractional).
T. 8 S., Rs. 1, 2, and 30 W.
T. 9 S., Rs. 1, 2, 9, 10, 27 through 30 W.
T. 9 S., R. 11 W. (fractional).
T. 10 S., Rs. 1, 2, 9, 10, 27 through 30 W.
T. 10 S., R. 11 W. (fractional).
T. 11 S., Rs. 3 through 10 W.
T. 12 S., Rs. 4 through 10 W.
T. 13 S., Rs. 4 through 10 W.
T. 14 S., Rs. 4 through 10 W.
T. 15 S., Rs. 4 through 10 W.
T. 16 S., Rs. 4 through 8 W.
T. 17 S., Rs. 5 through 8 W.
T. 18 S., Rs. 6 through 8 W.
T. 19 S., Rs. 6 through 8 W.
T. 20 S., Rs. 6 through 8 W.

COPPER RIVER MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., Rs. 9 through 23 E.
 T. 1 N., R. 24 E. (fractional).
 T. 2 N., Rs. 9 through 23 E.
 T. 2 N., R. 24 E. (fractional).
 T. 3 N., Rs. 9 through 23 E.
 T. 3 N., R. 24 E. (fractional).
 T. 4 N., Rs. 10 through 23 E.
 T. 4 N., R. 24 E. (fractional).
 T. 5 N., Rs. 10 through 23 E.
 T. 5 N., R. 24 E. (fractional).
 T. 6 N., Rs. 10 through 23 E.
 T. 6 N., R. 24 E. (fractional).
 T. 7 N., Rs. 17 through 23 E.
 T. 7 N., R. 24 E. (fractional).
 T. 8 N., Rs. 17 through 23 E.
 T. 8 N., R. 24 E. (fractional).
 T. 9 N., Rs. 17 through 23 E.
 T. 9 N., R. 24 E. (fractional).
 T. 10 N., Rs. 16 through 23 E.
 T. 10 N., R. 24 E. (fractional).
 T. 14 N., Rs. 9 and 10 E. (fractional).
 T. 15 N., Rs. 21 and 22 E.
 T. 15 N., R. 23 E. (fractional).
 T. 16 N., Rs. 21 and 22 E.
 T. 16 N., R. 23 E. (fractional).
 T. 17 N., Rs. 17 through 22 E.
 T. 17 N., R. 23 E. (fractional).
 T. 18 N., Rs. 17 through 22 E.
 T. 18 N., R. 23 E. (fractional).
 T. 19 N., Rs. 17 through 22 E.
 T. 19 N., R. 23 E. (fractional).
 T. 20 N., Rs. 17 through 22 E.
 T. 20 N., R. 23 E. (fractional).
 T. 21 N., Rs. 17 through 22 E.
 T. 21 N., R. 23 E. (fractional).
 T. 22 N., Rs. 14 through 22 E.
 T. 22 N., R. 23 E. (fractional).
 T. 23 N., Rs. 14 through 22 E.
 T. 23 N., R. 23 E. (fractional).
 T. 24 N., Rs. 14 through 22 E.
 T. 24 N., R. 23 E. (fractional).
 T. 25 N., Rs. 5 through 10 and 15 through 22 E.
 T. 26 N., Rs. 5 through 10 and 14 through 22 E.
 T. 27 N., Rs. 5 through 10 and 14 through 22 E.
 T. 11 N., R. 10 W. (fractional).
 T. 12 N., R. 9 W.
 T. 12 N., R. 10 W. (fractional).
 T. 13 N., R. 9 W.
 T. 13 N., R. 10 W. (fractional).
 T. 1 S., Rs. 9 through 23 E.
 T. 1 S., R. 24 E. (fractional).
 T. 2 S., Rs. 9 through 23 E.
 T. 2 S., R. 24 E. (fractional).
 T. 3 S., Rs. 10 through 23 E.
 T. 3 S., R. 24 E. (fractional).
 T. 4 S., Rs. 11 through 23 E.
 T. 4 S., R. 24 E. (fractional).
 T. 5 S., Rs. 1, 12, and 13, 14 through 19 E. (fractional).
 T. 6 S., Rs. 11 through 18 E. (fractional).
 T. 7 S., Rs. 14 through 16 E.
 T. 6 S., Rs. 10 and 11 W.

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 2 N., Rs. 11, 12, and 17 E., that portion north of the boundary of the Yukon Command Training Site—Tract A.
 T. 3 N., Rs. 11, 12, 13, 14, and 16 E., that portion north of the boundary of the Yukon Command Training Site—Tract A.
 T. 3 N., Rs. 17 and 18 E.
 T. 4 N., Rs. 11 through 14 E. and 17 through 19 E.
 T. 4 N., Rs. 15 and 16 E., that portion north of the boundary of the Yukon Command Training Site—Tract A.
 T. 5 N., Rs. 1 through 4 and 9 through 21 E.
 T. 6 N., Rs. 1 through 6 and 9 through 19 E.
 T. 7 N., Rs. 1 through 7 and 9 through 18 E.
 T. 8 N., Rs. 1 through 14, and 16 and 17 E.

T. 8 N., R. 15 E. (fractional).
 T. 9 N., Rs. 1 through 16 E.
 T. 10 N., Rs. 1 through 15 E.
 T. 11 N., Rs. 1 through 15 E.
 T. 12 N., Rs. 1 through 5 E.
 T. 19 N., Rs. 10 through 12 E.
 T. 20 N., Rs. 7 through 12 E.
 T. 21 N., Rs. 7 through 12 E.
 T. 22 N., Rs. 7 through 12 E.
 T. 29 N., R. 4 E. (fractional).
 T. 29 N., Rs. 12 through 15 E.
 T. 30 N., Rs. 4, 5, and 11 E. (fractional).
 T. 30 N., Rs. 12 through 16 E.
 T. 31 N., Rs. 4 and 5, 12 through 16 E.
 T. 31 N., R. 11 E., E $\frac{1}{2}$.
 T. 32 N., Rs. 4 and 5, 12 through 16 E.
 T. 32 N., R. 11 E., E $\frac{1}{2}$.
 T. 33 N., Rs. 4 and 5, 12 through 16 E.
 T. 33 N., R. 11 E., E $\frac{1}{2}$.
 T. 34 N., Rs. 1 through 5 E.
 T. 35 N., Rs. 1 through 5 E.
 T. 36 N., Rs. 1 through 5 E.
 T. 37 N., Rs. 1 through 5 E.
 T. 4 N., R. 1 W.
 T. 5 N., R. 1 W.
 T. 6 N., Rs. 1 and 2 W.
 T. 7 N., Rs. 1 through 3 W.
 T. 7 N., R. 4 W., N $\frac{1}{2}$.
 T. 8 N., Rs. 1 through 4 W.
 T. 8 N., R. 5 W., E $\frac{1}{2}$.
 T. 9 N., Rs. 1 through 5 W.
 T. 10 N., Rs. 1 through 4 W.
 T. 11 N., Rs. 1 through 4 W.
 T. 12 N., Rs. 1 through 4 W.
 T. 23 N., Rs. 6 through 12 and 21 through 24 W.
 T. 23 N., R. 25 W. (fractional).
 T. 24 N., Rs. 2 through 12 and 17 through 24 W.
 T. 24 N., R. 25 W. (fractional).
 T. 25 N., Rs. 1 through 11 and 16 through 24 W.
 T. 26 N., Rs. 1 through 11 and 17 through 24 W.
 T. 34 N., Rs. 1 through 8 W.
 T. 35 N., Rs. 1 through 8 W.
 T. 36 N., Rs. 1 through 8 W.
 T. 2 S., Rs. 23 through 26 W.
 T. 2 S., Rs. 22 and 27 W. (fractional).
 T. 3 S., Rs. 23 through 26 W.
 T. 3 S., R. 27 W. (fractional).
 T. 4 S., Rs. 23 through 26 W.
 T. 4 S., Rs. 22 and 27 (fractional).
 T. 18 S., R. 10 W., that portion south of the boundary of the Mount McKinley National Park.
 T. 19 S., R. 10 W.
 T. 19 S., Rs. 11 and 12 W., that portion south of the boundary of the Mount McKinley National Park.
 T. 20 S., Rs. 1 through 4, 11 and 12 W.
 T. 21 S., Rs. 1 through 9, and 12 W.
 T. 22 S., Rs. 1 through 10 W.
 T. 2 S., Rs. 12, 13, 14, and 15 E., that portion north of the Yukon Command Training Site—Tract A.
 T. 2 S., Rs. 16 and 17, 26 through 30 E.
 T. 3 S., Rs. 12 through 17 and 24 through 30 E.
 T. 4 S., Rs. 10 through 17 and 24 through 33 E.
 T. 5 S., Rs. 9 through 32 E.
 T. 5 S., R. 33 E. (fractional).
 T. 6 S., Rs. 9 through 33 E.
 T. 6 S., R. 34 E. (fractional).
 T. 7 S., Rs. 11 through 33 E.
 T. 7 S., R. 34 E. (fractional).
 T. 8 S., Rs. 14 through 33 E.
 T. 8 S., R. 34 E. (fractional).
 T. 22 S., Rs. 1 through 5 E.

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

T. 10 S., Rs. 28 through 31 E.
 T. 11 S., Rs. 26 through 31 E.
 T. 11 S., R. 32 E., W $\frac{1}{2}$.
 T. 12 S., Rs. 24 through 32 E.
 T. 13 S., Rs. 22 through 33 E.

T. 13 S., R. 34 E., W $\frac{1}{2}$.
 T. 14 S., Rs. 18 through 25 and 31 through 34 E.
 T. 15 S., Rs. 14 through 25 and 31 through 34 E.
 T. 15 S., R. 35 E. (fractional).
 T. 16 S., Rs. 12 through 25 and 31 through 35 E.

In addition all lands listed in Public Land Order No. 5150 of December 28, 1971, 36 F.R. 25410-13, as amended by Public Land Order No. 5151 of December 29, 1971, 37 F.R. 142-3, and by Public Land Order No. 5182 of March 9, 1972, published in this issue.

The areas described aggregate approximately 47,100,000 acres.

2. While the lands described in this order remain withdrawn, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations and his authority to make contracts, and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

3. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 83 Stat. 852, 42 U.S.C. section 4332 (2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc. 72-3946 Filed 3-15-72; 8:46 am]

[Public Land Order 5181]

ALASKA

Withdrawal of Lands for Classification and Study as Possible Additions to National Wildlife Refuge System

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 708, it is ordered as follows:

1. Subject to valid existing rights, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for classification under the authority of section 17(d)(1) and for study as a possible addition under section 22(e) of the Alaska Native Claims Settlement Act, supra, to the National Wildlife Refuge System:

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

T. 5 S., R. 26 E., E $\frac{1}{2}$.
 T. 5 S., R. 27 E., that portion west of boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 5 S., R. 28 E., that portion south of boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 6 S., R. 26 E., E $\frac{1}{2}$.
 T. 6 S., R. 27 E.
 T. 6 S., R. 28 E.
 T. 6 S., R. 29 E., that portion west of boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 7 S., R. 29 E.
 T. 7 S., R. 30 E., that portion west of boundary of the Arctic National Wildlife Range established by PLO 2214.

SEWARD MERIDIAN

T. 23 N., Rs. 86, 87, and 88 W.
 T. 23 N., R. 89 W. (fractional).
 T. 24 N., Rs. 86 and 87 W.
 T. 24 N., Rs. 88 and 89 W. (fractional).
 T. 25 N., Rs. 85 and 86 W.
 T. 25 N., Rs. 87 and 88 W. (fractional).
 T. 26 N., R. 87 W. (fractional).
 T. 8 S., R. 72 W.
 T. 8 S., Rs. 73 and 74 W. (fractional).
 T. 9 S., Rs. 72 and 73 W.
 T. 9 S., R. 74 W. (fractional).
 T. 13 S., Rs. 62, 63, 70, and 71 W.
 T. 14 S., Rs. 70 and 71 W.
 T. 14 S., Rs. 62 and 63 W. (fractional).
 T. 15 S., R. 72 W., E $\frac{1}{2}$.
 T. 15 S., Rs. 62, 63, 70, and 71 W. (fractional).
 T. 16 S., R. 72 W., E $\frac{1}{2}$.
 T. 16 S., Rs. 73 W., E $\frac{1}{2}$.
 T. 17 S., Rs. 59, 60, and 74 W.
 T. 17 S., R. 75 W., E $\frac{1}{2}$.
 T. 17 S., Rs. 61 and 73 W. (fractional).
 T. 18 S., R. 59 W.
 T. 18 S., R. 75 W., E $\frac{1}{2}$. (fractional).
 T. 18 S., Rs. 60, 61, 73, and 74 W. (fractional).
 T. 19 S., Rs. 58 and 59 W.
 T. 19 S., Rs. 57 and 60 W. (fractional).
 T. 20 S., Rs. 57, 58, and 59 W. (fractional).
 T. 21 S., Rs. 44 and 45 W.
 T. 22 S., Rs. 44, 45, and 46 W.
 T. 23 S., Rs. 44, 45, and 46 W.
 T. 24 S., Rs. 44, 45, and 46 W. (fractional).
 T. 25 S., R. 44 W. (fractional).
 T. 51 S., R. 72 W., W $\frac{1}{2}$.
 T. 52 S., Rs. 73, 74, 75, 76, 77, and 78 W.
 T. 52 S., R. 72 W. and W $\frac{1}{2}$. (fractional).
 T. 53 S., Rs. 81, 82, 83, and 84 W.
 T. 53 S., Rs. 78, 79, 80, and 86 W. (fractional).
 T. 54 S., Rs. 82, 83, and 84 W.
 T. 54 S., Rs. 78, 79, 80, 81, and 86 W. (fractional).
 T. 55 S., Rs. 82 and 84 W.
 T. 55 S., R. 85 W., that portion east of the boundary of the Izembeck National Wildlife Refuge.
 T. 55 S., Rs. 78, 79, 80, and 81 W. (fractional).
 T. 56 S., Rs. 78, 79, and 80 W. (fractional).
 The areas described aggregate approximately 1,840,000 acres.

2. While the lands described in this order remain withdrawn, the lands shall be subject to administration by the Secretary of the Interior under applicable laws and regulations, and his authority to make contracts, and to grant leases, permits, rights-of-way, or easements shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

3. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human

environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 29, 1972.

[FR Doc.72-3947 Filed 3-15-72;8:46 am]

[Public Land Order 5182]

[Fairbanks 14223, Anchorage 6473]

ALASKA

Amendment to Public Land Order No. 5150

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 5150 of December 28, 1971, as amended by Public Land Order No. 5151 of December 29, 1971, which withdrew lands for a utility and transportation corridor in Alaska, is hereby further amended by adding the following described lands to paragraph 1 thereof:

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., R. 24 E.,
 Sec. 7;
 Secs. 17 to 20 inclusive;
 Secs. 28 to 34 inclusive;
 Secs. 5, 6, 8, 9, 16, 21, 22, 26, 27, 35, and 36,
 that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 2 N., R. 24 E.,
 Secs. 19, 30, and 31, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 1 N., R. 23 E.
 T. 2 N., R. 23 E.
 T. 3 N., R. 23 E.,
 Secs. 19, 29, 30, 31, 32.
 T. 2 N., R. 22 E.,
 Secs. 1 to 17 inclusive;
 Secs. 22 to 26 inclusive;
 Sec. 36.
 T. 3 N., R. 22 E.,
 Secs. 4 to 11 inclusive;
 Secs. 13 to 36 inclusive.
 T. 4 N., R. 22 E.,
 Secs. 18, 19, 29, 30, 31, 32.
 T. 2 N., R. 21 E.,
 Secs. 1 and 2.
 T. 3 N., R. 21 E.,
 Secs. 1 to 29 inclusive;
 Secs. 34 to 36 inclusive.
 T. 4 N., R. 21 E.,
 Secs. 3 to 11 inclusive;
 Secs. 13 to 36 inclusive.
 T. 5 N., R. 21 E.,
 Sec. 31.
 T. 3 N., R. 20 E.,
 Secs. 1 to 4 inclusive;
 Secs. 11 to 13 inclusive.
 T. 4 N., R. 20 E.,
 Secs. 1 to 30 inclusive;
 Secs. 32 to 36 inclusive.
 T. 5 N., R. 20 E.,
 Secs. 17 to 22 inclusive;
 Secs. 25 to 36 inclusive.
 T. 4 N., R. 19 E.,
 Secs. 1 to 5 inclusive;
 Secs. 9 to 15 inclusive;
 Secs. 23 to 25 inclusive.
 T. 5 N., R. 19 E.,
 Secs. 3 to 36 inclusive.
 T. 6 N., R. 19 E.,
 Secs. 29 to 33 inclusive.

T. 5 N., R. 18 E.,
 Secs. 1 to 18 inclusive;
 Secs. 21 to 27 inclusive;
 Secs. 35 and 36.
 T. 6 N., R. 18 E.,
 Secs. 5 to 10 inclusive;
 Secs. 14 to 36 inclusive.
 T. 7 N., R. 18 E.,
 Sec. 31.
 T. 5 N., R. 17 E.,
 Secs. 1, 2, 12.
 T. 6 N., R. 17 E.,
 Secs. 1 to 6 inclusive;
 Secs. 8 to 17 inclusive;
 Secs. 21 to 27 inclusive;
 Secs. 35 and 36.
 T. 7 N., R. 17 E.,
 Secs. 5 to 9 inclusive;
 Secs. 15 to 23 inclusive;
 Secs. 25 to 36 inclusive.
 T. 7 N., R. 16 E.,
 Secs. 1 to 5 inclusive;
 Secs. 9 to 15 inclusive;
 Secs. 22 to 26 inclusive;
 Sec. 36.
 T. 8 N., R. 16 E.,
 Secs. 3 to 10 inclusive;
 Secs. 14 to 23 inclusive;
 Secs. 25 to 36 inclusive.
 T. 1 S., R. 24 E.,
 Secs. 1 to 18 inclusive.
 T. 1 S., R. 25 E.,
 Secs. 6 to 9 inclusive;
 Secs. 15 to 21 inclusive;
 Secs. 28 to 33 inclusive;
 Secs. 4, 5, 10, 14, 22, 27, and 34, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 2 S., R. 25 E.,
 Secs. 4 to 9 inclusive;
 Secs. 15 to 22 inclusive;
 Secs. 26 to 36 inclusive;
 Secs. 3, 10, 11, 14, 23, and 25, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 2 S., R. 26 E.,
 Sec. 31, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 3 S., R. 25 E.,
 Secs. 1 to 3 inclusive;
 Secs. 10 to 15 inclusive;
 Secs. 22 to 27 inclusive;
 Secs. 34 to 36 inclusive.
 T. 3 S., R. 26 E.,
 Secs. 6 and 7;
 Secs. 16 to 21 inclusive;
 Secs. 27 to 34 inclusive;
 Secs. 5, 8, 9, 15, 22, 26, 35, 36, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 4 S., R. 25 E.
 T. 4 S., R. 26 E.,
 Secs. 2 to 11 inclusive;
 Secs. 13 to 36 inclusive;
 Secs. 1 and 12, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 4 S., R. 27 E.,
 Secs. 7, 18, 19, 30, and 31, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.
 T. 5 S., R. 25 E.,
 Secs. 1 to 3 inclusive;
 Secs. 10 to 15 inclusive;
 Secs. 22 to 27 inclusive;
 Secs. 34 to 36 inclusive.
 T. 5 S., R. 26 E.,
 Secs. 4 to 9 inclusive;
 Secs. 16 to 21 inclusive;
 Secs. 28 to 33 inclusive.
 T. 6 S., R. 25 E.,
 Secs. 1 to 3 inclusive;
 Secs. 10 to 15 inclusive;
 Secs. 22 to 27 inclusive;
 Secs. 34 to 36 inclusive.

T. 6 S., R. 26 E.,
Secs. 4 to 9 inclusive;
Secs. 16 to 21 inclusive;
Secs. 28 to 33 inclusive.

T. 7 S., R. 25 E.,
Secs. 1 to 3 inclusive;
Secs. 10 to 15 inclusive;
Secs. 22 to 27 inclusive;
Secs. 34 to 36 inclusive.

T. 7 S., R. 26 E.
T. 7 S., R. 27 E.
T. 7 S., R. 28 E.
T. 8 S., R. 26 E.,
Secs. 1 to 18 inclusive.

T. 8 S., R. 27 E.,
Secs. 1 to 18 inclusive;
Secs. 22 to 27 inclusive;
Secs. 34 to 36 inclusive.

T. 8 S., R. 28 E.
T. 8 S., R. 29 E.
T. 8 S., R. 30 E.,
Secs. 6 and 7;
Secs. 17 to 21 inclusive;
Secs. 26 to 36 inclusive;
Secs. 5, 8, 16, 22, 23, 24, and 25, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 9 S., R. 30 E.
T. 9 S., R. 31 E.
T. 9 S., R. 32 E.,
Secs. 19 to 36 inclusive.

T. 10 S., R. 31 E.,
Secs. 1 to 18 inclusive.

T. 10 S., R. 32 E.
T. 10 S., R. 33 E.,
Secs. 4 to 9 inclusive;
Secs. 16 to 21 inclusive;
Secs. 28 to 33 inclusive;
Secs. 34 and 35, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 11 S., R. 32 E.,
Secs. 1 to 3 inclusive;
Secs. 10 to 15 inclusive;
Secs. 22 to 27 inclusive;
Secs. 34 to 36 inclusive.

T. 11 S., R. 33 E.,
Secs. 3 to 11 inclusive;
Secs. 14 to 36 inclusive;
Secs. 2, 12, and 13, that portion west of the boundary of the Arctic National Wildlife Refuge established by PLO 2214.

T. 11 S., R. 34 E.,
Sec. 31;
Secs. 19, 30, and 32, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 12 S., R. 33 E.
T. 12 S., R. 34 E.,
Secs. 6 and 7;
Secs. 18 to 20 inclusive;
Secs. 28 to 33 inclusive;
Secs. 5, 8, 16, 17, 21, 27, 34, and 35, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 13 S., R. 34 E.
T. 13 S., R. 35 E.,
Secs. 31 and 32;
Secs. 6, 7, 18, 19, 28, 29, 30, and 33, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 14 S., R. 34 E.,
Secs. 1 to 3 inclusive;
Secs. 10 to 15 inclusive;
Secs. 22 to 27 inclusive;
Secs. 34 to 36 inclusive.

T. 14 S., R. 35 E.,
Secs. 5 to 9 inclusive;
Secs. 15 to 23 inclusive;
Secs. 26 to 36 inclusive;
Secs. 4, 10, 11, 13, 14, 24, and 25, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 15 S., R. 35 E.
T. 15 S., R. 36 E.,
Secs. 6, 7, 18, 19, 20, 29, 30, 31, and 32.
Secs. 5, 8, 17, 21, 28, and 33, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 16 S., R. 35 E.,
Secs. 1 to 3 inclusive;
Secs. 10 to 15 inclusive;
Secs. 22 to 27 inclusive;
Secs. 34 to 36 inclusive.

T. 16 S., R. 36 E.,
Secs. 5 to 8 inclusive;
Secs. 17 to 20 inclusive;
Secs. 28 to 36 inclusive;
Secs. 4, 9, 16, 21, 22, 25, 26, and 27, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 16 S., R. 37 E.,
Secs. 31, 32, 33, and 34, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 17 S., R. 35 E.,
Sec. 1 (fractional).

T. 17 S., R. 36 E.,
Secs. 1 to 6 inclusive (fractional).

T. 17 S., R. 37 E.,
Secs. 1 to 6 inclusive (fractional).

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

T. 37 N., R. 17 E.,
Secs. 25 to 30 inclusive (fractional);
Secs. 31 to 36 inclusive.

T. 36 N., R. 18 E.,
Secs. 1 to 18 inclusive.

T. 37 N., R. 18 E.,
Secs. 25 to 30 inclusive (fractional);
Secs. 31 to 36 inclusive.

T. 36 N., R. 19 E.
T. 37 N., R. 19 E.,
Secs. 28 to 30 inclusive (fractional);
Secs. 31 to 33 inclusive;
Sec. 34, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 36 N., R. 20 E.,
Secs. 1 to 4 inclusive;
Secs. 7 to 36 inclusive;
Secs. 5 and 6, that portion south of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 36 N., R. 21, 22, 23, 24 E.
T. 35 N., R. 25 E.,
Secs. 1 to 18 inclusive.

T. 36 N., R. 25 E.
T. 35 N., R. 26 E.,
Secs. 1 to 18 inclusive.

T. 36 N., R. 26 E.
T. 35 N., R. 27 E.,
Secs. 1 to 18 inclusive.

T. 36 N., R. 27 E.,
Secs. 19 to 36 inclusive.

T. 35 N., R. 28 E.,
Secs. 1 to 18 inclusive.

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T. 36 N., R. 28 E.,
Secs. 19 to 36 inclusive.

T. 35 N., R. 29 E.,
Secs. 1 to 18 inclusive.

T. 36 N., R. 29 E.,
Secs. 19 to 36 inclusive.

T. 35 N., R. 30 E.,
Secs. 6, 7, and 18.

T. 36 N., R. 30 E.,
Secs. 19, 30, and 31.

The areas described, including both public and nonpublic lands, aggregate approximately 1,227,490 acres.

2. Public Land Order No. 5150, as amended by Public Land Order No. 5151, is also hereby amended by adding the fol-

lowing described lands to paragraph 2 thereof:

UMIAT MERIDIAN

PROTRACTED DESCRIPTIONS

T. 1 N., R. 24 E.,
Secs. 7, 17, 18, 19, 20, 28, 29, 30, 33, and 34;
Secs. 16, 21, 22, 26, 27, 35, and 36, that portion west of the boundary of the Arctic National Wildlife Range established by PLO 2214.

T. 1 N., R. 23 E.,
Secs. 1 to 5 inclusive;
Secs. 9 to 15 inclusive;
Secs. 23 and 24.

T. 2 N., R. 23 E.,
Secs. 5 to 8 inclusive;
Secs. 16 to 22 inclusive;
Secs. 27 to 35 inclusive.

T. 3 N., R. 23 E.,
Secs. 19, 29, 30, 31, and 32.

T. 2 N., R. 22 E.,
Secs. 1 to 17 inclusive;
Secs. 22 to 26 inclusive;
Sec. 36.

T. 3 N., R. 22 E.,
Secs. 4 to 11 inclusive;
Secs. 13 to 36 inclusive.

T. 4 N., R. 22 E.,
Secs. 18, 19, 29, 30, 31, 32.

T. 2 N., R. 21 E.,
Secs. 1 and 2.

T. 3 N., R. 21 E.,
Secs. 1 to 29 inclusive;
Secs. 34 to 36 inclusive.

T. 4 N., R. 21 E.,
Secs. 3 to 11 inclusive;
Secs. 13 to 36 inclusive.

T. 5 N., R. 21 E., Sec. 31.

T. 3 N., R. 20 E.,
Secs. 1 to 4 inclusive;
Secs. 11 to 13 inclusive.

T. 4 N., R. 20 E.,
Secs. 1 to 30 inclusive;
Secs. 32 to 36 inclusive.

T. 5 N., R. 20 E.,
Secs. 17 to 22 inclusive;
Secs. 25 to 36 inclusive.

T. 4 N., R. 19 E.,
Secs. 1 to 5 inclusive;
Secs. 9 to 15 inclusive;
Secs. 23 to 25 inclusive.

T. 5 N., R. 19 E.,
Secs. 3 to 36 inclusive.

T. 6 N., R. 19 E.,
Secs. 29 to 33 inclusive.

T. 5 N., R. 18 E.,
Secs. 1 to 18 inclusive;
Secs. 21 to 27 inclusive;
Secs. 35 and 36.

T. 6 N., R. 18 E.,
Secs. 5 to 10 inclusive;
Secs. 14 to 36 inclusive.

T. 7 N., R. 18 E.,
Sec. 31.

T. 5 N., R. 17 E.,
Secs. 1, 2, 12.

T. 6 N., R. 17 E.,
Secs. 1 to 6 inclusive;
Secs. 8 to 17 inclusive;
Secs. 21 to 27 inclusive;
Secs. 35 and 36.

T. 7 N., R. 17 E.,
Secs. 5 to 9 inclusive;
Secs. 15 to 23 inclusive;
Secs. 25 to 36 inclusive.

T. 7 N., R. 16 E.,
Secs. 1 to 5 inclusive;
Secs. 9 to 15 inclusive;
Secs. 22 to 26 inclusive;
Sec. 36.

T. 8 N., R. 16 E.,
Secs. 3 to 10 inclusive;
Secs. 14 to 23 inclusive;
Secs. 25 to 36.

- T. 1 S., R. 24 E.,
Sec. 1.
T. 1 S., R. 25 E.,
Secs. 6, 8, 9, 16, 17, and 21;
Secs. 4, 5, 22, 27, and 34, that portion west
of the boundary of the Arctic National
Wildlife Range established by PLO 2214.
- T. 2 S., R. 25 E.,
Secs. 15, 22, 26, 36;
Secs. 3, 10, 11, 14, 23, and 25, that portion
west of the boundary of the Arctic National
Wildlife Range established by PLO 2214.
- T. 2 S., R. 26 E.,
Sec. 31, that portion west of the boundary
of the Arctic National Wildlife Range
established by PLO 2214.
- T. 3 S., R. 26 E.,
Secs. 6, 16, 17, 20, 21, 28, 29, 31, 32, and 33;
Secs. 5 and 8, that portion west of the
boundary of the Arctic National Wildlife
Range established by PLO 2214.
- T. 4 S., R. 25 E.,
Secs. 1, 12, 13, and 14;
Secs. 22 to 27 inclusive;
Secs. 34 to 36 inclusive.
- T. 4 S., R. 26 E.,
Secs. 5, 6, 7, and 18.
- T. 5 S., R. 25 E.,
Secs. 1 and 2;
Secs. 11 to 14 inclusive;
Secs. 23 to 26 inclusive;
Secs. 35 to 36.
- T. 5 S., R. 26 E.,
Sec. 6.
- T. 6 S., R. 25 E.,
Secs. 1 and 2;
Secs. 11 to 14 inclusive;
Secs. 23 to 26 inclusive;
Secs. 35 and 36.
- T. 7 S., R. 25 E.,
Secs. 1, 2, 12, and 13.
- T. 7 S., R. 26 E.,
Secs. 6 to 8 inclusive;
Secs. 16 to 29 inclusive;
Secs. 33 to 36 inclusive.
- T. 7 S., R. 27 E.,
Secs. 19 to 36 inclusive.
- T. 7 S., R. 28 E.,
Secs. 19 to 36 inclusive.
- T. 8 S., R. 27 E.,
Secs. 1, 2, 3, and 12.
- T. 8 S., R. 28 E.,
Secs. 1 to 18 inclusive;
Secs. 22 to 24 inclusive.
- T. 8 S., R. 29 E.,
Secs. 6 to 10 inclusive;
Secs. 13 to 18 inclusive;
Secs. 22 to 25 inclusive;
Sec. 36.
- T. 8 S., R. 30 E.,
Secs. 19, 30, 31, and 32.
- T. 9 S., R. 30 E.,
Secs. 1 to 3 inclusive;
Secs. 10 to 13 inclusive.
- T. 9 S., R. 31 E.,
Secs. 7 and 8;
Secs. 15 to 18 inclusive;
Secs. 20 to 22 inclusive;
Secs. 25 to 29 inclusive;
Secs. 33 to 36 inclusive.
- T. 9 S., R. 32 E.,
Secs. 29 to 33 inclusive.
- T. 10 S., R. 32 E.,
Secs. 3 to 5 inclusive;
Secs. 9 to 11 inclusive;
Secs. 14 and 15;
Secs. 23 to 25 inclusive;
Sec. 36.
- T. 10 S., R. 33 E.,
Sec. 19;
Secs. 29 to 33 inclusive;
- T. 11 S., R. 33 E.,
Secs. 3 to 11 inclusive;
Secs. 14 to 29 inclusive;
Secs. 32 to 36 inclusive;
Secs. 2, 12, and 13, that portion west of
the boundary of the Arctic National
Wildlife Range established by PLO 2214.
- T. 11 S., R. 34 E.,
Sec. 31;
Secs. 19, 30, and 32, that portion west of
the boundary of the Arctic National
Wildlife Range established by PLO 2214.
- T. 12 S., R. 33 E.,
Secs. 1 to 4 inclusive;
Secs. 10 to 15 inclusive;
Secs. 23 to 25 inclusive;
Sec. 36.
- T. 12 S., R. 34 E.,
Secs. 6 and 7;
Secs. 18 to 20 inclusive;
Secs. 28 to 33 inclusive;
Secs. 5, 8, 16, 17, 21, 27, 34, and 35, that
portion west of the boundary of the Arctic
National Wildlife Range established
by PLO 2214.
- T. 13 S., R. 34 E.,
Secs. 1 to 3 inclusive;
Secs. 10 to 14 inclusive;
Secs. 24 to 25.
- T. 13 S., R. 35 E.,
Secs. 31 and 32;
Secs. 6, 7, 18, 19, 28, 29, 30, and 33, that
portion west of the boundary of the Arctic
National Wildlife Range established
by PLO 2214.
- T. 14 S., R. 35 E.,
Secs. 5, 6, and 8;
Secs. 15 and 16;
Secs. 21 and 22;
Secs. 26 and 28 inclusive;
Secs. 34 to 36 inclusive;
Secs. 4 and 9, that portion west of the
boundary of the Arctic National Wild-
life Range established by PLO 2214.
- T. 15 S., R. 35 E.,
Secs. 1 to 3 inclusive;
Secs. 10 to 15 inclusive;
Secs. 24 and 25;
Sec. 36.
- T. 15 S., R. 36 E.,
Secs. 7, 18, 19, 20, 29, 30, 31, and 32;
Secs. 21, 28, and 33, that portion west of
the boundary of the Arctic National
Wildlife Range established by PLO 2214.
- T. 16 S., R. 36 E.,
Secs. 5 to 8 inclusive;
Secs. 17, 20, 28, 34, and 35;
Secs. 4, 9, 16, 21, 22, 25, 26, 27, and 36, that
portion west of the boundary of the
Arctic National Wildlife Range estab-
lished by PLO 2214.
- T. 16 S., R. 37 E.,
Secs. 31, 32, 33, and 34, that portion west
of the boundary of the Arctic National
Wildlife Range established by PLO 2214.
- T. 17 S., R. 36 E.,
Sec. 1 (fractional).
- T. 17 S., R. 37 E.,
Secs. 1 to 6 inclusive (fractional).

FAIRBANKS MERIDIAN

PROTRACTED DESCRIPTIONS

- T. 37 N., R. 18 E.,
Secs. 25 to 30 inclusive (fractional);
Secs. 33 to 36 inclusive.
- T. 37 N., R. 19 E.,
Secs. 28 to 30 inclusive (fractional);
Secs. 31 to 33 inclusive;
Sec. 34, that portion west of the boundary
of the Arctic National Wildlife Range
established by PLO 2214.
- T. 36 N., R. 19 E.,
Secs. 1, 2, 3, and 12.
- T. 36 N., R. 20 E.,
Secs. 7 to 14 inclusive;
Secs. 5 and 6, that portion south of the
boundary of the Arctic National Wildlife
Range established by PLO 2214.
- T. 36 N., R. 21 E.,
Secs. 7 and 8;
Secs. 13 to 18 inclusive.
- T. 36 N., R. 22 E.,
Secs. 13 to 18 inclusive.
- T. 36 N., R. 23 E.,
Secs. 13 to 18 inclusive.

- T. 36 N., R. 24 E.,
Secs. 14 to 18 inclusive;
Secs. 20 to 25 inclusive.
- T. 36 N., R. 25 E.,
Secs. 19 to 30 inclusive.
- T. 36 N., R. 26 E.,
Secs. 19 to 22 inclusive;
Secs. 25 to 30 inclusive.
- T. 35 N., R. 27 E.,
Secs. 1 to 4 inclusive;
Sec. 12.
- T. 36 N., R. 27 E.,
Secs. 29 to 34 inclusive.
- T. 35 N., R. 28 E.,
Secs. 1 to 10 inclusive.
- T. 36 N., R. 28 E.,
Secs. 34 to 36 inclusive.
- T. 35 N., R. 29 E.,
Secs. 1 to 6 inclusive;
Secs. 11 to 12.
- T. 36 N., R. 29 E.,
Secs. 27 and 28;
Secs. 31 to 35 inclusive.
- T. 35 N., R. 30 E.,
Secs. 6, and 7.

The areas described, which are also included in the lands described in paragraph 1 of this order, aggregate approximately 595,930 acres.

This order does not otherwise serve to change the provisions and limitations of Public Land Order No. 5150 as herein amended.

3. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2) (C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2) (C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc. 72-3948 Filed 3-15-72; 8:46 am]

[Public Land Order 5183]

ALASKA

Withdrawal for Classification and in Aid of Legislation

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 708, it is ordered as follows:

1. Subject to valid existing rights and the provisions of all prior withdrawals, the following described lands are hereby withdrawn from selection under section 12 of the Alaska Native Claims Settlement Act, supra, by the Regional Corporations established pursuant to section 7 of said Act (hereinafter called "Regional Corporations") and are hereby reserved in aid of legislation and to insure that the public interest in said lands is properly protected:

a. All those lands withdrawn by section 11 of the Alaska Native Claims Settle-

ment Act, supra, which are within the boundaries of the following withdrawals and reservations: Chugach National Forest, Kodiak National Wildlife Refuge, Clarence Rhode National Wildlife Range, Nunivak National Wildlife Refuge, Izembek National Wildlife Range, Arctic National Wildlife Refuge, Aleutian Islands National Wildlife Refuge, Kenai National Moose Range, Cape Newenham National Wildlife Refuge, Chamsis National Wildlife Refuge, Hazen Bay National Wildlife Refuge, and all other lands within the National Wildlife Refuge System which fall within any area withdrawn by section 11 of the Alaska Native Claims Settlement Act, supra.

b. The entire subsurface estate, including all mineral deposits, in those lands withdrawn by section 11 of the Alaska Native Claims Settlement Act, supra, which are within the boundaries of Naval Petroleum Reserve No. 4, including the right to prospect for, mine, and remove said mineral deposits.

2. Three times the amount of land which could have been selected by said Regional Corporations under section 12 of the Alaska Native Claims Settlement Act, supra, within the above described areas has been withdrawn by public land orders of even date, herewith, so that said Regional Corporations may make in lieu selections as provided in section 11 (a) (3) of the Alaska Native Claims Settlement Act, supra.

3. The withdrawal made by this order does not affect the administrative jurisdiction of any Department or Agency over the lands described in paragraph 1 and does not otherwise affect the laws and regulations applicable to such except as herein provided.

4. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3949 Filed 3-15-72;8:46 am]

[Public Land Order 5184]

ALASKA

Withdrawal for Classification or Reclassification of Some of Areas Withdrawn by Section 11 of Alaska Native Claims Settlement Act

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior in section 17(d)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 708 (hereinafter re-

ferred to as the Act), it is ordered as follows:

1. Subject to valid existing rights, all of those lands withdrawn by section 11 of the Act and which are not also withdrawn for any national forest, Naval Petroleum Reserve Number 4, or any part of the National Wildlife Refuge System and which are outside the area described in paragraph 2 of this order are hereby withdrawn: (a) From all forms of appropriation under the public land laws; (b) from location and entry under the mining laws, 30 U.S.C. ch. 2; (c) from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970); and (d) until December 18, 1975, from selection by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339; and said lands are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act.

2. Subject to valid existing rights, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C. ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for study and review by the Secretary of the Interior for the purpose of classification or reclassification of any lands not conveyed pursuant to section 14 of said Act:

All of those lands withdrawn by section 11 of the Act lying between 58° N. and 64° N. latitude, and west of 161° W. longitude, and not withdrawn for any part of the National Wildlife Refuge System.

The area described aggregates approximately 11 million acres.

3. Prior to the conveyances to the State of Alaska of any lands described in paragraph 1 of this order, and prior to the conveyances under section 14 of said Act of any lands described in paragraph 1 or paragraph 2 of this order, the lands shall remain subject to administration by the Secretary of the Interior under applicable laws and regulations and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this order. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

4. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

5. The withdrawals made by this order shall not affect in any way the right of

any corporation formed pursuant to section 7 or section 8 of said Act to make selections pursuant to said Act.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3950 Filed 3-15-72;8:46 am]

[Public Land Order 5185]

ALASKA

Preference Right of Alaska for Selection and Order Pertaining to Simultaneous Filing Under Public Land Laws

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and in accord with section 17(d)(1) and section 17(d)(2)(B) of the Alaska Native Claims Settlement Act, 85 Stat. 688, 708, it is ordered as follows:

1. All public lands in Alaska which, on March 17, 1972, are vacant and unappropriated and are not withdrawn, reserved, or segregated shall be available to the State of Alaska for selection under the Alaska Statehood Act, 72 Stat. 339. By virtue of the preference right of selection provided to the State of Alaska under section 6(g) of the Alaska Statehood Act, supra, said vacant, unappropriated and unreserved lands in the State will not be available for application, location, or entry until 10 a.m. on June 19, 1972. At 10 a.m. on June 19, 1972, said vacant, unappropriated and unreserved lands shall be open to the operation of the public land laws generally, including locations for nonmetalliferous minerals under the mining laws, 30 U.S.C. ch. 2, and leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. section 181-287 (1970), subject to valid existing rights and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on June 19, 1972, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. The lands have been and will continue to be open to locations for metalliferous minerals under the mining laws. Inquiries concerning the lands should be addressed to the State Director, Bureau of Land Management, 555 Cordova Street, Anchorage, AK 99501.

2. It is hereby determined that the promulgation of this public land order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 9, 1972.

[FR Doc.72-3951 Filed 3-15-72;8:46 am]

[Public Land Order 5186]

ALASKA

Withdrawal for Classification and Protection of the Public Interest in Lands Not Selected by the State of Alaska

By virtue of the authority vested in the President by the Act of June 25, 1910, as amended, 43 U.S.C. section 141 (1970), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior by section 17(d)(1) of the Alaska Native claims Settlement Act of December 18, 1971, 85 Stat. 688, 708 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including location and entry under the mining laws (except for locations for metalliferous minerals) 30 U.S.C. Ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), but not from selection by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and are hereby reserved for study and review to determine the proper classification under section 17(d)(1) of said Act of lands not selected by the State of Alaska, so that the public interest in the lands will be protected.

FAIRBANKS MERIDIAN

(PROTRACTED DESCRIPTIONS)

T. 1 N., Rs. 5 and 8 E.
T. 1 N., R. 10 E., number of military reservation.
T. 2 N., Rs. 2, S $\frac{1}{2}$ 8, 9, and 10 E.
T. 3 N., Rs. 2 and 8 E.
T. 4 N., Rs. 1 and 2 E.
T. 8 N., Rs. 13 and S $\frac{1}{2}$ 15 E.
T. 1 N., Rs. 4, 5, 11, and 12 W.
T. 2 N., Rs. 2 through 5, 11, and 12 W.
T. 3 N., Rs. 1 through 5, 11, and 12 W.
T. 4 N., Rs. 4 through 11 W.
T. 5 N., Rs. 5 through 9 W.
T. 1 S., Rs. 4, 5, and 11 through 13 W.
T. 2 S., Rs. 4 and 11 through 13 W.
T. 3 S., Rs. 4, 5, and 11 through 13 W.
T. 4 S., Rs. 3 and 11 through 13 W.
T. 5 S., Rs. 11 through 13 W.
T. 6 S., Rs. 11 through 13 W.
T. 7 S., Rs. 7 and 10 through 12 W.
T. 7 S., Rs. 8 and 9 W., south of military reservation.
T. 8 S., Rs. 7 through 10 W.
T. 9 S., Rs. 5 through 9 W.
T. 10 S., R. 8 W.
T. 11 S., R. 8 W.
T. 12 S., Rs. 3, 7, and 9 through 11 W.
T. 13 S., Rs. 6 through 11 W.
T. 14 S., Rs. 6 and 7 W.
T. 15 S., Rs. 6 and 7 W.
T. 20 S., R. 10 W.
T. 21 S., Rs. 10 and 11 W.
T. 22 S., Rs. 11 and 12 W.
T. 1 S., Rs. 3 through 6 E.
T. 1 S., Rs. 7 and 8 E., north of military reservation.
T. 3 S., Rs. 8 through 11 E., south of military reservation.
T. 4 S., Rs. 8 and 9 E.
T. 4 S., Rs. 5 through 7 E., south of military reservation.
T. 5 S., Rs. 5 through 8 E.
T. 5 S., R. 4 E., east of military reservation.
T. 6 S., Rs. 5 through 8 E.

T. 6 S., R. 4 E., east of military reservation.
T. 7 S., Rs. 4 through 6 E.
T. 8 S., Rs. 5 through 7 E. (all $\frac{1}{2}$ townships).
T. 11 S., R. 6 E.
T. 12 S., Rs. 8, 11 and 12 E.
T. 13 S., Rs. 15 and 16 E.
T. 13 S., R. 10 E., south of military reservation.
T. 14 S., Rs. 15 and 16 E.
T. 18 S., Rs. 12 and 13 E.
T. 20 S., Rs. 11 and W $\frac{1}{2}$ 12 E.
T. 21 S., Rs. 9 and E $\frac{1}{2}$ 11 E.
T. 22 S., R. 9 E.

UMIAT MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 1 N., Rs. 16 through 23 E.
T. 1 N., R. 24 E., west of Arctic National Wildlife Refuge.
T. 2 N., Rs. 12 and 16 through 23 E.
T. 2 N., R. 24 E., west of A.N.W.R.
T. 3 N., Rs. 12 and 16 through 23 E.
T. 3 N., R. 24 E., west of A.N.W.R.
T. 4 N., Rs. 9 through 12 and 16 through 23 E.
T. 4 N., R. 24 E., west of A.N.W.R.
T. 5 N., Rs. 4 through 12 and 16 through 22 E.
T. 5 N., R. 3 E., east of Naval Petroleum Reserve No. 4.
T. 5 N., R. 23 E., west of A.N.W.R.
T. 6 N., Rs. 4 through 12 and 16 through 22 E.
T. 6 N., R. 3 E., east of Naval Petroleum Reserve No. 4.
T. 6 N., R. 23 E., west of A.N.W.R.
T. 7 N., Rs. 3 through 12 and 16 through 22 E.
T. 7 N., R. 2 E., east of Naval Petroleum Reserve No. 4.
T. 7 N., R. 23 E., west of A.N.W.R.
T. 8 N., Rs. 5 through 12 and 16 through 24 E.
T. 8 N., Rs. 2 through 4 E., east of the Naval Petroleum Reserve No. 4.
T. 8 N., Rs. 25, 26 E., west of A.N.W.R.
T. 9 N., Rs. 5 through 19 and 22 E.
T. 9 N., Rs. 20, 21, and 23 through 26 E. (all fractional).
T. 9 N., R. 4 E., east of Naval Petroleum Reserve No. 4.
T. 10 N., Rs. 7 through 16 E.
T. 10 N., Rs. 17 through 25 E. (all fractional).
T. 11 N., Rs. 7 through 14 E.
T. 11 N., Rs. 15 through 20 E. (all fractional).
T. 12 N., Rs. 7 through 11 E.
T. 12 N., Rs. 12 through 16, 18, 19 E. (all fractional).
T. 13 N., Rs. 6 through 12 E. (all fractional).
T. 1 N., Rs. 45 and 46 W. (fractional).
T. 2 N., Rs. 45 and 46 W. (fractional).
T. 8 N., Rs. 42 and 43 W. (fractional).
T. 9 N., Rs. 40 and 41 W. (fractional).
T. 10 N., Rs. 40 and 41 W. (fractional).
T. 11 N., R. 40 W. (fractional).

SEWARD MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 10 N., R. 2 E.
T. 11 N., R. 1 E.
T. 12 N., Rs. 1 through 3 E.
T. 13 N., Rs. 1 through 3 E.
T. 17 N., R. 3 E.
T. 18 N., R. 3 E.
T. 19 N., Rs. 1, N $\frac{1}{2}$ 2, 3, 4, 8 E.
T. 20 N., Rs. 1, 2, 4, N $\frac{1}{2}$ 7, N $\frac{1}{2}$ 8 E.
T. 23 N., R. 12 E.
T. 24 N., R. 12 E.
T. 25 N., R. 12 E.
T. 1 N., R. 1 W. (fractional) south of Kenai National Moose Range.
T. 1 N., R. 11 W., west of Kenai National Moose Range.
T. 1 N., Rs. 54 through 57 W.
T. 2 N., R. 11 W. (fractional), west of Kenai National Moose Range.
T. 2 N., Rs. 54 through 57 W.
T. 3 N., R. 11 W., west of Kenai National Moose Range.
T. 3 N., R. 16 W. (fractional).
T. 3 N., Rs. 55 and 56 W.
T. 4 N., Rs. 15 and 16 W. (fractional).
T. 4 N., Rs. 55 and 56 W.
T. 5 N., R. 15 W. (fractional).
T. 5 N., R. 55 W.

T. 10 N., Rs. 1 and 2 W., north of Cook Inlet.
T. 11 N., Rs. 1 and 2 W.
T. 12 N., R. 2 W.
T. 12 N., R. 1 W., south of National Forest.
T. 13 N., R. 2 W.
T. 19 N., Rs. 1 and 2 W.
T. 20 N., Rs. 1 and 2 W.
T. 21 N., R. 3 W.
T. 22 N., R. 3 W.
T. 23 N., R. 3 W.
T. 24 N., R. 3 W.
T. 25 N., Rs. 3 and 4 W.
T. 26 N., Rs. 3 and 4 W.
T. 27 N., Rs. 3 and 4 W.
T. 28 N., Rs. 3 and 4 W.
T. 29 N., Rs. 3 through 6 W.
T. 30 N., Rs. 3 through 5 W.
T. 31 N., Rs. 2 through 5 W.
T. 32 N., Rs. 2 through 4 W.
T. 33 N., Rs. 2 through 4 W. (all fractional).
T. 1 S., Rs. 11 and 52 through 57 W., E $\frac{2}{3}$ 58 W.
T. 1 S., R. 1 W. (fractional).
T. 2 S., Rs. 11 W. and 53 through 57 W., E $\frac{2}{3}$ 58 W.
T. 2 S., R. 1 W. (fractional).
T. 3 S., Rs. W $\frac{1}{2}$ 9, 10, 11, and 51 through 57, E $\frac{2}{3}$ 58 W.
T. 3 S., R. 1 W. (fractional).
T. 4 S., Rs. W $\frac{1}{2}$ 9, 10, 11, N $\frac{1}{2}$ 12, and 53 through 57, E $\frac{2}{3}$ 58 W.
T. 4 S., R. 1 W. (fractional).
T. 5 S., Rs. 54 through 58 W.
T. 5 S., R. 10 W. (fractional).
T. 6 S., Rs. 54 through 58 W.
T. 6 S., R. 11 W. (fractional).
T. 7 S., Rs. 54 through 58 W.
T. 7 S., R. 11 W. (fractional).
T. 8 S., Rs. 11 and 58 W.
T. 9 S., Rs. 10 and 12 W.
T. 9 S., Rs. 8, 9, 25, and 26 W. (all fractional).
T. 10 S., Rs. 8 through 12, 25, and 26 W. (all fractional).
T. 11 S., Rs. 10 through 16 W. (all fractional).
T. 13 S., Rs. 26 through 28 W. (all fractional).
T. 18 S., Rs. 19 and 20 W. (fractional).
T. 19 S., Rs. 19, 20, and 49 W. (all fractional).
T. 20 S., Rs. 48 through 51 W.
T. 20 S., R. 52 W. (fractional).
T. 21 S., R. 46 W.
T. 22 S., Rs. 16 and 17 W. (fractional).
T. 23 S., Rs. 16 and 17 W. (fractional).
T. 24 S., Rs. 24 and 25 W. (fractional).
T. 25 S., R. 25 W. (fractional).
T. 26 S., Rs. 47 through 50 W.
T. 26 S., R. 51 W. (fractional).
T. 27 S., Rs. 47 through 50 W.
T. 27 S., R. 51 W. (fractional).
T. 28 S., R. 48 W.
T. 29 S., Rs. 18 through 20 W. (all fractional).
T. 30 S., Rs. 21 through 23 W.
T. 30 S., Rs. 18 through 20 W. (all fractional).
T. 31 S., R. 24 W.
T. 31 S., Rs. 19 through 23 and 54 W. (all fractional).
T. 32 S., R. 22 W.
T. 32 S., Rs. 21 and 54 W. (fractional).
T. 33 S., Rs. 53 and 54 W.
T. 33 S., Rs. 21, 22, and 54 through 56 W. (all fractional).
T. 34 S., Rs. 53 through 55 W.
T. 34 S., Rs. 56 and 57 W. (fractional).
T. 35 S., Rs. 51 through 56 W.
T. 36 S., Rs. 51, 56, and 57 W.
T. 37 S., Rs. 25 and 26 W. (fractional).
T. 39 S., Rs. 27 and 28 W. (fractional).
T. 40 S., Rs. 59 through 61 W.
T. 40 S., Rs. 29 through 31, 62, and 63 W. (all fractional).
T. 41 S., R. 63 W.
T. 41 S., Rs. 31 through 34 and 64 through 66 W. (all fractional).
T. 42 S., Rs. 63 through 65 W.
T. 42 S., Rs. 30 through 34 W., 66 and 67 W. (all fractional).
T. 43 S., Rs. 65 through 67 W.
T. 43 S., Rs. 34, 35, and 68 W. (all fractional).
T. 44 S., Rs. 65 through 68 W.
T. 44 S., Rs. 35, 69, and 70 W. (all fractional).

COPPER RIVER MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 12 N., R. 21 E.
 T. 13 N., R. 21 E.
 T. 3 N., Rs. 3, 4, and 10 W.
 T. 4 N., Rs. 4 and 10 W.
 T. 5 N., Rs. 4, 9, and 10 W.
 T. 6 N., Rs. 4, 9, and 10 W.
 T. 7 N., Rs. 4 through 8 W.
 T. 8 N., R. 8 W.
 T. 8 S., Rs. N $\frac{1}{2}$ 2, 3, S $\frac{1}{2}$ 5, 6, and 7 W.
 T. 9 S., Rs. 3, 4, 5, S $\frac{1}{2}$ 6, and S $\frac{1}{2}$ 7 W.
 T. 15 S., R. 3 W.
 T. 19 S., R. 17 E.
 T. 20 S., Rs. 13 through 17 E.
 T. 20 S., R. 12 E. (fractional).
 T. 21 S., Rs. 9 through 11, and 19 through 23 E.
 T. 21 S., R. W $\frac{1}{2}$ 24 E.
 T. 22 S., Rs. 9, 21, and 22 E.
 T. 25 S., R. 60 E.
 T. 26 S., Rs. 59 and 60 E.
 T. 27 S., Rs. E $\frac{1}{2}$ 58, 59, W $\frac{1}{2}$ 60 E.
 T. 28 S., R. 58 E.
 T. 29 S., Rs. 58 and 59 E.
 T. 45 S., Rs. 67 through 69 W.
 T. 45 S., Rs. 70 and 71 W. (fractional).
 T. 46 S., Rs. 68 through 70 W.
 T. 46 S., Rs. 71 and 72 W. (fractional).
 T. 47 S., Rs. 69 thru 71 W.
 T. 47 S., R. 72 W. (fractional).
 T. 48 S., Rs. 70 and 71 W.
 T. 48 S., Rs. 72 through 79 W. (all fractional).
 T. 49 S., Rs. 70 and 71 W.
 T. 49 S., Rs. 41 and 72 through 81 W. (all fractional).
 T. 50 S., Rs. 77 through 80 W.
 T. 50 S., Rs. 41, 42, 76, and 81 W. (all fractional).
 T. 51 S., Rs. 76 through 81 W.
 T. 51 S., Rs. 41, 42, 75, and 82 W. (all fractional).
 T. 52 S., Rs. 79 through 83 W.
 T. 52 S., R. 84 W. (fractional).
 T. 53 S., R. 53 W. (fractional).
 T. 54 S., R. 85 W., number of Izembeck National Wildlife Refuge.
 T. 1 S., Rs. 1, 2, W $\frac{1}{2}$ 3, E.
 T. 2 S., Rs. 1 through 5 E. (all fractional).
 T. 3 S., Rs. 1 through 5 E. (all fractional).
 T. 4 S., R. 1 E. (fractional).
 T. 30 S., Rs. 58 through 60 E.
 T. 31 S., Rs. 59 through 61 E.
 T. 32 S., Rs. E $\frac{1}{2}$ 59, 60 and 61 E.
 T. 40 S., Rs. S $\frac{1}{2}$ 66, SW $\frac{1}{4}$ 67 E.
 T. 41 S., Rs. E $\frac{1}{2}$ 66 and 67 E.
 T. 55 S., Rs. 63 and W $\frac{1}{2}$ 64 E.
 T. 56 S., Rs. N $\frac{1}{2}$ 63 and NW $\frac{1}{4}$ 64 E.
 T. 73 S., R. 90 E. (fractional).

COPPER RIVER MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 16 N., Rs. 6 and 7 E.
 T. 17 N., Rs. 5 through 7 E.
 T. 18 N., Rs. 5 through 7 E.
 T. 19 N., Rs. 5 through 7 E.

FAIRBANKS MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 2 N., Rs. 3 through 5 E.
 T. 2 N., R. 6 E., W $\frac{1}{2}$.
 T. 3 N., Rs. 3 through 6, 9, and 10 E.
 T. 3 N., R. 7 E., W $\frac{1}{2}$ and NE $\frac{1}{4}$.
 T. 4 N., Rs. 3 through 10 E.
 T. 5 N., Rs. 5 through 8 E.
 T. 6 N., Rs. 7 and 8 E.
 T. 7 N., R. 8 E.
 T. 28 N., Rs. 1 and 2 E.
 T. 28 N., R. 3 E., west of Venetie Indian Reservation.
 T. 29 N., Rs. 1 through 3 E.
 T. 30 N., Rs. 1 through 3 E.
 T. 31 N., Rs. 1 through 3 E.
 T. 32 N., Rs. 1 through 3 E.
 T. 33 N., Rs. 1 through 3 and 17 through 29 E.
 T. 34 N., Rs. 17 through 29 E.
 T. 35 N., Rs. 17 through 23 E.

T. 35 N., Rs. 24 through 29 E. (S $\frac{1}{2}$ of each township for all).
 T. 36 N., Rs. 17 and 18 E.
 T. 6 N., R. 25 W.
 T. 6 N., R. 25 W. (fractional).
 T. 7 N., R. 25 W.
 T. 7 N., R. 26 W. (fractional).
 T. 27 N., Rs. 1 through 6 and 17 through 24 W.
 T. 28 N., Rs. 1 through 6 and 17 through 24 W.
 T. 29 N., Rs. 1 through 6 and 16 through 23 W.
 T. 30 N., Rs. 1 through 6 and 17 through 23 W.
 T. 31 N., Rs. 1 through 6, 17, and 18 W.
 T. 32 N., Rs. 1 through 6 and 18 W.
 T. 33 N., Rs. 1 through 6 W.
 T. 7 S., Rs. 1 through 3 W.
 T. 8 S., Rs. 1 through 6 W.
 T. 9 S., Rs. 1 through 4 W.
 T. 10 S., Rs. 1 through 5 W.
 T. 11 S., Rs. 1 through 4 W.
 T. 12 S., Rs. 1 through 5 W.
 T. 13 S., Rs. 1 through 5 W.
 T. 14 S., Rs. 1 through 5 W.
 T. 15 S., Rs. 1 through 5 W.
 T. 16 S., Rs. 1 through 3 W.
 T. 17 S., Rs. 1 and 2 W.
 T. 18 S., R. 1 W.
 T. 7 S., Rs. 1 through 3 E.
 T. 8 S., Rs. 1 through 4 E.
 T. 8 S., R. 5 E., west of Military Reservation.
 T. 9 S., Rs. 1 through 3 E.
 T. 9 S., R. 4 E., west of Military Reservation.
 T. 10 S., Rs. 1 through 3 E.
 T. 10 S., R. 4 E., west of Military Reservation.
 T. 11 S., R. 1 E.
 T. 11 S., Rs. 2 and 3 E., west of Military Reservation.
 T. 12 S., Rs. 1 and 2 E.
 T. 12 S., R. 3 E., west of Military Reservation.
 T. 13 S., Rs. 1, 2, 11, and 12 E.
 T. 13 S., Rs. 3 through 7 E., all south of Military Reservation.
 T. 14 S., Rs. 1 through 6 and 11 through 14 E.
 T. 14 S., Rs. 7 and 8 E., south of Military Reservation.
 T. 15 S., Rs. 6 through 8 and 11 through 16 E.
 T. 17 S., Rs. 12 through 16 E.
 T. 18 S., Rs. 14 through 16 E.
 T. 19 S., Rs. 14 through 16 E.

KATEEL RIVER MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 1 N., Rs. 20 through 27 E.
 T. 1 N., R. 28 E. (fractional).
 T. 14 N., Rs. 13 through 24 E.
 T. 15 N., Rs. 13, 14, and 21 through 24 E.
 T. 16 N., Rs. 13, 14, and 21 through 24 E.
 T. 17 N., Rs. 13, 21 through 24 E.
 T. 18 N., Rs. 13, 14, and 16 through 18 E.
 T. 19 N., Rs. 13 through 18 E.
 T. 20 N., Rs. 13 through 18 E.
 T. 21 N., Rs. 12 through 18 E.
 T. 1 N., Rs. 10 through 18 W.
 T. 2 N., Rs. 10 through 18 W.
 T. 3 N., Rs. 10 through 18 W.
 T. 1 S., Rs. 10 through 18 W.
 T. 2 S., Rs. 10 through 18 W.
 T. 3 S., R. 10 W.
 T. 1 S., Rs. 20 through 28 E.
 T. 2 S., Rs. 20 through 28 E.
 T. 3 S., Rs. 20 through 26 E.
 T. 4 S., Rs. 20 through 23 E.
 T. 5 S., R. 20 E.
 T. 11 S., Rs. 13 and 14 E.
 T. 12 S., Rs. 11 through 20 E.
 T. 13 S., Rs. 11 through 21 E.
 T. 14 S., Rs. 4 through 21 E.
 T. 15 S., Rs. 4 through 21 E.
 T. 16 S., Rs. 3 through 21 E.
 T. 17 S., Rs. 3 through 21 E.
 T. 18 S., Rs. 9 through 21 E.
 T. 19 S., Rs. 9 through 21 E.
 T. 20 S., Rs. 13 through 21 E.
 T. 21 S., Rs. 13 through 21 E.
 T. 22 S., Rs. 13 through 21 E.
 T. 23 S., Rs. 10 through 21 E.
 T. 24 S., Rs. 10 through 21 E.
 T. 25 S., Rs. 10 through 19 E.
 T. 26 S., Rs. 10 through 12 E.
 T. 27 S., Rs. 8 through 12 E.

T. 28 S., Rs. 5 through 12 E.
 T. 29 S., Rs. 8 through 12 E. (all fractional).

SEWARD MERIDIAN (PROTRACTED DESCRIPTIONS)

T. 21 N., Rs. 6 through 10 E.
 T. 22 N., Rs. 5 through 10 E.
 T. 23 N., Rs. 2 through 11 E.
 T. 24 N., Rs. 1 through 11 E.
 T. 25 N., Rs. 1 through 11 E.
 T. 26 N., Rs. 1 through 11 E.
 T. 27 N., Rs. 1 through 11 E.
 T. 28 N., Rs. 1 through 11 E.
 T. 1 N., Rs. 37 through 52, 59, and 60 W.
 T. 2 N., Rs. 37 through 52, 59, and 60 W.
 T. 3 N., Rs. 37 through 54 and 57 through 60 W.
 T. 4 N., Rs. 37 through 54 and 57 through 60 W.
 T. 5 N., Rs. 30 through 54 and 56 through 59 W.
 T. 6 N., Rs. 30 through 59 W.
 T. 7 N., Rs. 29 through 59 W.
 T. 8 N., Rs. 29 through 59 W.
 T. 9 N., Rs. 28 through 58 W.
 T. 10 N., Rs. 28 through 58 W.
 T. 11 N., Rs. 28 through 58 W.
 T. 12 N., Rs. 27 through 31 and 37 through 58 W.
 T. 13 N., Rs. 27 through 31 and 37 through 57 W.
 T. 14 N., Rs. 25 through 31 and 37 through 57 W.
 T. 15 N., Rs. 24 through 31 and 37 through 50 W.
 T. 16 N., Rs. 24 through 31 and 37 W.
 T. 17 N., Rs. 21 through 31 W.
 T. 18 N., Rs. 20 through 31 W.
 T. 19 N., Rs. 19 through 31 W.
 T. 20 N., Rs. 18 through 31 W.
 T. 21 N., Rs. 15 through 31 W.
 T. 22 N., Rs. 15 through 31 W.
 T. 23 N., Rs. 15 through 31 W.
 T. 24 N., Rs. 15 through 31 W.
 T. 25 N., Rs. 20 through 29 W.
 T. 26 N., Rs. 20 through 28 W.
 T. 27 N., Rs. 20 through 26 W.
 T. 28 N., Rs. 20 through 26 and 39 through 52 W.
 T. 29 N., Rs. 16 through 25 and 39 through 51 W.
 T. 30 N., Rs. 19 through 25 and 39 through 51 W.
 T. 31 N., Rs. 18, 19, and 39 through 43 W.
 T. 32 N., Rs. 17, 18, and 39 through 43 W.
 T. 33 N., Rs. 39 through 42 W.
 T. 34 N., Rs. 39 through 42 W. (all fractional).

The areas described aggregate approximately 35 million acres.

2. Prior to the conveyance of any of the lands withdrawn by this order, the lands shall be subject to administration by the Secretary of the Interior under the applicable laws and regulations, and his authority to make contracts, and to grant leases, permits, rights-of-way, or easements, shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

3. It is hereby determined that the promulgation of this Public Land Order is not a major Federal action significantly affecting the quality of the human environment and no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS B. MORTON,
 Secretary of the Interior.

MARCH 15, 1972.

[FR Doc. 72-4138 Filed 3-15-72; 9:54 am]

[Public Land Order 5187]

ALASKA

Withdrawal of Lands for Classification and for Protection of the Public Interest in the Lands in Military Reservations

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior by section 17(d)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 708 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights and the provisions of prior withdrawals, all of the lands embraced in defense or military reservations in Alaska of whatever nature (except those lands in Naval Petroleum Reserve No. 4 which are also withdrawn by section 11 of the Act) are hereby withdrawn from all forms of appropriation under the public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C., ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C., sections 181-287 (1970), and are hereby reserved for study and review to determine the proper classification of the lands under section 17(d)(1) of said Act, so that the public interest will be protected after the lands are no longer needed for military or defense purposes.

2. The withdrawal made by this order does not affect the administrative juris-

diction of the Department of Defense or any of its agencies over the lands involved and does not otherwise affect the laws and regulations applicable to such lands except as herein provided.

3. It is hereby determined that the promulgation of this Public Land Order is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 15, 1972.

[FR Doc.72-4139 Filed 3-15-72;9:55 am]

[Public Land Order 5188]

ALASKA

Withdrawal of Lands for Classification and for Protection of the Public Interest in the Lands in Former Reservations for Use and Benefit of Alaska Natives

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority vested in the Secretary of the Interior by section 17(d)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 708 (hereinafter called the "Act"), it is ordered as follows:

1. Subject to valid existing rights, all of the lands in the former reservations withdrawn by Public Land Order No.

5156 of February 4, 1972, 37 F.R. 3056, are hereby withdrawn from all forms of appropriation under public land laws, including selections by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, and from location and entry under the mining laws, 30 U.S.C., ch. 2, and from leasing under the Mineral Leasing Act of February 25, 1920, as amended, 30 U.S.C. sections 181-287 (1970), and are hereby reserved for study and review to determine the proper classification under section 17(d)(1) of the Act any of the lands which are not conveyed pursuant to the Act, so that the public interest in the lands can be properly protected.

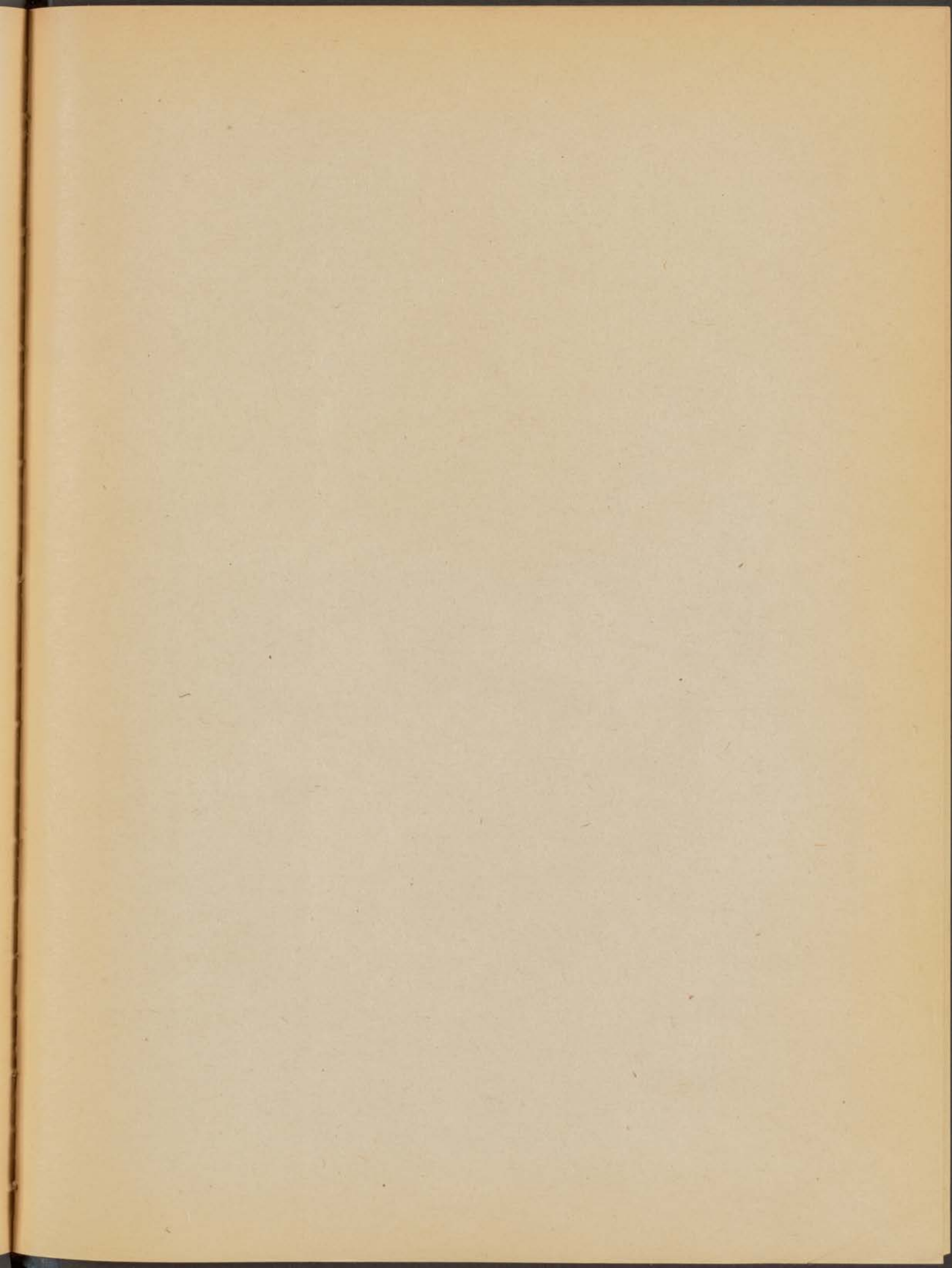
2. Prior to the conveyance of any of the lands withdrawn by this order, the lands shall be subject to administration by the Secretary of the Interior under the applicable laws and regulations, and his authority to make contracts, and to grant leases, permits, rights-of-way, or easements, shall not be impaired by this withdrawal. Applications for leases under the Mineral Leasing Act, supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

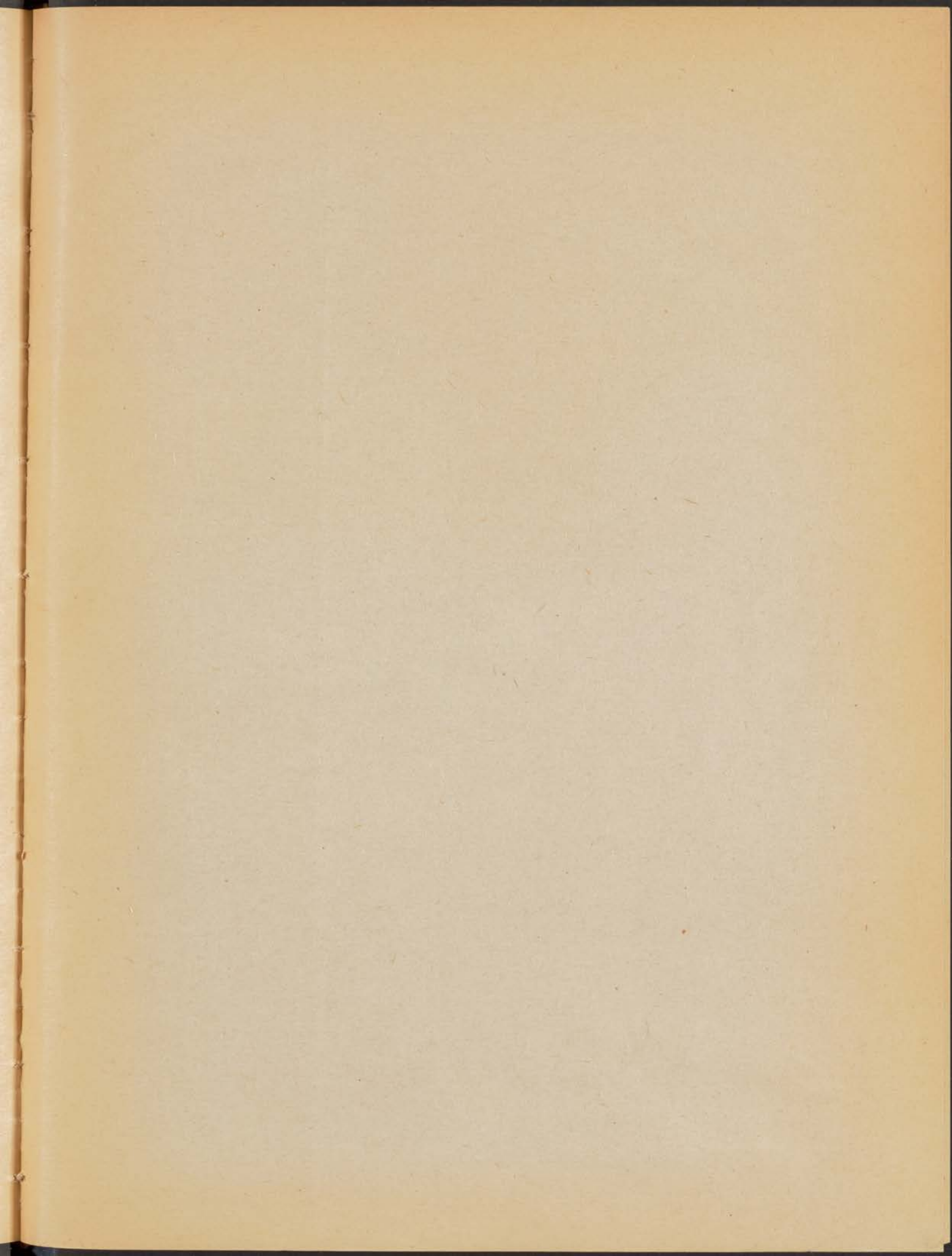
3. It is hereby determined that the promulgation of this Public Land Order is not a major action significantly affecting the quality of the human environment and no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. section 4332(2)(C), is required.

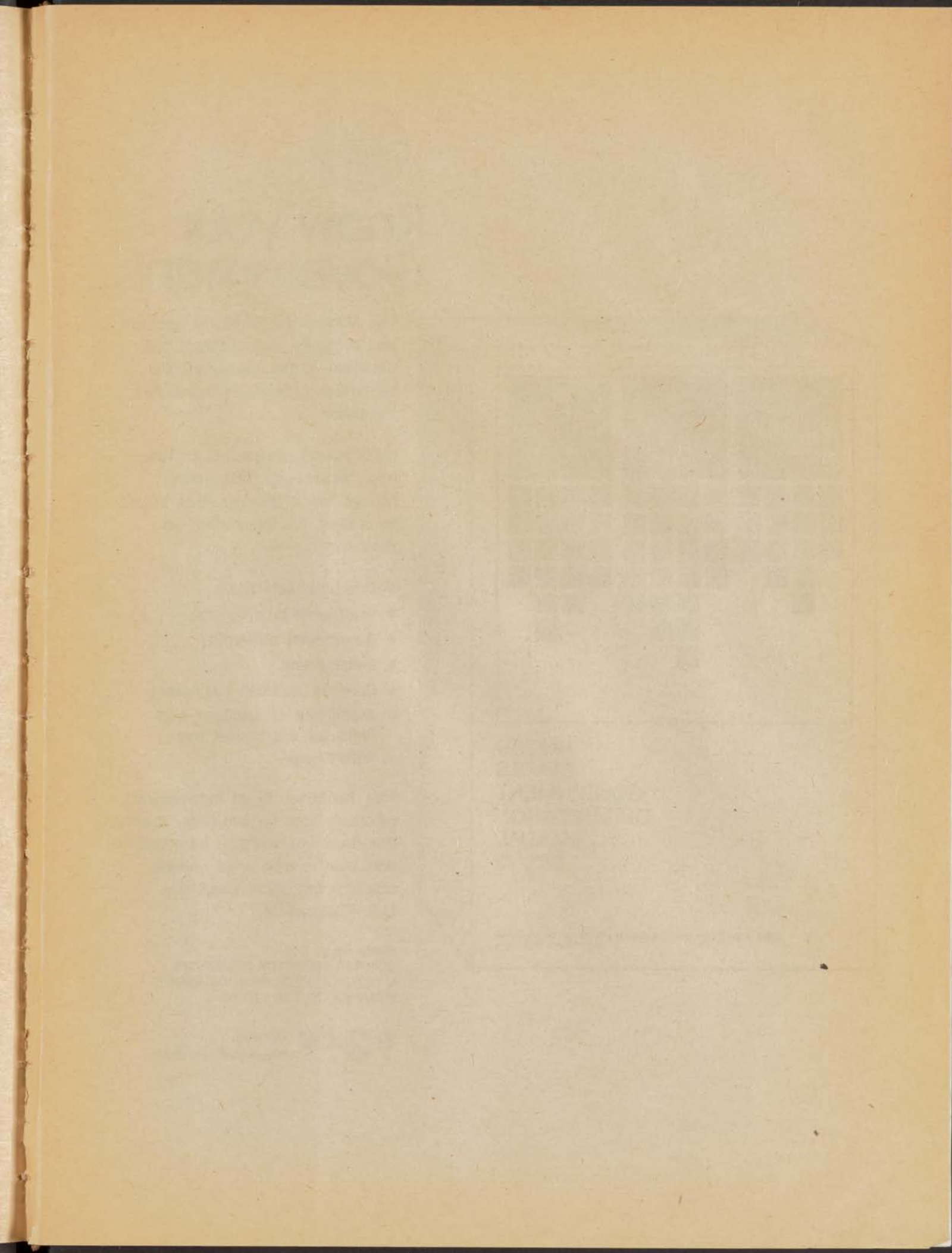
ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 15, 1972.

[FR Doc.72-4140 Filed 3-15-72;9:55 am]

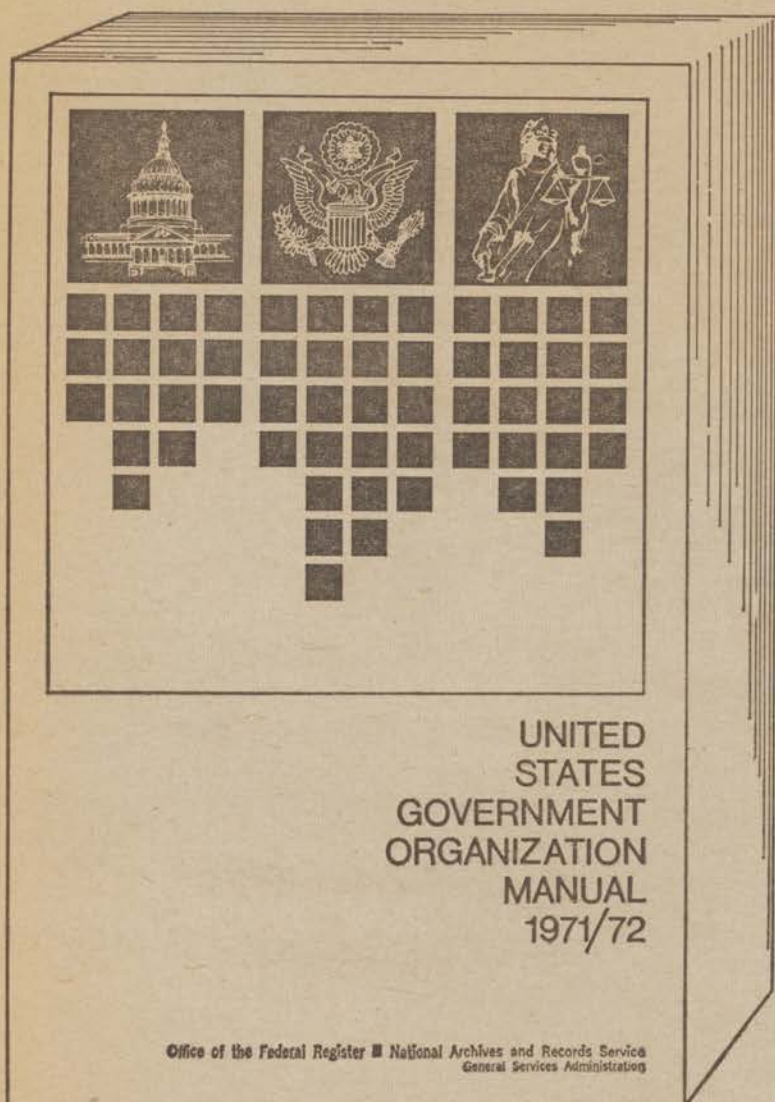








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