AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

federal register

THURSDAY, OCTOBER 3, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 193

Pages 35647–35778



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federal register

Area Code 202 Phone 523-5240

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Valencia Orange Reg. 485]

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

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period October 4–10, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.785 Valencia Orange Regulation 485.

(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 need for this section to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges continues to be firm. Prices f.o.b. averaged $3.96 per carton on a reported sales volume of 601 carlots last week, compared with an average f.o.b. price of $3.80 per carton and sales of 674 carlots a week earlier. Track and rolling supplies at 380 cars were down 7 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges which may be handled should be fixed as hereinafter set forth.

(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 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 regulation 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 October 1, 1974.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period October 4, 1974, through October 10, 1974, are hereby fixed as follows:

(i) District 1: 345,000 cartons;

(ii) District 2: 305,000 cartons;

(iii) District 3: Unlimited movement.

(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: October 2, 1974.

CHARLES R. BRADER,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.74-23249 Filed 10-2-74;8:45 am]

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 51—LICENSING AND REGULATORY POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION

Summary of Environmental Consideration for Uranium Fuel Cycle

Correction

In FR Doc. 74-21308, appearing at page 33307 of the Tuesday, September 17, 1974 issue, make the following changes in the table appearing on page 33308.

1. In the 2d entry in the 3d column under "Liquids:", the "b" following "27.5" should be deleted.

2. In footnote 3, the word "ommitted" should read "emitted".

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 74-SO-79; Amdt. 39-1981]

PART 39—AIRWORTHINESS DIRECTIVES

Piper PA-36-285 Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the replacement of the existing life detector with an improved unit on Piper PA-36-285 airplanes was published at 39 FR 28534.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One comment requested that FAA internal documents be

amended and distributed before issuance of this AD to insure a consistent implementation of the stall warning requirements. The FAA agrees that these documents should be revised and is actively engaged in this end, however, it is felt in the public interest that the stall warning system on the Piper PA–36–285 should be improved without further unnecessary delay.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PIPER. Applies to Piper PA–36–285 airplanes serial numbers 36–7360001 through 36–7460025 certificated in all categories

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

To provide a more reliable stall warning system, accomplish the lift detector relocation and modification per Piper Service Bulletin No. 418 or equivalent approved by the Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, Southern Region.

This amendment becomes effective October 4, 1974.

This amendment is made under the authority of Sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Georgia on September 20, 1974.

P. M. SWATEK,
Director, Southern Region.

[FR Doc.74–22931 Filed 10–2–74;8:45 am]

[Airspace Docket No. 73–SO–22]

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

Alteration of Transition Area

On April 9, 1973, a notice of proposed rulemaking was published in the FEDERAL REGISTER (38 FR 9029) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Selma, Ala., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., December 5, 1974, as hereinafter set forth.

In § 71.181 (39 FR 440), the Selma, Ala., transition area is amended as follows:

All after "southeast of the OM; * * *" is deleted and "within a 6.5-mile radius of Selfield Airport (Lat. 32°26'25" N, Long. 86°57'10" W); within 3 miles each side of the 126° bearing from Gurth RBN (Lat. 32°26'27" N, Long. 86°57'15" W), extending from the 6.5-mile radius area to 8.5 miles southeast of the RBN * * *" 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 East Point, Ga., on September 24, 1974.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.74–22932 Filed 10–2–74;8:45 am]

[Airspace Docket No. 73–SO–40]

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

Designation of Transition Area; Correction

On August 27, 1974, FR Document No. 74–19764 was published in the FEDERAL REGISTER (39 FR 30927) amending Part 71 of the Federal Aviation Regulations by designating the Laurens, S.C., transition area.

In the amendment, the geographic coordinate for Laurens RBN was cited as "Lat. 34°30'37" N., Long. 81°56'33" W." Subsequently, it was refined to "Lat. 34°30'29" N., Long. 81°57'00" W." It is necessary to amend the Federal Register Document to reflect this change. Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, Federal Register Document No. 74–19764 is amended as follows:

In lines 6 and 7 of the Laurens, S.C., transition area description "* * * (Lat. 34°30'37" N., Long. 81°56'33" W.) * * *" is deleted and "* * * (Lat. 34°30'29" N., Long. 81°57'00" W.) * * *" 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 East Point, Ga., on September 24, 1974.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.74–22933 Filed 10–2–74;8:45 am]

Title 15—Commerce and Foreign Trade

CHAPTER I—BUREAU OF THE CENSUS, DEPARTMENT OF COMMERCE

PART 30—FOREIGN TRADE STATISTICS

Elimination of Proof of Export Form

The following amendment is made to the regulations published in the FEDERAL REGISTER on August 27, 1966 (31 FR 11367) (15 CFR Part 30). In accordance with administrative procedure 5 U.S.C. 553, notice and hearing on this amendment and postponement of the effective date thereof are unnecessary because the amendment merely deletes an outdated provision of existing regulations.

These regulations are to be issued under the authority of Title 13, United States Code, Section 302; and 5 U.S.C. 301; Reorganization Plan No. 5 of 1950, Department of Commerce Organization No. 35–4A, January 1, 1972, 37 FR 3461.

Effective date. This amendment to the Foreign Trade Statistics Regulations is effective on October 3, 1974.

1. The last sentence of § 30.91(d)(2) is hereby deleted, so that § 30.91(d)(2) as amended now reads:

§ 30.91 Confidential information, Shipper's Export Declarations.

* * * * *

(d) * * *

(2) Use of copies of the Shipper's Export Declaration in connection with claims for exemption from internal revenue taxes or state taxes is not permitted.

* * * * *

VINCENT P. BARABBA,
Director, Bureau of the Census.

I concur: September 17, 1974.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc. 74–23005 Filed 10–2–74;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER D—DRUGS FOR HUMAN USE

[DESI No. 8924; Docket No. FDC–D–709; NDA No. 8–924]

PART 452—MACROLIDE ANTIBIOTIC DRUGS

Erythromycin-Neomycin Sulfate Ointment; Revocation

The National Academy of Sciences/National Research Council, Drug Efficacy Study Group, evaluated the effectiveness of the drug product described below, found the drug to be less than effective, and submitted its report to the Commissioner of Food and Drugs. Copies of that report have previously been made publicly available and are on display at the office of the Hearing Clerk, Food and Drug Administration. After reviewing the Academy's report and the available data and information, the Commissioner concluded that the drug is less than effective and announced his conclusion in the FEDERAL REGISTER of June 6, 1972 (37 FR 11281), that the drug is possibly effective for its claims for the treatment of a variety of superficial cutaneous infections.

Erythro-Myciguent Ointment containing erythromycin and neomycin sulfate; The Upjohn Co., 7171 Portage Rd., Kalamazoo, MI 49001 (NDA 8–924).

No data have been received pursuant to the notice of June 6, 1972, in support of the effectiveness of this drug.

On the basis of all of the data and information available to him, the Commissioner is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 507 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357), and Part 430 and §§ 3.86 and 314.111(a)(5) of Title 21 of the Code

of Federal Regulations, demonstrating the effectiveness of the drug.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050–1051, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner (21 CFR 2.120), 21 CFR Part 452 is amended by revoking § 452.510b *Erythromycin-neomycin sulfate ointment.*

Any person who will be adversely affected by this order may file objections to it, request a hearing, and show reasonable grounds for the hearing. It is the responsibility of every manufacturer or distributor of an antibiotic drug product to review every antibiotic order published in the FEDERAL REGISTER to determine whether it covers any product he manufactures or distributes.

Any person who elects to avail himself of the opportunity for hearing shall file (1) on or before November 4, 1974, a written notice of appearance and request for hearing, and (2) on or before December 2, 1974, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 430.20 (formerly 21 CFR 146.1), recodified in the FEDERAL REGISTER of May 30, 1974 (39 FR 18922)). Any other person may submit comments on this order. The procedures and requirements governing this order, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of a hearing, are contained in 21 CFR 430.20, published as § 146.1 and discussed in detail in the FEDERAL REGISTER of March 13, 1974 (39 FR 9750).

A request for hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for hearing that no genuine and substantial issue of fact precludes the action taken by this order or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests a hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this order shall be filed in quintuplicate with the Hearing Clerk, Food and Drug Administration (HFC–20), Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852.

All submissions pursuant to this order, except for data and information prohibited from public disclosure pursuant to section 301(j) of the act (21 U.S.C. 331(j)) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk during regular business hours, Monday through Friday.

Effective date. This order shall become effective November 12, 1974. If objections are filed, the effective date will be extended as necessary to rule thereon. In so ruling, the Commissioner will specify another effective date.

(Secs. 502, 507, 52 Stat. 1050–1051, as amended, 59 Stat. 463 as amended; 21 U.S.C. 352, 357.)

Dated: September 27, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74–22960 Filed 10–2–74;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER G—ENGINEERING AND TRAFFIC OPERATIONS

PART 637—CONSTRUCTION INSPECTION AND APPROVAL

Sampling and Testing of Materials and Construction

Two Federal Highway Administration (FHWA) directives, Policy and Procedure Memorandums 20–6.2 and 20–15, have heretofore set forth the Federal-aid provisions applicable to sampling and testing of materials and construction. The pertinent portions of the directives have been revised for addition to Volume 6, Chapter 4, Section 2, Subsection 7 of the Federal-Aid Highway Program Manual. Those portions of the new directive which prescribe policies, procedures and guides to States are hereby published as Subpart B of Part 637.

The matters affected relate to benefits or contracts within the purview of 5 U.S.C. 553(a)(2), thus general notice of proposed rulemaking is not required.

The regulations will be effective on the date of issuance set forth below.

Issued on September 23, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Subpart B—Sampling and Testing of Materials and Construction

Sec.
637.201 Purpose.
637.202 Definitions.
637.203 Policy.
637.204 Objectives.
637.205 State sampling and testing program.
Appendix A Guide Letter of Certification by State Engineer

AUTHORITY: 23 U.S.C. 114, 204, 209, 210, and 315; 49 C.F.R. 1.48(b) (11), (31), and (35).

Subpart B—Sampling and Testing of Materials and Construction

§ 637.201 Purpose.

The purpose of the regulations in this subpart is to prescribe policies, procedures and guides relating to sampling and testing of materials and construction in Federal-aid highway projects except those constructed pursuant to 23 U.S.C. 117, and projects constructed under direct supervision of the Federal Highway Administration (FHWA).

§ 637.202 Definitions.

For the purpose of this subpart the following definitions apply:

(a) The term "Acceptance Samples and Tests" means all of the samples and tests used for determining the quality and acceptability of the materials and workmanship which have been or are being incorporated in the project.

(b) The term "division engineer" means the chief FHWA official assigned to conduct FHWA business in a particular State, the District of Columbia, or the Commonwealth of Puerto Rico.

(c) The term "Independent Assurance Samples and Tests" means independent samples and tests or other procedure performed by State personnel who do not normally have direct responsibility for process control and acceptance sampling and testing. They are used for the purpose of making independent checks on the realiability of the results obtained in acceptance sampling and testing.

(d) The term "National Reference Laboratories" means the American Association of State Highway and Transportation Officials (AASHTO) Materials Reference Laboratory (AMRL) and the Cement and Concrete Reference Laboratory (CCRL), each operated by the National Bureau of Standards.

(e) The term "Process Control Samples and Tests" means all of the samples taken and tested for the purpose of controlling the production of materials proposed for incorporation in the project.

(f) The term "Project" means a specific section of a highway route together with all appurtenances and construction to be performed thereon under one or more contracts.

(g) The term "State highway agency" shall have the same meaning as that set forth for "State highway department" in subsection 101(a) of title 23, United States Code.

§ 637.203 Policy.

(a) *Sampling and testing program.* It is the policy of FHWA that each State highway agency shall have a sampling and testing program which will provide adequate assurance that the materials and workmanship incorporated in each Federal-aid highway construction project are in reasonably close conformity with the requirements of the approved plans and specifications including approved changes. The program shall have provisions for acceptance and independent assurance samples and tests. The program shall be developed by the State and approved by FHWA.

(b) *National Reference Laboratories.* It is the policy of FHWA to encourage all State highway agencies to participate in each regular inspection tour and comparative sample testing program of the CCRL and AMRL.

§ 637.204 Objectives.

The objectives of sampling and testing are:

(a) To determine through process control and/or acceptance sampling and testing whether the construction operations controlled by sampling and testing and materials used or proposed for use in the construction work are in reasonably close conformity with approved plans and specifications including approved changes;

(b) To provide through independent assurance sampling and testing by personnel not normally responsible for process control or acceptance sampling and testing for checks on reliability of acceptance sampling and testing; and

(c) To provide opportunity for timely remedial action when results of sampling and testing indicate materials used or proposed for use and the construction work accomplished or in progress are not in reasonably close conformity with the approved plans and specifications including approved changes.

§ 637.205 State sampling and testing program.

(a) Significant elements required in the State's sampling and testing program are as follows:

(1) *Acceptance samples and tests.* (i) The point in the construction process at which acceptance sampling and testing is to be done shall be specified.

(ii) A guide schedule for taking and testing of acceptance samples shall be developed which will give general guidance to personnel responsible for acceptance sampling and testing yet provide them with reasonable latitude for adaption to specific project needs.

(2) *Independent assurance samples and tests.* (i) The point in the construction process at which independent assurance sampling and testing is to be done shall be specified. This shall normally be at the same point in the construction process as acceptance sampling and testing is done for a particular material or construction operation.

(ii) A guide schedule for taking and testing independent assurance samples shall be developed which will give general guidance to personnel responsible for the State-wide sampling and testing program yet give them reasonable latitude for adaption to specific project needs.

(iii) The program shall provide for a reasonable portion of the independent assurance sampling and testing to be performed by State personnel who have no direct responsibility for the process control and acceptance sampling and testing using test equipment other than that assigned to the project.

(iv) The program shall provide for comparison of independent assurance test results with the acceptance test results.

(b) Records related to the sampling and testing program shall be retained in accordance with the records retention schedule in Appendix A to Part 17 of Subchapter A of this title. During the active stages of construction they shall be kept at a location or locations where they will be readily accessible for review by the FHWA.

(c) A material certification conforming in substance to Appendix A shall be prepared by the State and submitted to the FHWA division engineer for each Federal-aid construction project covered by this directive.

(d) Should questions as to quality of materials or workmanship arise, the State shall promptly furnish information and perform additional sampling and testing on federally funded projects when specifically requested to do so by the FHWA division engineer.

(GUIDE LETTER OF CERTIFICATION BY STATE ENGINEER)

Date _____

_____ Project No. _____

This is to certify that:

The results of the tests on acceptance samples indicate that the materials incorporated in the construction work and the construction operations controlled by sampling and testing were in reasonably close conformity with the approved plans and specifications, and such results compare favorably with the results of independent assurance sampling and testing.

Exceptions to this certification are documented in the project records.

Director of Laboratory
or other
Appropriate State Official

[FR Doc.74-22947 Filed 10-2-74;8:45 am]

PART 655—TRAFFIC CONTROL

Traffic Control Devices on Federal-Aid and Other Streets and Highways

A Federal-aid to highways directive of long standing (PPM 21-15) has set forth provisions to obtain basic uniformity in the visible features and functioning of traffic control devices on all highways. The directive has been revised for inclusion in the Federal-Aid Highway Program Manual. Inasmuch as portions of the Manual addition impose an obligation on States which must be compiled with to obtain Federal assistance, those portions are hereby published.

This regulation converts Policy and Procedure Memorandum 21-15 on Traffic Control Devices on Federal-aid and other streets and highways to Part 655, Subpart F of Chapter 1 of Title 23 of the Code of Federal Regulations.

Since the matters affected relate to grants, benefits, or contracts within the purview of 5 U.S.C. 553(a)(2), general notice of proposed rulemaking is not required.

These regulations will be effective on the date of issuance.

Subpart F—Traffic Control Devices on Federal-Aid and Other Streets and Highways

Sec.

655.601 Purpose.
655.602 Definitions.
655.603 Standards.
655.604 Needs Inventories.
655.605 Improvement Projects.
655.606 Funding.
655.607 Signs.
655.608 Pavement Markings.
655.609 Signals.
655.610 Islands.

AUTHORITY: 23 U.S.C. 109(b), 109(d) and 402(a) and 23 C.F.R. 1204.4.

Subpart F—Traffic Control Devices on Federal-Aid and Other Streets and Highways

§ 655.601 Purpose.

This subpart prescribes the policies and procedures of the Federal Highway Administration to obtain basic uniformity in the visible features and functioning of traffic control devices on all highways in accordance with the 1971 edition of the Manual on Uniform Traffic Control Devices on Uniform Highways (MUTCD)[1] and current amendments as given in the MUTCD Official Rulings.[2]

§ 655.602 Definitions.

The terms used in this subpart shall have the meanings as given in Part VIII of the MUTCD and as shown below:

(a) "Shall"—A mandatory condition. Where certain requirements in the design or application of the device are described with the "shall" stipulation, it is mandatory when an installation is made that these requirements be met.

(b) "Should"—An advisory condition. Where the word "should" is used, it is to be advisable usage, recommended but not mandatory.

(c) "May"—A permissive condition. No requirement for design or application is intended.

(d) "Trail markers"—Those informational plaques or shields designed to provide the traveling public with route guidance in following a trail of particular cultural, historical, or educational significance.

§ 655.603 Standards.

(a) *Compliance.* To achieve basic uniformity with the MUTCD in the visible features and functions of traffic control devices a practical conversion schedule has been established for all streets and highways.

(1) The target date for full conversion of signs to the new standards is December 31, 1974. Supplemental word legend panels shall accompany new symbol-type signs until the Federal Highway Administrator determines there is general familiarity with the new signs.

(2) The pavement marking target date for compliance was December 31, 1972, except for the yellow left edge line which has a target date of December 31, 1974.

(3) The traffic signal target date for upgrading is established as December 31, 1976.

(b) *Construction and maintenance.* Construction and maintenance traffic control devices installed by contract provisions on all Federal-aid construction projects authorized after January 1, 1973, shall conform with Part VI, Traffic Controls for Street and Highway Construction and Maintenance Operations, MUTCD.

(c) *State manuals.* States are encouraged to use the MUTCD as the State's official traffic control manual. Where State manuals or supplements are required, MUTCD changes shall be adopted periodically for conformance.

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[1] Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 Stock No. 5001-00021, Price $4.90.

[2] Available from the Federal Highway Administration, Office of Traffic Operations, HTO-21, Washington, D.C. 20590.

(d) *Movable bridges.* All traffic signals, warning lights, and signs on movable bridges shall conform to the section on drawbridge signals in the MUTCD except as supplemented by the following:

(1) For all movable bridges the protection for traffic is to be provided both by resistance gates which offer protective resistance to moving vehicles and by warning gates. These shall extend across the full width of undivided roadways or across all roadway lanes approaching the draw on divided highways. Overall gate heights shall be a minimum of 4 feet. There are three allowable exceptions to this supplement:

(i) Bascule type bridges where one resistance gate or one warning gate may be provided at the trunnion ends of the bascule leaves when the leaves provide blockage of the draw openings.

(ii) Warning gates may be omitted in urban areas where intersecting streets are less than 100 feet from the draw.

(iii) Warning and resistance gates may be omitted from roadway lanes leaving the draw in restricted speed areas when barrier median curbs are provided.

(2) The resistance gates for high-speed highways preferably shall be located 50 feet or more from the draw openings.

(3) Warning gates preferably shall be of light weight construction. They shall be located 100 feet or more from the resistance gates or, when no resistance gates are used, 100 feet from the draw opening. For bridges that cross a long reach of water which may be impacted by large marine vessels, additional warning gates should be installed in positions to reduce the number of vehicles which would be exposed to hazards from marine navigation. The second warning gates need only to extend across the traffic lanes approaching the draw.

(4) The operation shall be so arranged that the drawspan cannot be opened before the resistance gates are in a closed position or the gates opened or withdrawn until the span is closed. After the warning gates are closed, a time interval shall elapse before the resistance gates come into position to allow traffic to clear the space between the gates.

(5) Gate arms shall be striped with 16-inch alternate diagonal reflectorized stripes of red and white.

§ 655.604 Needs inventories.

(a) *Needs studies.* Before programming a traffic control devices upgrading project, an inventory should be made. Planning work should be scheduled at the earliest possible date and program traffic control improvements should be scheduled successively by route or by areas within the State.

(c) *Highway safety funds.* These *funds.* These funds may be used in statewide or systemwide studies or inventories of needs for standard traffic control devices on or off the Federal-aid system, and for research costs and installation of devices or equipment connected with research studies of traffic control devices on or off the Federal-aid system.

(c) *Highway safety funds.* These funds may also be used for traffic control device inventories on all roads and streets.

§ 655.605 Improvement projects.

(a) *Sequence and coverage.* Programs to modernize existing traffic control devices should provide for the prompt and complete conversion of nonstandard devices by using an orderly sequence on each highway route and system within a State.

(b) *Scheduling.* Before traffic control device projects on a particular route or segment thereof are authorized, agreement should be reached with the State or agency having jurisdiction on the time schedule for the total improvement program on that route. The several highway systems should usually be treated separately, with priority given to selected sections of each system where the greatest need for modern devices exists.

(c) *Project procedure.* (1) Procedures for traffic control device projects shall be the same as for other related projects, which will include programing; preparation of plans; approval of PS&E; award of contract; inspection; acceptance of work; and reimbursement for the Federal share of the final cost of work done.

(2) Project details should be shown on highway plan sheets. Simple centerline profiles usually will be sufficient. Plans should show clearly the location and type of each control device to be installed in relation to those that remain and in relation to pertinent design features.

(3) Finished or semifinished products to be procured for incorporation or installation in a project shall be submitted in accordance with 23 CFR Part 635, Subparts A and B.

(d) *Project numbering.* The initial provision of traffic control devices on newly constructed sections of a highway are to be implemented under normal Federal-aid project programing and numbering procedures as detailed in 23 CFR Part 630, Subpart A.

(e) *Contracts.* For projects done under contract, work shall include the furnishing of materials and devices including bases and mounting hardware and complete installation. A project should be of sufficient size to attract prospective bidders. A traffic control project should include all types of devices in a single contract for a given length of highway.

§ 655.606 Funding.

(a) *Federal-aid highways.* (1) Funds apportioned under 23 U.S.C. 104(b) are eligible for projects to install or upgrade traffic control devices in accordance with the MUTCD when the work is construed to be construction rather than maintenance in nature. Only traffic control devices that comply with the MUTCD shall be installed on Federal-aid highways. Traffic control device projects may provide for Federal participation in replacement of signs or other devices that are changed in size, color, or otherwise to comply with the MUTCD provisions. Duplicate devices and spare parts that are needed for future maintenance are nonparticipating items. Requests to undertake traffic control device projects by the force account method shall be processed in accordance with 23 CFR Part 635, Subparts A and B.

(2) Funds apportioned under 23 U.S.C. 130, 152, and 153 are eligible under the provisions of 23 CFR Part 655, Subpart E. Funds under 23 U.S.C. 144 are eligible under 23 CFR Part 650, Subpart D. Also funds under 23 U.S.C. 151 are eligible under 23 CFR Part 655, Subpart B.

(b) *Off the Federal-aid highways.* Funds apportioned under 23 U.S.C. 402 and 405 are eligible for projects involving the installation of regulatory and warning signs off the Federal-aid highway systems in accordance with the MUTCD under the provisions of paragraph 8(c) of this part and 23 CFR Part 655, Subpart E.

§ 655.607 Signs.

(a) *New or reconstructed Federal-aid highways.* (1) Projects for construction of new highways or for major reconstruction of existing highways with participating Federal funds may include provisions for signs appropriate for the design and traffic requirements. Highway traffic signs may also be furnished and erected as a separate traffic control device project where the extent and importance of the work warrants separate project handling. Full compliance with the standards of the MUTCD will be required on new projects.

(2) Newly constructed or reconstructed highways shall not be opened for unrestricted use by traffic until all appropriate traffic control devices, either temporary or permanent, are installed and functioning properly. When temporary traffic control devices are used, they also shall comply with the requirements of the MUTCD. Satisfactory arrangements for permanent signing must be made prior to final acceptance of construction projects. Federal funds may also participate in traffic control devices needed during the project construction period, and these devices must comply with the standards set forth in the MUTCD.

(b) *Existing Federal-aid highways.* Relocation, adjustment, or replacement of the signs on an existing highway may be undertaken as a separate traffic control device project even though the highway is not otherwise to be improved.

(c) *Regulatory and warning signs off the Federal-aid highway systems.* Projects where Federal Highway Safety funds are involved for the installation of regulatory and warning signs off the Federal-aid highway systems must be submitted through and approved by the Governor's Representative for Highway Safety. In order to be eligible for funding, the signing activity must be a part of the State's approved Annual Highway Safety Work Program and the signs shall comply with the MUTCD. The installation of the signs must be part of a systematic program to reduce crashes as a result of more effective and uniform control devices. Sign installations are eligible for funding when the signs are installed to reduce the number of crashes

identified at high accident locations or to reduce the potential hazards that are documented on the basis of engineering studies. The upgrading of regulatory and warning signs to new sign designs, which are mandatory requirements in the MUTCD, are also eligible for funding. Projects must be part of a systematic program to replace nonconforming regulatory and warning signs, and must be coordinated with sign replacement programs on the Federal aid highway system. Further information for determining eligibility can be found in the FHWA Highway Safety Program Management Guide.

(d) *Trail markers on Federal-aid highways.* (1) On Interstate Highways the use of trail markers or any other route markers are governed by applicable provisions of the MUTCD. FHWA approval shall not be given to any proposal which does not conform to these provisions.

(2) On Federal-aid routes other than the Interstate, trail marker signs may be erected when they have been approved by and are under the control of the State highway department. Control of such markers by a county or city highway department is also satisfactory if the State highway department approved their design and erection. The installations shall be consistent with general highway safety practices and with route marker erection practices as outlined in the MUTCD. No Federal-aid funds shall be authorized for the procurement or installation of such markers.

(e) *Interstate signing.* Interchange numbering shall be included on all appropriate signs both new and existing. On completed sections of the Interstate System where the existing signs and markings were provided through the use of Federal-aid Interstate funds, the eligibility for additional Federal-aid Interstate funds is as follows:

(1) Where a State has not erected interchange numbering of any type, costs relating to the posting of interchange numbers based on the milepost system are eligible for Federal-aid Interstate participation.

(2) Where existing signs incorporate interchange numbering not on the milepost basis, changes are to be made to either substitute or add milepost numbering and such work is eligible for Federal-aid Interstate funds.

(3) Where the existing sign blank is of sufficient size to adequately display messages in accordance with the MUT CD, the cost of replacement shall not receive Federal-aid Interstate participation. Federal-aid Interstate participation may be utilized for the sign blank and new message where it is not reasonably practicable to make such modifications and a new sign background is required to adequately display the message and shields required by the MUTCD.

(4) Where conditions permit practical relocation of signs and their supports in a manner to provide substantially improved sign effectiveness or to reduce roadside hazards, cost involved in relocating these overhead signs are eligible for Federal-aid Interstate participation.

(f) *Renumbering interstate routes.* Federal-aid Interstate funds may participate in the costs for changing route shields on those Interstate routes where an existing route number containing a cardinal initial is eliminated. The costs of shields independently mounted and on guide signs are eligible for participation.

(g) *Wrong-way traffic control.* Federal-aid highway funds may be used to provide the improvements considered necessary by the Federal Highway Administration to alleviate the hazard of wrong-way movements. See § 655.608(f) of this part for pavement marking requirements.

(1) Interchange exist ramps where the ramp intersects a crossroad in such a manner that wrong-way entry could be made.

(i) ONE WAY signs shall be placed where an exit ramp intersects a crossroad. Turn prohibition signs should be placed in the crossroad appropriately in advance of the ramp intersection to supplement the ONE WAY sign.

(ii) DO NOT ENTER signs shall be conspicuously placed near the end of the exit ramp in positions appropriate for full view of a driver starting to enter wrongly. It should not be assumed that a single DO NOT ENTER sign will be needed.

(iii) One or more pairs of WRONG WAY signs shall be placed at locations along an exit ramp. Such locations will normally be 250 feet or greater from the crossroad and further than the DO NOT ENTER sign. A second pair of WRONG WAY signs should be considered where the ramp geometrics favor their display.

(2) Major roads at interchange entrance ramps: Where the design of an interchange does not clearly make evident the direction of traffic on the separate roadways or ramps, a ONE WAY sign visible to traffic on the entrance ramp should be placed on the side of the through roadway opposite to the entrance ramp. A NO LEFT TURN sign also may be placed along the right-hand side of the ramp just in advance of the entrance ramp terminal.

(3) Divided Highways at grade intersection:

(i) Where the roadways are separated by a median more than 30-feet wide, ONE WAY signs should be visible to each crossroad approach on the near right-hand and far left-hand corners of each intersection with the expressway roadways. For lesser median widths their use is optional. The ONE WAY sign may be supplemented by a Turn Prohibition sign placed in the far right corner of the intersection.

(ii) A DO NOT ENTER sign should be placed on the right side of a divided highway roadway at a location to be directly in view of a driver making a wrong-way entry from the crossroad. A second DO NOT ENTER sign should also be placed on the left side of the divided highway roadway where the median width is 30 feet or more.

(iii) In addition, a WRONG WAY sign should be placed at one or more locations removed from the intersection along the right side of a roadway of a divided highway. A supplemental wrong-way sign should also be placed on the left side of a divided highway roadway at selected locations where the median width is 30 feet or greater.

(4) At locations which are determined to have a special need, other standard warning or prohibitive methods or devices may be used as a deterrent to the wrong-way movement.

§ 655.608 Pavement markings.

(a) *New or reconstructed Federal-aid highways.* The initial installation of permanent location pavement markings on new or reconstructed highways shall be be classified as construction, and these costs are eligible for Federal-aid participation. The costs of application and removal of temporary striping which is necessary to handle traffic during construction and immediately following construction and prior to the placement of permanent striping are eligible for Federal-aid participation when included in the contract proposal or when performed by State forces at agreed unit prices.

(b) *Existing Federal-aid highways.* Federal-aid highway construction funds may be used for projects to improve or install markings on Federal-aid routes when such projects involve new work and when the work is construed to be construction rather than maintenance in nature. Federal-aid highway funds shall not be used for repainting or reinstalling pavement markings on existing highways where there was participation in the initial permanent striping nor shall these funds be used for restriping on completed highways where the existing markings are in compliance with the MUTCD. Exception may be made in the installation of subsequent modified pavement markings on an existing highway when justification is furnished that would qualify the installation as a safety improvement project in accordance with 23 CFR Part 655, Subpart E, or when required for operational improvements under the TOPICS program in accordance with 23 CFR Part 655, Subpart A, or as an experimental project in accordance with the Federal-Aid Highway Program Manual, Vol. 6, Chapter 4, Section 2, Subsection 4.

(c) *Higher cost materials with Federal-aid funds.* (1) Justification is required for Federal-aid participation in pavement markings such as thermoplastic and cold-laid plastic having a higher initial cost than for other acceptable materials.

(2) In urban areas justification may be provided on a city wide basis rather than on a project-by-project basis.

(3) Appropriate use of raised reflective pavement markings is recommended on all new Interstate, other freeways, and other high speed highways where there are three or more through lanes in each direction.

(d) *Material and product selection.* The provisions of 23 CFR 1.22 shall apply

to pavement marking materials of all types and their installation whenever Federal-aid highway funds are to participate in their costs. Consideration shall be given to the use of specifications which permit the use of a variety of equivalent materials and products to avoid the exclusive use of a patented or proprietary material, product, or application equipment in accordance with 23 CFR Part 635, Subparts A and B.

(e) *Interstate edge lines.* Edge line marking shall be mandatory on all sections of the Interstate System regardless of existing color contrast between the main line pavement and shoulder area. The cost of providing initial markings is eligible for Federal-aid Interstate participation. Any other changes in marking on the Interstate System as required by the MUTCD should be done under normal maintenance procedures and are not eligible for Federal-aid Interstate Participation.

(f) *Wrong-way traffic control.* In conjunction with corrective measures outlined in § 655.607(g) of this part, the following pavement markings are listed to assist in the prevention of wrong-way movements. Federal-aid highway funds may be used to provide the improvements which are considered necessary by the Federal Highway Administration to assist in alleviating wrong-way movements.

(1) On two-lane paved crossroads adjacent to interchange exit ramp terminals a double line consisting of two normal solid yellow lines shall be used as a centerline for an adequate distance on both sides approaching the ramp intersections.

(2) In each lane of an exit ramp near the crossroad terminal, one or more arrow pavement markings also shall be placed at a location where it would clearly be in sight of a wrong-way driver. These markings can be made from traffic paint, thermoplastic material, bidirectional red and white raised markers or other units that show red to wrong-way drivers and white to other drivers. Additionally, symbol arrow pavement markings should be placed on the crossroad at appropriate locations near the ramp junction to indicate the permissive direction of flow.

(3) At appropriate locations on the entrance ramp and major road through traffic symbol arrow pavement markings may be placed to indicate the permissive direction of flow.

(4) On a divided highway, arrow pavement markings may be placed in each lane of each roadway in advance of a grade intersection and at other selected locations.

§ 655.609 Signals.

(a) *New or reconstructed Federal-aid highways.* Projects for construction of new highways or for major reconstruction of existing highways with participating Federal funds may include provisions for signals appropriate for the design and traffic requirements. Highway traffic signals may also be furnished and erected as a separate traffic control device project where the extent and importance of the work warrants separate project handling. Full compliance with the standards of the MUTCD shall be required on new projects. All newly constructed or reconstructed highways shall not be opened for unrestricted use by traffic until all appropriate traffic control devices, either temporary or permanent, are installed and functioning properly. When temporary traffic control devices are used they also shall comply with the requirements of the MUTCD, and satisfactory arrangements for permanent signing must be made prior to final acceptance of construction projects. Federal funds may also participate in traffic control devices needed during the project construction period and these devices are to comply with the standards set forth in the MUTCD.

(b) *Existing Federal-aid highways.* (1) Relocation, adjustment, or replacement of the signals on an existing highway may be undertaken as a separate traffic control device project even though the highway is not otherwise to be improved.

(2) Federal funds may participate in the costs incident to the movement or relocation of signal faces or to the provision of additional signal faces to conform with the location standards prescribed in the MUTCD when such work is part of an approved program for a traffic control project.

(3) All traffic and pedestrian signals, including school crossing signals, within the limits of a traffic control device project that do not conform to standards of the MUTCD shall be replaced or removed at the same time as other improvements are made. In these instances, Federal funds may participate in the replacement and removal costs.

(4) If an intersection on a traffic control device project is without signals and one or more of the approved warrants set forth in the MUTCD is satisfied. Federal funds may participate at these locations to provide and install standard signals and control systems. Federal participation may also be extended to standardize or modernize existing traffic signals and control mechanisms along Federal-aid or other Federal highway routes either at isolated installations or for a series of signals when they are part of an approved traffic control device project. Federal funds may also participate in the cost of control mechanisms and installations on the Federal-aid routes that will permit the interconnection of signals on such routes with signals or controls on intersected highways, roads, and streets when economically feasible.

§ 655.610 Islands.

Major reconstruction or channelization work at intersections and changes in street or highway cross sections to incorporate divisional islands (medians) shall be handled as a regular highway construction or safety improvement project. Installation of new or adjustment of existing minor islands and other channelizing devices may be included as part of a traffic control device project when this work is incident to the installation of signs or signals and is needed for conformance with the standards of the MUTCD.

Issued on: September 23, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-22948 Filed 10-2-74;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 272-5]

PART 80—REGULATION OF FUELS AND FUEL ADDITIVES

Unleaded Fuel; Tests and Inspections

In furtherance of the Agency's unleaded gasoline enforcement program all Regional Administrators or their authorized representatives are authorized to act pursuant to 40 CFR 80.4.

(Secs. 211, 301, Clean Air Act, as amended (42 U.S.C. 1857f-6c, 1857g(a))

Dated: September 27, 1974.

JOHN QUARLES,
Acting Administrator.

Part 80 of Chapter I, Title 40, of the Code of Federal Regulations is amended as follows:

1. Section 80.4 is revised to read as follows:

§ 80.4 Right of entry; tests and inspections.

The Administrator, the Regional Administrator, or his authorized representative, upon presentation of appropriate credentials, shall have a right to enter upon or through any retail outlet or the premises or property of any distributor and shall have the right to make inspections, take samples, and conduct tests to determine compliance with this part and the Act.

[FR Doc.74-23055 Filed 10-2-74;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI 372]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alabama	Lamar	Kennedy, town of	Sept. 30, 1974, Emerg			
Illinois	Jefferson	Mount Vernon, city of	do	June 7, 1974		
Tennessee	Humphreys	New Johnsonville, city of	do	Feb. 15, 1974		
Texas	Tarrant	Southlake, city of	do	do		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: September 20, 1974.

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[FR Doc.74–22883 Filed 10–2–74;8:45 am]

[Docket No. FI 373]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates apears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alabama	Choctaw	Unincorporated areas	Sept. 25, 1974. Emergency			
Arkansas	Randolph	Pocahontas, city of	do	Nov. 16, 1973		
Illinois	Kane	Carpentersville, village of	do	Mar. 22, 1974		
Kentucky	Logan	Auburn, city of	do	May 17, 1974		
Maine	York	York, town of	do	June 21, 1974		
Minnesota	Scott	Belle Plaine, borough of	do	Mar. 8, 1974		
Ohio	Lorain	Oberlin, city of	do	Jan. 9, 1974		
Pennsylvania	Lancaster	Quarryville, borough of	do	do		
Tennessee	Williamson	Franklin, city of	do	May 31, 1974		
Wisconsin	Chippewa	Cornell, city of	do	Dec. 17, 1973		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: September 19, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74–22882 Filed 10–2–74;8:45 am]

[Docket No. FI 374]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates apears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Arkansas	Washington	Springdale, city of	Sept. 26, 1974. Emergency			
California	Sonoma	Petaluma, city of		Mar. 8, 1974		
Florida	Polk	Auburndale, city of		Feb. 1, 1974		
Do	Palm Beach	Tequesta, village of	Dec. 4, 1970. Emergency	June 18, 1971		
			June 11, 1971. Regular			
			Sept. 15, 1972. Suspended			
			Sept. 23, 1974. Reinstated			
Georgia	Houston	Centerville, city of	Sept. 26, 1974. Emergency	June 14, 1974		
Do	Bryan	Richmond Hill, city of	do	June 7, 1974		
Illinois	Rock Island	Coal Valley, village of	do	Mar. 1, 1974		
Do	Kane	Geneva, city of	do	Aug. 9, 1974		
Do	Johnson	Unincorporated areas	do			
Iowa	Scott	Buffalo, city of	do	Mar. 1, 1974		
Minnesota	Swift	Benson, city of	do	May 17, 1974		
Montana	Wibaux	Wibaux, town of	do	July 26, 1974		
Pennsylvania	Bedford	Saxton, borough of	do	June 28, 1974		
Texas	Falls	Marlin, city of	do	May 3, 1974		
Utah	Cache	North Logan, city of	do	June 28, 1974		
Do	Sevier	Richfield City, city of	do	May 24, 1974		
Do	Salt Lake	Unincorporated areas	do			

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: September 20, 1974.

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[FR Doc.74–22881 Filed 10–2–74;8:45 am]

[Docket No. FI 375]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area Identified	State map repository	Local map repository
*	*	*	*	*	*	*
Idaho	Shoshone	Pinehurst, city of	Sept. 27, 1974 Emergency			
Michigan	Mason	Summit, township of	do			
Mississippi	Perry	New Augusta, city of	do	Feb. 15, 1974		
Do	Forrest	Petal, city of	do	Feb. 1, 1974		
New Jersey	Middlesex	South Amboy, city of	do	do		
Pennsylvania	Lancaster	East Petersburg, borough of	do			
Do	Berks	Exeter, township of	do	Sept. 13, 1974		
Do	Allegheny	Forward, township of	do	July 19, 1974		
Do	McKean	Lewis Run, borough of	do			
Do	Schuylkill	Middleport, borough of	do	June 14, 1974		
Washington	Pacific	Long Beach, town of	do	May 24, 1974		
Tennessee	Cheatham	Unincorporated areas	do			

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: September 24, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74–22884 Filed 10–2–74;8:45 am]

[Docket No. FI 376]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Arizona	Pima	Unincorporated areas	Oct. 2, 1974. Emergency			
Colorado	El Paso	Fountain, city of	do	June 28, 1974		
Delaware	New Castle	Elsmere, town of	do			
Do	Sussex	Seaford, city of	do	June 21, 1974		
Illinois	Rock Island	Port Byron, village of	do	Mar. 22, 1974		
Missouri	Texas	Licking, city of	do	Mar. 1, 1974		
New Jersey	Bergen	Hackensack, city of	do	June 28, 1974		
New York	Oneida	Utica, city of	do			
North Carolina	Martin	Williamston, town of	do	Dec. 28, 1973		
Oregon	Umatilla	Stanfield, city of	do	Nov. 9, 1973		
Texas	Crosby	Ralls, city of	do	June 14, 1974		
Do	Dallas	Kleberg, city of	do	Feb. 1, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued September 25, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74–22885 Filed 10–2–74;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 14—LEGAL SERVICES, GENERAL COUNSEL

Suits Against Veterans Administration Employees

On page 28651 of the FEDERAL REGISTER of August 9, 1974, there was published a notice of proposed regulatory development to amend § 14.610 which implements recent amendments to 38 U.S.C. 4116 pertaining to protection of certain Veterans Administration personnel from suit, or, from monetary damages, for medical malpractice or other negligence. The amendments are included in Pub. L. 93–82 (87 Stat. 179). Also editorial changes are made in § 14.615 to reflect agency policy of using precise terms denoting gender. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

One comment was received. The comment was in the form of a recommendation to revise § 14.610(a)(2) to add medical technologist to the examples of Veterans Administration medical personnel who would be covered under the provisions of section 4116, title 38, United States Code. The basis for the recommendation was that the addition of this class of employees would not only serve to more precisely identify and protect the personnel intended to be included under the provision, but is also important for the professional identification inferred and denoted by the listed classifications of personnel.

The proposed section lists the same categories of medical personnel as contained in the law. These categories are not intended to be all inclusive but serve only as examples of the types of personnel protected. This is clearly spelled out in the law. The absence of medical technologist from the list of examples does not expose them to any greater liability than those listed.

There is no more need to expand the list of examples to include medical technologist than to include other specific categories which are not included. Therefore, the proposed regulations are hereby adopted without change and are set forth below.

Effective date. Section 14.610 is effective September 1, 1973.

Approved: September 27, 1974.

[SEAL] R. L. ROUDEBUSH,
Acting Administrator.

1. Section 14.610 is revised to read as follows:

§ 14.610 Suits against Veterans Administration employees arising out of the operation of motor vehicles or based upon medical care and treatment furnished in or for the Department of Medicine and Surgery.

(a) (1) Section 2679 of title 28, United States Code, provides that no suit will lie against a Federal employee, or the employee's estate, for damage to property, personal injury, or death resulting from his or her operation of a motor vehicle while acting within the scope of his or her office or employment with the Federal Government. An action against the United States under 28 U.S.C. 2671–2680 is the exclusive remedy under these circumstances.

(2) Section 4116 of title 38, United States Code, provides that (i) where there is a remedy against the United States under 28 U.S.C. 2671–2680, or (ii) where proceedings for compensation or other benefits from the United States are provided by law, and the availability of such benefits precludes a remedy under 28 U.S.C. 2671–2680 (as is the case, for example, in the Federal Employees' Compensation Act, 5 U.S.C. 8101, et seq.), such recourse is the exclusive remedy for property damage, personal injury, or death allegedly occurring as a result of malpractice or negligence committed by a physician, dentist, nurse, physician's assistant, dentist's assistant, pharmacist or paramedical (for example, medical and dental technicians, nursing assistants and therapists), or other supporting personnel, while furnishing medical care and treatment in the exercise of duties in or for the Department of Medicine and Surgery. Accordingly, a malpractice or negligence suit for property damage, personal injury, or death will not lie against such personnel under the circumstances set forth in this subparagraph.

(b) The Department of Justice will defend any civil action or proceeding brought in any court against persons referred to in paragraph (a) (1) or (2) of this section under the circumstances set forth therein. Accordingly, when a suit is filed against any employee of the Veterans Administration (1) as a result of the employee's operation of a motor vehicle incident to employment with the

Government, or (2) as a result of furnishing medical or dental care and treatment in or for the Department of Medicine and Surgery, the employee shall immediately forward a copy of all papers served on him or her as a result of the filing of suit to the Chief Attorney having jurisdiction over the area in which the employee works. The employee will also promptly forward to the appropriate Chief Attorney a signed statement indicating whether he or she desires the Department of Justice to provide representation, and to otherwise protect his or her interests as provided for by law. Even though there may not have been service, if an employee learns that a suit arising from either of the above-described circumstances has been filed against him or her, the employee shall immediately so advise the appropriate Chief Attorney, provide the Chief Attorney with a brief description of the facts involved, and state whether he or she desires Federal intervention.

(c) Upon receipt of notice that suit has been filed against an employee of the Veterans Administration, the Chief Attorney having jurisdiction over the place where the employee works will promptly so advise the General Counsel, and will submit a report, in duplicate, to the General Counsel in order that the General Counsel can make a preliminary determination as to whether such suit comes within the provisions of either 28 U.S.C. 2679, or 38 U.S.C. 4116. At the General Counsel's request, the Chief Attorney will advise the appropriate United States Attorney that suit has been filed against a Veterans Administration employee. At that time, the Chief Attorney will forward pertinent pleadings and a copy of the employee's request for Federal intervention to the United States attorney. The General Counsel will make a recommendation to the Department of Justice and the appropriate United States Attorney as to whether the employee is eligible for protection under 28 U.S.C. 2679, or 38 U.S.C. 4116. The final administrative decision concerning whether the Veterans Administration employee is eligible for such protection is made by the Department of Justice. In all such cases, the Chief Attorney will timely conduct a complete investigation into the facts and law of the matter, both as to applicability of one of the aforementioned immunization provisions, and as to the substance of the suit itself. Two copies of the investigative report will be sent to the General Counsel, and where the Chief Attorney has been asked to contact the United States Attorney directly, one copy will be sent to the appropriate United States Attorney. The General Counsel, through the Chief Attorney, will keep the employee advised of the action being taken concerning the suit. In the event that the Department of Justice determines that the employee is not eligible for immunization pursuant to one of the aforementioned provisions, the General Counsel, through the Chief Attorney, will advise the employee, and will call to his or her attention the discretionary conditional indemnification provisions of paragraph (e) of this section.

(d) Where a civil action is commenced in a State court against a Veterans Administration employee, and the matter is within the purview of either 28 U.S.C. 2679, or 38 U.S.C. 4116, the Department of Justice will be asked to remove such suit to the appropriate Federal District Court before trial, where it will be deemed an action against the United States. The defendant employee will be dismissed from the suit. After such removal, the United States has available all defenses to which it would have been entitled if the action had originally been commenced against the United States in the proper Federal District Court. Should a Federal District Court determine that the Veterans Administration employee whose acts or omissions gave rise to the suit was not acting within the scope of his or her office or employment, and was therefore not eligible for immunization as provided for in the aforementioned sections, the case will be remanded to the State Court from which it was removed, the employee will be reinstated as the defendant, and the United States will be dismissed from the suit. Where the employee has been reinstated as the defendant under such circumstances, in order to protect any rights which he or she may have under paragraph (e) of this section, he or she shall immediately notify the General Counsel, through the local Chief Attorney. Through the Chief Attorney, the General Counsel will call the employee's attention to the discretionary conditional indemnification provisions of paragraph (e) of this section.

(e) Under the authority of 38 U.S.C. 4116(e), the Administrator of Veterans Affairs may pay for monetary damages sustained by or assessed against an individual (or his or her estate) described in paragraph (a)(2) of this section, as the result of any suit instituted against such individual which is not cognizable under the provisions of 28 U.S.C. 2671–2680 because the individual was assigned to a foreign country, the said individual was detailed to a State or political division thereof, or the cause of action was specifically excluded under the provisions of 28 U.S.C. 2680(h): *Provided*, That the amount of damages sustained is reasonable when compared with similar cases, litigated or settled, and the United States was given a reasonable opportunity to defend such individual and to participate in settlement negotiations.

2. In § 14.615, paragraph (b) is amended to read as follows:

§ 14.615 General.

* * * * *

(b) *Action by claimant.* Claims for property loss or damage may be filed by the owner of the property or his or her duly authorized agent or legal representative. If the property was insured and the insurer is subrogated, in whole or in part, and if both the owner and the insurer desire to file a claim for their respective losses they should join in one claim. Claims for personal injury may be filed by the injured person or his or her agent or legal representative. Claims for death may be filed by the personal representative of the decedent or any other legally qualified person. When filed by an agent or legal representative, the claim must show the title or capacity of the person representing the claimant and be accompanied by evidence of the appointment of such person as agent, legal representative, executor, administrator, guardian, or other fiduciary.

* * * * *

[FR Doc.74-23006 Filed 10-2-74;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER I—FEDERAL PROCUREMENT REGULATIONS

[FPR Amdt. 134]

PART 1-1—GENERAL

Size Standard and Small Business Status

This amendment of the Federal Procurement Regulation changes Subpart 1-1.7, Small Business Concerns to include a definition of small business for special trade contractors (construction) for the purpose of bidding on Government procurement, and to prescribe revised procedures for handling protests regarding small business status. The changes reflect similar revisions by the Small Business Administration of its regulations in 13 CFR Part 121.

Subpart 1-1.7—Small Business Concerns

1. Section 1-1.701-1 is amended to prescribe revised provisions in paragraph (b)(1). As amended, the section reads as follows:

§ 1-1.701-1 Small business concern (for Government procurement).

* * * * *

(b) * * *

(1) *General.* As small if its average annual receipts for its preceding 3 fiscal years do not exceed $7,500,000. However, if the requirements of the contracts are classified in an industry set forth in this paragraph it is small if it does not exceed the size standard established therein for such industry (where a concern which has 50 percent or more of its annual sales or receipts attributable to business activity within Alaska, then, whenever the terms "annual sales or annual receipts" are used in any size definition contained in this section, the dollar limitation is increased by 25 percent of the amount set forth therein):

Annual receipts size standards for purpose of bidding on procurement for construction—Special trade contractors

Census classification code	Industry, subindustry, or class of products	Annual sales size standard (maximum in millions)
1711	Plumbing, heating (except electric), and air-conditioning	$2
1721	Painting, paperhanging, and decorating	1
1731	Electrical work	2
1741	Masonry, stone setting, and other stonework	1
1742	Plastering, drywall, acoustical, and insulation work	1
1743	Terrazzo, tile, marble, and mosaic work	1
1751	Carpentering and flooring	1
1752	Floor laying and other floorwork not elsewhere classified	1
1761	Roofing and sheet metal work	1
1771	Concrete work	1
1781	Water well drilling	1
1791	Structural steel erection	2
1793	Glass and glazing work	1
1794	Excavating and foundation work	1
1795	Wrecking and demolition work	1
1796	Installation or erection of building equipment not elsewhere classified	1
1799	Special trade contractors not elsewhere classified	1

* * * * *

2. Section 1–1.703.2 is amended to read as follows:

§ 1–1.703–2 Protest regarding small business status.

(a) Any bidder or offeror or other interested party may challenge the small business status of any other bidder or offeror on a particular procurement by sending or delivering a protest, as defined in paragraph (b) of this § 1–1.703–2, to the contracting officer responsible for the particular procurement. Any contracting officer who receives a timely protest, or who wishes to question the small business status of a bidder or offeror himself, shall promptly forward such protest (or submit his protest) to the SBA district office serving the geographical area in which the principal office of the protested concern, not including its affiliates, is located.

(b) (1) As used in this section, "protest" means a statement by telephone or in writing from any bidder or offeror on a particular procurement (or from any other interested party) alleging that another bidder or offeror on such procurement is not a small business concern. The statement shall contain the basis for the protest, together with specific detailed evidence in support of the protestant's claim. In order to apply to the procurement in question, such protest must be filed prior to the close of business on the fifth day (exclusive of Saturdays, Sundays, and legal holidays) after the bid opening or the date for submission of proposals, except that in the case of negotiated procurements, a protest may be filed within 5 days (exclusive of Saturdays, Sundays and legal holidays) after receipt from the contracting officer of notification of the identity of the offeror being protested. Such filing must be delivered to the contracting officer by hand, telegram, or mail within the 5-day period allotted. A protest shall be considered timely if made by telephone to the contracting officer within the 5-day period allotted, and the contracting officer thereafter receives a confirming letter (1) within such 5-day period, or (2) postmarked no later than 1 day after the date of such telephone protest.

(2) The contracting officer may at any time after the bid opening or the date for the submission of proposals question the small business status of any bidder or offeror for the purpose of a particular procurement by filing a written protest with the SBA district office serving the area in which the principal office of the protested concern, not including its affiliates, is located. A protest by a contracting officer shall be timely for the purpose of the procurement in question, whether filed before or after award.

* * * * *

Subpart 1–16.4—Forms for Advertised Construction Contracts

Section 1–16.401(c) is revised as follows:

§ 1–16.401 Forms prescribed.

* * * * *

(c) Representations and Certifications (Construction Contract) (Standard Form 19–B, October 1969 edition). Pending the publication of a new edition of the form, the present provision of Item 1 may be deleted and the following provision substituted therefor to indicate the small business size standard which is applicable to concerns bidding on dredging contracts or special trades contracts:

1. Small business.

He ☐ is, ☐ is not, a small business concern. (For this purpose, a small business concern is a business concern, including its affiliates, which (a) is independently owned and operated, (b) is not dominant in the field of operation in which it is bidding on Government contracts, and (c) had average annual receipts for the preceding 3 fiscal years not exceeding $7,500,000 if bidding on a construction contract; not exceeding $1,000,000 or $2,000,000 depending upon the type of special trade contractor when bidding on a special trade contract; $5,000,000 if bidding on a dredging contract.) For additional information see governing regulations of the Small Business Administration (13 CFR Part 121) and the Federal Procurement Regulations (41 CFR 1–1.701–1) for annual sales size standards.

(Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)))

Effective date. This amendment is effective November 4, 1974, but may be observed earlier.

Dated: September 24, 1974.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.74–22867 Filed 10–2–74;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19311; FCC 74–985]

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

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

Digital Modulation Techniques in Microwave Radio

In the matter of establishment of policies and procedures for the use of digital modulation techniques in microwave radio and proposed amendments to Parts 2 and 21.

1. A *notice of proposed rulemaking* in the above-captioned matter was released on May 8, 1973, 40 FCC 2d 938 (38 FR 15739). The comments and reply comments were filed on July 17, 1973 and August 17, 1973, respectively. Comments were filed by various associations, carriers and manufacturers (see Appendix A for a list thereof).

2. In general, those commenting supported the objectives of the Commission as expressed in the proposed rules. But many suggested various modifications, some of which would create rules more liberal and flexible while others would be more protective in their application. In the following paragraphs we will highlight the various issues presented in the comments.

DEFINITIONS

3. In the Notice we proposed that digital modulation be defined as the process by which some characteristic (frequency, phase or amplitude) of a carrier is varied in accordance with a signal composed of coded pulses or states derived from quantized information. A number of respondents suggested the definition be modified to allow for combinations of frequency, phase and amplitude variations, and that it encompass all sources of digital modulating signals. RCA Global Communications, Inc. (RCA), on the other hand, suggested that there is a need for new terminology since newly designed systems may use combinations of modulation techniques. It suggested the term "Digicarrier Microwave" for defining those microwave systems controlled by digital information and the term "Digiresponse Microwave" for frequency sensitive systems modulated by a partial response signal from digital inputs.

4. At the moment we do not see any significant advantages in adopting the terminology proposed by RCA since this type of distinction is not necessary for administrative purposes. The term digital modulation, with the modulation technique identified, appears to be appropriate for the Commission's purposes.

However, we do agree with the other respondents that the definition should encompass all forms of signal variations and derivatives of digital modulating signals. Therefore, we are amending the proposed definition of digital modulation in this regard.

5. Our proposed definition of the transmission rate (R=maximum signaling speed in binary digits (bits) per second) drew some criticism because of an alleged inadequate relationship with the signaling speed which does not adequately or properly account for multi-state modulation techniques when the signaling speed is less than the transmission speed. Additionally, according to the Electronic Industrial Association (EIA) the symbol S should be defined in terms of equivalent number of signaling states because modulating systems have different effects (e.g., a seven level partial response modulation system would have a S value of 16 since this modulation technique has an equivalency of a 16 state modulation format). General Telephone and Electronics (GTE) suggested the terms used by CCIR in conjunction with those proposed in order to avert confusion over the many terms currently used to describe the repetition rate of a digital signal. Thus, GTE would delete the terms "signaling speed, signaling rate, switching rate and transmission rate" and add the following to §§ 2.1 and 21.1:

Bit Rate—The rate of transmission of information in binary (two state) form in bits per unit time.

Symbol Rate—Channel modulation rate in bauds per unit time. This rate may be higher than the transmitted bit rate as in the case of coded pulses or lower as in the case of multilevel transmission.

6. For the purpose of establishing a meaningful definition for each of the symbols, R and S, and to establish the proper relationships between them, we will modify our previous definitions of these two symbols by replacing the word "signaling" with "transmission speed" in the definition for R, and add the words "equivalent non-redundant" to the definition of the symbol S. We further propose to adopt the suggestion to modify the definitions of the terms "bit rate" and "symbol rate" to be consistent with the CCIR definitions.

Emmission Limitations

7. Recognizing a need to impose more stringent emission limits on digital systems than our Rules presently require, we proposed levels for out-of-band emissions which we believed would minimize the probabilities of harmful interference to adjacent channel operations. Because of greater anticipated impact on analog equipment which is in current heavy use in the lower bands, we proposed more stringent limits below 15 GHz. For example, at any frequency removed from the assigned frequency by 50 to 100 percent of the authorized bandwidth we proposed a minimum attenuation of 50 dB for frequencies below 15 GHz as compared to 35 dB for frequencies above 15 GHz. In response to this proposal, many of the responses took exception on the basis that proposed limits would be inadequate, especially with regard to the frequency bands below 15 GHz. It was argued that since these bands will be shared by digital and analog systems, substantially more stringent limitations will be required of digital systems to make them compatible with FDM–FM systems. The comments recommended various formulas that ranged from moderately to extremely stringent. For example, EIA recomended a maximum suppression of 80 dB compared to 98 dB suggested by AT&T. Those supporting the more lenient limitations as proposed in the Notice believed they would be adequate to control interference between analog and digital systems but would not require complex and costly filters as would the more stringent limitations. This view contends that the more stringent standards (e.g. proposed by AT&T) would increase cost to such an extent that utilization of digital equipment would become a much less attractive alternative. On the other side, those supporting tighter standards contend that the more lenient limitations would be inadequate to protect adjacent channel analog facilities from harmful interference.

8. In addition, most respondents suggested that these levels should be referenced to some characteristic of the signal, with most advocating the emission limitations be expressed in power density per KHz bandwidth referenced to the unmodulated carriers power. Another area of disagreement akin to that on emission limitations centered on the issue of whether to relate the various emission limitations to the authorized bandwidth or the maximum authorizable bandwidth in the frequency band. Respondents supporting the former position claimed this relation to be more effective in reducing the impact of sideband energies since their attenuation is a function of bandwidth. Those contending that the various levels of attenuation should be related to the maximum authorizable bandwidth maintain this relationship will eliminate possible confusion, and that it is the only feasible manner of instituting limitations.

9. At least one point of agreement is noted in the comments on establishing out-of-band emission limitations, and that is the important impact these limitations will have on the future development of digital communication facilities. Thus great care must be exercised in establishing the necessary requirements. It is the Commission's intent to set standards which will encourage further development of equipment employing digital modulation techniques, but which will not have an undue impact on equipment utilizing other modulation techniques. To achieve this objective, we believe we must not establish requirements so lenient that the cost of equipment manufacture is minimized while the adverse impact on economic use of the radio spectrum is maximized. On the other hand, in our zeal to promote the most effective use of the spectrum we must be careful not to adopt requirements which will stymie the growth and development of a communication technique that could prove to be highly advantageous in the future. To this end we are not persuaded to adopt either of the extreme positions but have decided to adopt requirements which appear to be the most reasonable compromise considering manufacturing cost, current state of the technical art and reasonable use of the radio spectrum. Since the sideband energy of FDM–FM systems is concentrated closer to the carrier frequency than is the case with digital systems, digital equipment will have a much greater potential for interference to an adjacent channel analog system than to other digital systems. Accordingly, the requirements reflect that digital sideband energy will have to be controlled, as proposed, to a much greater extent in the lower bands where it will be used in a largely analog "environment". Also, we did not feel it to be essential to adopt limitations which would eliminate the possibility of intra-system adjacent channel interference between digital and analog transmitters. If such use is desired, obviously the user will have to employ equipment with greater sideband suppression. Similarly, more sophisticated equipment may be required in congested areas in order to utilize frequency assignments close to existing analog systems. As a final comment we wish to point out that the sideband suppression requirements contained in the rules are based on very limited experience with digital microwave. As the use of this equipment becomes more widespread and manufacturing techniques become more sophisticated, future adjustments may be required.

10. After considering the various arguments we have decided that the levels of attenuation should be a function of the authorized bandwidth (as expressed in the emission designator) in lieu of the maximum authorizable bandwidth. This relationship appears to be the most appropriate and practical for the purpose for which the rule is being established. To adopt a standard which is related to the maximum authorizable bandwidth would appear to have little impact on reducing potential interference. For instance, a user authorized a 20 MHz channel in the 11 GHz band would need to provide little, if any, attenuation if the limitations are defined by the maximum authorizable bandwidth (40 MHz in this band). The signal level, theoretically, could be as little as 50 dB down at a point 95% removed from the authorized frequency. Under these circumstances the user could probably utilize equipment without any filtering and still comply with the rule, while destroying potential narrow band adjacent channel operations.

11. On the issue of whether the limitations should be referenced to the mid-channel density or the mean power, we conclude it to be more practical to adopt the mean power as the reference point. This reference is currently utilized, and does not offer the opportunity for misinterpretation or ambiguity, and it is not dependent upon the modulation technique employed. As to the method of

measurement, the levels of attenuation will be expressed in terms of power density in dB per 4 KHz of bandwidth for frequencies below 15 GHz and dB per 1 MHz for frequencies above 15 GHz. Also, consistent with many suggestions the suppression requirements will be expressed by a sloping line rather than in steps as proposed.

SCRAMBLERS

12. Many of the comments on the necessity for scramblers took issue with our tentative views on this matter. In the notice of proposed rulemaking, we tentatively concluded that scramblers should not be mandatory, thereby leaving the decision to the discretion of equipment designers. This view was predicated on the supposition that the proposed out-of-band emission limitations would eliminate any harmful emissions from digital modulated signals. Some respondents supported this point of view and further concluded that any problems evolving from spikes will be solved through the frequency coordination procedures. However, the majority of the respondents opposed this position and asserted that this measure was insufficient to eliminate the effects of spikes or frequency tones resulting from repetitive bit sequences. They argued that these undesirable products tend to produce interference to co-channel systems since they occur within the in-band portion of the signal, and that the emission limitations are designed to attenuate the energy levels in the out-of-band portion of the signal and therefore would have little or no effect on these undesired emissions. Some respondents felt it should be mandatory that some method be employed to assure the suppression of the undesirable products even if the Commission may not find it necessary to require scramblers.

13. On the basis of these arguments and various supporting information, it does appear that some requirement in this regard is necessary. Although some have advocated mandatory employment of scramblers, we believe it would be more practical to require all manufacturers to construct equipment which will eliminate the occurrence of spikes, with the technique to be employed left to the discretion of the manufacturer. By adopting this approach, industry will be free to employ what it considers to be the best technique or method to comply with this requirement.

BANDWIDTH CALCULATIONS

14. The majority of those commenting on the method of calculating bandwidths agreed with the Commission on certain aspects of the various methods. No one objected to the equation $Bn=2\,RK/Log_2S$ [1] proposed for determining the necessary bandwidth for phase shift keying (PSK) digital systems. But the primary exception thereto centered on the value specified for the filtering factor K which was shown as 1.0 in the table. Many of the respondents challenged the validity of establishing K with such a value. According to most participants, K greatly influences the efficiency of a transmitter and therefore should not be arbitrarily defined. To illustrate this point the Raytheon Company stated:

> We regard the factor K to be primarily a function of the degree to which transmitter filtering is employed to reduce occupied spectrum. When K is defined as an exact number, the opportunity to increase the transmission bit rate and at the same time use additional spectrum limiting filtering to keep occupied bandwidth constant is eliminated.

In general there was agreement that the lower limit value should be 0.5 but there were diverse opinions on defining the upper limit value. Some proposed to define the upper limit as 2.0 whereas others suggested the upper limit undefined.

15. In other comments in this area AT&T, EIA, and Microwave Associates, Inc. & Vicom (MA/V) maintained that the equation proposed for calculating the necessary bandwidth of PSK systems is appropriate also for double sideband (DSB) amplitude modulated digital systems. This conclusion centers on the premise that the output signal spectrum of the binary digital modulated DSB system resembles that of a two phase PSK system. Secondly, they contended that digital DSB systems possess another characteristic of PSK systems, the ability to increase the number of signaling levels to reduce the bandwidth needed for a given transmission bit rate.

16. Considering the case of Frequency Shift Keying (FSK) digital systems, the general consensus is that the equation $Bn=2R+2DK$ proposed by the Commission does not encompass all the necessary considerations involved and the end result would be an unnecessarily large bandwidth. It was argued that the equation currently used to determine the bandwidth for analog systems has been modified by the substitution of R (maximum bit rate) for M (maximum modulation frequency), but the proposed equation does not take into consideration the effects of employing multi-signaling states. To rectify this condition many respondents proposed assorted versions which are listed below.

AT&T, EIA, and MA/V: $Bn=\frac{R}{Log_2 S}+2DK$

WU: $Bn=\frac{2RK+2D}{Log_2 S}$

Datran: $Bn=2RK+2D$

Raytheon: $Bn=\frac{2K(R+D)}{Log_2 S}$

Farinon and GE: $Bn=\frac{R}{2\ Log_2 S}+2DK$

17. In the case of single sideband (SSB) digital systems, AT&T suggests that the expectation that the bandwidth would be one-half that of a DSB system does not hold. It contends that SSB systems generally contain a vestigial sideband (VSB) signal, which happens to be a function of practical equipment design considerations, and that when the vestigial sideband is considered, the bandwidth of an SSB system is greater than one-half the bandwidth of a DSB system. Because of the variable characteristic of the VSB, it argues that a general equation cannot be established. On this premise AT&T recommends that the necessary bandwidth for digital SSB systems be calculated for each case on the basis of information submitted for type acceptance. At the present time we believe this is a reasonable approach, and we will apply it in any case involving SSB digital equipment.

18. Since the equation proposed for determining necessary bandwidth for PSK systems received general support, we will finalize it without change. Furthermore, because the characteristics of FM–DPSK (differential phase shift keying) modulation is similar to that of PSK, we will utilize this same equation for FM–DPSK. However, the value of K in all of the equations involving digital modulations does warrant some discussion since this factor tends to influence the development of digital equipment. In formulating the proposed rules in this proceeding, we attempted to establish a value of K which would essentially correspond to the bandwidth lying between the first nulls of the assigned spectrum. It has been demonstrated this may not be the most appropriate relationship if we desire a more efficient use of the spectrum. Some parties have indicated that K should be a variable, because at some values the information capacity of the equipment can be enhanced, yielding a greater capacity than one bit per second per Hertz. It was not our intention that the filtering factor K be defined in such a way as to inhibit the development of digital equipment with greater capacity. Nonetheless, at this time we continue to believe that any value of K other than 1 (or unity) be justified at the time of type acceptance. This, however, by no means is intended to restrict K to that value.

19. As in the case of PSK systems, the bandwidth of FSK systems is also a function of the number of signaling states, and the omission of this factor renders the proposed formula incomplete. After reviewing the various suggested formulas, we believe the one recommended by AT&T, EIA and MA/V is the most appropriate. Therefore, we will adopt the equation $Bn=R/Log_2+2\ DK$ for FSK systems. However, we will carefully review all relevant data and information to determine its appropriateness to each type of FSK equipment.

20. In the case of DSB-AM digital equipment, a majority recommended use of the same formula employed for PSK. Since there is no known equipment currently being developed of this type, any application at this time is largely theoretical. While we will include such recommended formula in the rules, we believe that when and if practical application

[1] Where: Bn=necessary bandwidth, R=maximum transmission speed in bits/seconds, K=constant, S=number of equivalent non-redundant signaling states.

arises, its applicability to specific equipment should be evaluated.

REQUIRED TRANSMITTER CAPACITY

21. Several interested parties noted that proposed Rule Section 21.120(e)(i), which would require a digital transmitter to be capable of a transmission rate of at least one bit per second per Hertz of authorized bandwidth, is subject to misinterpretation. This possibility, it is contended, stems from the use of the term "authorized bandwidth." Some have interpreted the term to be the bandwidth specified in the emission designator, others have assumed it to be the bandwidth specified in Section 21.703(g) of the Commission's Rules. To alleviate the confusion, various recommendations were presented, which appear to be separable into two categories. One group offered the suggestion that the term "authorized bandwidth" be replaced with "emission designator." The view of the second group appears to imply the rule should not be altered, but that everyone should operate on the assumption that the required transmission rate is related to the maximum authorizable bandwidth permitted in each band.

22. On another related issue, great interest was expressed regarding the proposal to establish minimum capacities, in terms of equivalent 4 KHz voice channels, for digital transmitters. As an initial observation, most respondents felt the requirements should be predicated upon an even multiple of the Bell System's T–2 data rate (6.3 Mb/s or 96 equivalent encoded voice channels), and that such a uniform standard would permit easier interconnection between various communications facilities without expensive coupling equipment. On the question of the required capacity, the respondents were divided over the numbers which should be established in the heavily used 4, 6 and 11 GHz bands. The requirement specified for equipment to operate in the 11 GHz band was acceptable to most with the exception that the capacity be based on the nearest even multiple of the T–2 data rate (i.e., 1152 voice channels in lieu of the 1200 proposed). In the 4 and 6 GHz bands the views differed substantially. We proposed that equipment in these bands also be capable of providing at least 1200 encoded voice channels. Those that took issue with this proposal, suggested lower minimum requirements because of the narrower bandwidths at 4 and 6 GHz[2] which make the proposed minimum capacity difficult to achieve under current technology. Some suggested a new standard which would require equipment in the 4 GHz band to have a minimum capacity of 576 channels and 864 channels in the 6 GHz band. Others took the position that minimum loading standards should not be applied to equipment to be used in certain areas of the country which do not have the frequency congestion problems. This group contended that the proposed rule would not necessarily be in the public interest since it would require carriers to expend more funds to institute service with digital equipment. International Microwave Corporation suggested a rule which would be rather stringent in the top 100 markets but more lenient in other areas.

23. In addition to those comments generally supporting the minimum capacity proposal, various other suggestions were received. Datran indicated a concurrence with the intent of the proposed rule, but objected to limiting its application only to digital modulated systems. In order to conserve the frequency spectrum, it would formulate a guideline which would also require new FDM–FM systems to have a capacity to transmit digital information at a minimum rate of one bit per second per Hertz. MCI believes any new transmission technique must be as efficient as those it is to compete with or replace, and it proposes the Commission adopt a rule specifying that digital equipment have a higher minimum capacity which would be more or less comparable to that of existing FDM–FM systems. CML Satellite requests that earth station satellite entrance links be exempted from this proposed minimum capacity requirement. CML contends certain circumstances dictate a need to use binary PSK demodulation which does not meet the one bit per second per Hertz requirement and that, generally, the channel requirements of a satellite carrier does not approach the minimum proposed.

24. In considering these matters we will first clarify the Rules as proposed to specify as the minimum transmission rate (of one bit per second per Hertz) shall be referenced to the authorized bandwidth as specified by the emission designator. To use the maximum authorizable bandwidth within each frequency band as the reference would encourage inefficient utilization of the spectrum and would be at odds with any attempt to effectively utilize a channel plan employing less than the maximum bandwidth as we have recently done at 11 GHz.[3] Moreover, such reference would make difficult any meaningful standard in type accepting equipment.

25. Before proceeding to consider the merits of the various arguments concerning minimum voice capacity requirements, we wish to clarify one point. As many respondents correctly pointed out, there are many situations in providing communication services which do not require the channel capacity proposed. These minimum limits are not intended to be applicable to the user or carrier, but as a design factor for manufacturers to incorporate into the development of their equipment. We have recently established minimum channel loading requirements applicable to the carrier to justify use of several of the lower common carrier bands. See Second Report and Order in Docket No. 18920, supra, section 710(c). Therefore, the design capacity of digital modulated equipment, which we are determining in this proceeding, is not synonymous with the projected loading we may require of a carrier before authorizing the use of a frequency in a given band.

26. Concerning the minimum equipment capacity, we are convinced that the proposed figures are about right. While we would like to require higher capacities in the lower bands in the interest of frequency conservation, as MCI recommends, we fear such requirements may stifle the development of this new technology and the other advantages it has to offer. It may be, however, that future technological developments may warrant some increase in these figures at a later date. As to the current requirements, we have made some minor adjustments from those proposed. There is some merit to the argument of compatibility with the T–2 data rate. Therefore, we are reducing the wide-band minimum capacity from 1200 to 1152 voice channels. Also, we are making an adjustment for 11 GHz equipment with a 20 MHz bandwidth to be consistent with our decision in Docket No. 18920 encouraging "half channel" utilization. We reject the argument of those advocating reduced requirements for the 4 and 6 GHz bands. While we appreciate the difficulties caused by the narrower bandwidths in those bands, the adoption of such standards would have an adverse impact on our attempt to conserve our two most valuable common carrier bands. These bands are utilized primarily for longhaul, high capacity communications. As used with FDM–FM equipment they have a capacity of 1500 to 1800 voice channels per RF channel, with increased capacity in the future likely. To encourage the use of relatively low capacity digital equipment in these increasingly congested bands would be contrary to good frequency management and the overall public interest. We also reject the suggestions that separate criteria be established for less congested areas. Such dual standards would be very difficult to administer, and we believe the savings in equipment cost would not be significant.

CROSS-POLARIZED OPERATION

27. In the Notice we proposed to allow the required equipment capacity to be achieved by the simultaneous operation of two transmitters on the same frequency provided that the error rate is not more than doubled (compared with single transmitter operation). The general consensus of the comments appears to be that such operation by cross-polarization techniques is achievable with a digital system without serious degradation to the overall system performance. However, Nippon Electric Company (NEC) noted that certain circumstances exist which may preclude the use of cross-polarization and that under such conditions the Commission should waive the rules to permit digital transmission. As an example of such a situation, NEC cited the condition of an exceptionally

[2] The 4 GHz band has a 20 MHz maximum bandwidth as compared to 30 MHz at 6 GHz and 40 MHz at 11 GHz.

[3] See the Second Report and Order in Docket 18920, released July 5, 1974 (FCC 74–657).

long radio path where there is a tendency for the polarization discrimination to diminish. Contrary to the general position, Farinon Electric Company opposed the use of the cross-polarization technique as a means of achieving the required minimum capacity. Farinon's objection was based on increased interference potential which it believed would result. Farinon felt that it is preferable to reserve polarization discrimination as an aid to frequency coordination, as well as a means by which multi-hop digital systems could employ a two frequency plan more effectively.

28. The relationship of error rate to dual channel operation drew a number of adverse comments. Most parties viewed the error rate as a prerogative of system designers, being a factor of desired system reliability and, therefore, should not be specified by rules. In addition, it was further argued that the standard being proposed by the Commission is impractical for direct measurement and should not be a parameter in determining the acceptability of a transmitter. According to EIA, error rate degradation is not just a function of equipment characteristics, but also of antenna discrimination, accuracy of antenna alignment, and, to some degree, the radio path and interference from other sources at the receiver.

29. Various recommendations were suggested as alternatives. While some merely suggested that any reference to error rate be deleted, others proposed that a permissible maximum level of reduction in fade margin per referenced bit error rate (BER) be established for cross-polarization operation. More specifically, Avantek, Inc. suggested a maximum of one decibel of fade margin reduction per referenced BER. Raytheon recommended a somewhat more lenient reduction of three decibels.

30. Considering the strong support given cross polarized operation, we will permit its use as proposed. We recognize that such use does have its price, as Farinon noted, in the loss of polarization discrimination as a tool to avoid interference where microwave routes are in close proximity. However, considering the fact that it virtually doubles the capacity of a given RF channel, the overall efficiency in use of the radio spectrum will be enhanced. With respect to the error rate requirement, we recognize that the arguments have some validity. Therefore, we are deleting this requirement in favor of a showing by the manufacturer that the equipment will be capable of rendering satisfactory service under most conditions in a dual polarized configuration. As far as exceptional circumstances in actual use which would preclude such operation, we will require the carrier to identify and justify such use on a case by case basis.

SPECIAL TYPE ACCEPTANCE REQUIREMENTS

31. Generally, most respondents did not concur with the proposed rule which would require submission of information on the multiplex equipment along with that now required for transmitter type acceptance. Some of the reasons cited were: (1) such a requirement forces an undue burden on equipment manufacturers since multiple type acceptance would be required for each transmitter that operated with different multiplexing units; and (2) it would also place an undue burden on the user in getting revised type acceptance if a change in multiplexing equipment were desired. In addition, it was argued that some manufacturers produce only one part of the combination, either the transmitter or the multiplexer and that it would be impossible for the transmitter manufacturers to know the various combinations with which their units could be used, nor in many cases would they have access to pertinent data about the multiplexing units. To avoid what it believes could become a chaotic situation, EIA proposes that transmitter manufacturers be required to submit a description of the modulation system and required modulation signal, in a manner similar to that now employed with FDM–FM systems. This approach appears to be basically supported by a number of other respondents.

32. In the Notice we proposed, in addition to other data, that manufacturers of digital modulated transmitters submit information showing the occupied bandwidth both with and without any filtering which may be required for shaping the spectrum of the radio frequency emissions. Those that objected argued that since type acceptance would be granted only for the mode in which the equipment would be operated, the requested additional information would not appear to be of any significant value. Therefore, this group of respondents would modify the proposed rule to require information regarding the occupied bandwidth in the mode in which the transmitter would be operated. GTE recommended that in the event the transmitter could be operated and type accepted with and without devices for shaping the spectrum, the manufacturers should be required to submit information for both modes of operation. Raytheon and Western Union supported the rule as proposed, concluding such method will accurately reflect the necessary information for transmitters employing digital modulation.

33. With respect to inclusion of information on the mutliplex equipment we believe the comments have some validity. Therefore, we are deleting this requirement per se, but we will require information on all equipment functions (including the multiplex) that may affect the modulation or power spectral density of the transmitted signal or any other characteristic of the equipment basic to type acceptance evaluation. Concerning the filter data requirement we have somewhat modified Section 2.989(h) so that the measured data must include measurement through all filters required in normal service and additional data is required only where optional devices may be used at the discretion of the user. This will satisfy our requirement for information, and we believe it should eliminate most of the difficulties expressed in the comments on this item.

FREQUENCY COORDINATION

34. In the notice of proposed rulemaking we took the opportunity to incorporate a detailed description of the guidelines for fulfilling the requirements of frequency coordination (see proposed changes to 21.100(d)). In response thereto, all respondents directly or indirectly, expressed agreement with this approach. However, there were a number of recommended changes. AT&T suggested that all users be required to analyze their proposals for interference prior to forwarding notifications to other users to curtail the apparent practice of some in utilizing the coordination process, in effect, as a substitute for adequate system engineering. Secondly, AT&T suggested the rules be amended to assure that system parameters for which coordination was accomplished agree with those contained in the application filed with the Commission. AT&T also suggested that additional details of transmitter operating characteristics be forwarded with other information for system coordination for use in determining the type of signal to be carried and its worst case characteristics. Lastly, AT&T suggested the Commission adopt the "Recommended Uniform System for the Exchange of Information Required for Prior Coordination" which was informally developed by the Commission staff and various industry members to facilitate the exchange of data in frequency coordination.

35. In other comments RCA contended that it is not necessary to require any additional criteria for digital systems in view of the proposed implementation of emission limitations, but Datran felt that all requirements should be equally applicable to all modulation techniques and frequency bands. Raytheon suggested that for digital operations the Commission require inclusion of operating characteristics of the multiplexing system along with other data.

36. In reply comments several independent telephone companies (Penisula, Range and Siskiyou) expressed strong opposition to AT&T's proposal that the Commission require all carriers to perform an interference study prior to engaging the coordination process. They contended it would be burdensome and in some cases impossible to obtain the necessary information to make such a study, and this would mean carriers would be, in effect, guaranteeing AT&T that route blockage would not occur rather than making reasonable efforts to avoid blockage as in the Commission's intent. These carriers also opposed the implementation of the "Uniform System" for purposes of frequency coordination as proposed by AT&T since automatic data processing is not a part of their operation. GTE also expressed doubts about the wisdom of such implementation.

37. In considering these comments we believe several minor adjustments should be made to the frequency coordination

rules as proposed. The recommendation that all carriers perform an interference study or analysis prior to efforts to coordinate their proposals should be a current practice. We believe that the entire procedure is implicitly based on the coordination of a proposal which was initially engineered to avoid conflicts with other carriers. The purpose of coordination is to catch oversights or errors based on incomplete information, not to have respondent carriers re-engineer a proposal in which no serious attempt was originally made to consider impact on other facilities. Therefore, we are adding language to the rules that indicates that while carriers being coordinated with should cooperate and be helpful in resolving conflicts, there is no obligation to suggest changes or re-engineer a proposal. This language does not involve any policy change in the operation of prior coordination but is intended to indicate that the primary engineering responsibility still rests with the party initiating the coordination.

38. Regarding the question of requiring carriers to file with the Commission the same technical proposal as that successfully coordinated, it goes without saying that this is a requirement under the current coordinating procedures and rules. If a carrier files applications with the Commission which differ in technical content from that supplied during coordination, he has not complied with the rules and the applications involved are subject to being returned as unacceptable. With respect to the "uniform system" proposed by AT&T, we believe the implementation of such a system is beyond the scope of this proceeding. However, the matter is under current staff study and evaluation.

39. Raytheon's suggestion of requiring proposals involving digital systems to include multiplexing data as a part of the coordination process appears to be unnecessary. As a part of the type acceptance procedure, as noted in paragraph 33 above, the Commission will consider all functions of equipment that influence the shape and modulation characteristics of the transmitted signal, including any effect the multiplex may have. We do not believe that additional information will be routinely required for coordination. Where such additional information is required, it may be requested pursuant to Section 21.100(d)(3) of the new rules.

40. With respect to Datran's complaint, it has not been nor is it now our intent to favor one type of modulation system over another. But we do recognize that there are certain peculiarities associated with the various modulation techniques which must be recognized and perhaps compensated for in the coordination process. For the most part the various schemes employed in analog equipment are well understood, but due to the new developments in digital equipment, this is often not the case. However, it is not our intention to exempt FDM–FM systems carriers from providing all relevant data needed for proper coordination. Therefore, the coordination rules as adopted herein, while requiring some additional information for digital equipment, do provide for the submission of extra information upon request regardless of modulation technique and frequency band(s) employed.

General Matters

41. Microwave Associates and Vicom in joint comments proposed that the Commission institute steps which would lead to an all digital environment in the common carrier 11 GHz band. As outlined this goal would be achieved by: (1) Limiting the license terms of FDM–FM stations currently in operation to six to eight years; and (2) during this period all digital modulated equipment utilizing this band would be subject to emission limitations that would be consistent with the pre-existing analog systems. After this period only digital systems would be authorized to operate in this band. Those respondents commenting on this recommendation were uniformly opposed to such a program. We agree with such opposition. The conclusion of numerous comments filed in this proceeding is that digital and analog systems can simultaneously operate in the same bands below 15 GHz with reasonable compatibility provided that various restrictions previously discussed are applied. We are not of the opinion that the advantage of somewhat relaxed equipment restrictions that could result from implementing this proposal is worth the upheaval it would cause.

42. Another matter worthy of comment concerns the effect the use of digital equipment in dual polarization configuration will have upon the use of protection channels.[4] Since there would be two transmitters operating on each frequency channel at full load, both would likely be affected simultaneously by propagation problems. Therefore, both will normally require simultaneous switching to the protection channel. Because of this we will provide for the authorization of a second transmitter on the protection channel at the time a second working transmitter on a channel is authorized.[5]

43. With regard to existing digital equipment used by common carriers, we note that most, if not all, has been authorized subject to the rules promulgated in this proceeding. Such equipment was type accepted on the basis of the rules in existence at the time and no determination has been made as to compliance with these new rules. We believe that such equipment authorized on a conditional basis should be modified[6], if necessary, and type accepted as complying with the final rules by December 31, 1976. Equipment now listed as type accepted for use under Part 21 will, upon the effective date of these rules, no longer be considered type accepted for use with digital modulation under Part 21 (except for such continued use as provided for above). If type acceptance is desired under the new rules for digital modulation, an application therefor should be submitted.[7] Manufacturers of equipment presently type accepted for use under Part 21 may submit a new or amended application for type acceptance, as appropriate, to show the capability of the equipment to comply with the new rules. The required filing and grant fees and assignment of a new type number will be required, unless the manufacturer shows that no equipment modification, except for permissive changes as permited in Subpart J of Part 2 of our Rules, will be made in order to effect compliance. As in all cases where an equipment authorization is a prerequisite to licensing, a grant of type acceptance by the Commission will be required prior to the resumption of marketing of such equipment for use with digital modulation under Part 21.

44. Before concluding this proceeding it would be appropriate to emphasize that in attempting to promulgate rules governing the development of digital systems, the Commission and industry are dealing with many new and undeveloped or untested techniques. In many instances it appears that the comments we received were based on best guesses or reasonable approximations rather than on practical experience or proven formulas. Many technical requirements developed in this proceeding, to a greater or lesser extent, are predicated upon a dearth of technical information and experience in digital equipment. As more developments are made and as we gain more experience and information concerning the various techniques and types of digital equipment, we will examine more closely and perhaps modify our conclusions reached in this proceeding. In conclusion we can only say that these rules are the best we can presently devise based on the current development of digital technology.

Conclusion

45. In view of the foregoing, we are of the opinion that the modified rules as discussed above are in the public in-

[4] In the 11 GHz band Rule Section 21.100 (c) provides that protection channels may be authorized on a ratio of one protection channel for three working channels.

[5] Presumably the need for a second protection transmitter could be delayed if the first three working transmitters were assigned to different frequencies, rather than a different polarization of a previously authorized frequency. However, absent some unusual circumstance, we believe such a practice would not be consistent with good frequency utilization. Digital equipment capable of dual polarized operation should make use of both polarizations of a frequency before being assigned a new frequency.

[6] Modification may only be made in accordance with the procedure set forth in Subpart J of Part 2 of the rules.

[7] Type acceptance procedures are specified in Subpart J of Part 2 of the Rules. New applications are subject to the requirements of Section 1.1120 of the Rules concerning application fees. Pursuant to Subpart I of Part 2, no marketing of equipment subject to type acceptance is permitted prior to a type acceptance grant.

terest. Accordingly, *It is hereby ordered*, Pursuant to authority contained in Sections 4(i), 303 and 403 of the Communications Act of 1934, as amended. Parts 2 and 21 of the Commission's Rules and Regulations are amended as reflected in Appendix B attached hereto effective November 1, 1974. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 403, 48 Stat., as amended, 1066, 1082, 1094 (47 U.S.C. 154, 303, 403))

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

APPENDIX A

PARTIES WHICH FILED COMMENTS IN DOCKET NO. 19311

American Telephone and Telegraph Company
Association of American Railroads
Avantek, Inc.
CML Satellite Corporation
Canadian Marconi Company
City of Anchorage Telephone Utility & Matanuska Telephone Association, Inc. (Joint)
Culbertson Industries, Inc.
Data Transmission Company
Electronic Industries Association (Point-to-Point Communications Section)
Farinon Electric
GTE Service Corporation
International Microwave Corporation
MCI Telecommunications Corporation
Microwave Associates, Inc. & Vicom (Joint)
Nippon Electric Company, Ltd., NEC America, Inc.
Peninsula Telephone & Telegraph Company
RCA Global Communications, Inc.
Range Telephone Cooperative, Inc.
Raytheon Company
Secretary of Defense
Siskiyou Telephone Company
Somerset Telephone Company
Utilities Telecommunications Council
Western Union Telephone Company

PARTIES WHICH FILED REPLY COMMENTS

American Telephone & Telegraph Company
Avantek, Inc.
Canadian Marconi Company
City of Anchorage Telephone Utility & Matanuska Telephone Association, Inc. (Joint)
Data Transmission Company
General Electric Company
GTE Service Corporation
Nippon Electric Company, Ltd., NEC America, Inc.
Peninsula Telephone & Telegraph Company; Range Telephone Cooperative, Inc. and Siskiyou Telephone Company (Joint)
RCA Global Communications, Inc.

APPENDIX B

Parts 2 and 21 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

1. In § 2.1 add the following definitions in appropriate alphabetical order:

§ 2.1 Definitions.

* * * * *

Bit rate. The rate of transmission of information in binary (two state) form in bits per unit time.

* * * * *

Digital modulation. The process by which some characteristic (frequency, phase, amplitude or combinations thereof) of a carrier frequency is varied in accordance with a digital signal, e.g. one consisting of coded pulses or states.

* * * * *

Symbol rate. Modulation rate in bands. This rate may be higher than the transmitted bit rate as in the case of coded pulses or lower as in the case of multilevel transmission.

2. In § 2.201 paragraph (e)(6) is added to read as follows:

* * * * *

§ 2.201 Emission, modulation, and transmission characteristics.

* * * * *

(e) * * *

(6) Digital modulation—Y.

* * * * *

3. In § 2.202 paragraph (e), K=is amended and R= & S= added, and an addition made to paragraph (g) to read as follows:

§ 2.202 Bandwidths.

* * * * *

(e) In the formulation of the table in paragraph (g) of this section, the following terms are employed:

* * * * *

K=An overall numerical factor which varies according to the emission and which depends upon the allowable signal distortion. This value is considered to be equal to unity unless otherwise specified by the Commission. For digital modulation, values other than unity may be employed provided their appropriateness is demonstrated.

* * * * *

R=Maximum transmission speed in binary digits (bits) per second.

S=Number of equivalent non-redundant signaling states.

* * * * *

(g) Table of necessary bandwidths:

Description and class of emission	Necessary bandwidth in hertz	Examples: Details	Examples: Designation of emission
I. AMPLITUDE MODULATION			
*	*	*	*
Composite transmission A9Y, digital modulation using DSB–AM.	$B_n=\frac{2RK}{\text{Log}_2 S}$	Microwave radio relay specifications: digital modulation used to send 5 megabits per second by use of amplitude modulation of the main carrier with 4 signaling states. R=5×10⁶ bits per second K=1 S=4 B_n=5 MHz	5000A9Y
II. FREQUENCY MODULATION			
Description and class of emission	Necessary bandwidth in hertz	Examples: Details	Examples: Designation of emission
*	*	*	*
Composite Transmission F9Y, digital modulation using PSK.	$B_n=\frac{2RK}{\text{Log}_2 S}$	Microwave radio relay system specifications: digital modulation used to send 10 megabits per second by use of phase shift keying with 4 signaling states. R=10×10⁶ bits per second K=1 S=4 B_n=10 MHz	10,000F9Y
Composite Transmission F9Y, digital modulation using PSK.	$B_n=\frac{R}{\text{Log}_2 S}+2DK$	Microwave radio relay system specifications: digital modulation used to send 10 megabits per second by use of frequency shift keying with 4 signaling states and 2 MHz peak deviation of the main carrier. R=10×10⁶ bits per second D=2 MHz K=1 S=4 B_n=9 MHz	9000F9Y

* * * * * * *

4. In § 2.983, par (d)(12) is added to read as follows:

§ 2.983 Application for type acceptance.

* * * * *

(d) * * *

(12) For equipment employing digital modulation techniques, a detailed description of the modulation system to be used, including the response characteristics (frequency, phase and amplitude) of any filters provided, and a description of the modulating wavetrain, shall be submitted for the maximum rated conditions under which the equipment will be operated.

* * * * *

5. In § 2.989, paragraph (h) is redesignated (i), and a new paragraph (h) added to read as follows:

§ 2.989 Measurement required: Occupied bandwidth.

* * * * *

(h) Transmitters employing digital modulation techniques—when modulated by an input signal such that its amplitude and symbol rate represent the maximum rated conditions under which the equipment will be operated. The signal shall be applied through any filter networks, pseudo-random generators or other devices required in normal service. Additionally, the occupied bandwidth shall be shown for operation with any devices used for modifying the spectrum when such devices are optional at the discretion of the user.

* * * * *

6. In § 21.1 add the following definition in appropriate alphabetical order:

§ 21.1 Definitions.

* * * * *

Bit rate. The rate of transmission of information in binary (two) state form in bits per unit time.

* * * * *

Digital modulation. The process by which some characteristic (frequency, phase, amplitude or combinations thereof) of a carrier frequency is varied in accordance with a digital signal, e.g., one consisting of coded pulses or states.

* * * * *

7. In § 21.100 a sentence is added to paragraph (c) and paragraph (d) is revised to read as follows:

§ 21.100 Frequencies.

* * * * *

(c) * * * Where equipment employing digital modulation techniques with cross polarized operation on the same frequency is used, the protection channel authorized under the above conditions may be considered to consist of both polarizations of the protection frequency where such is shown to be necessary.

(d) All applicants for regular authorization in the Point-to-Point Microwave Radio and Local Television Transmission Services and in the Domestic Public Land Mobile Radio Service for use of the bands 2110–2130 MHz and 2160–2180 MHz shall, before filing an application or major amendment to a pending application, coordinate proposed frequency usage with existing users in the area and other applicants with previously filed applications, whose facilities could affect or be affected by the new proposal in terms of frequency usage with stations in the timate system capacity. In coordinating frequency usage with stations in the fixed-satellite service, applicants shall also comply with the requirements of Section 21706 (c) and (d). In engineering a system or modification thereto, the applicant shall by appropriate studies and analyses select sites, transmitters, antennas and frequencies that will avoid harmful interference to other users. All applicants, permittees and licensees shall cooperate fully and make reasonable efforts to resolve technical problems and conflicts that may inhibit the most effective and efficient use of the radio spectrum; however, the party being coordinated with is not obligated to suggest changes or re-engineer a proposal in cases involving conflicts. Applicants should make every reasonable effort to avoid blocking the growth of systems that are likely to need additional capacity in the foreseeable future. The applicant shall identify in the application all entities with which the technical proposal was coordinated. In the event that technical problems are not resolved or if the existing licensee, permittee or applicant does not respond to coordination efforts within 30 days after notification, an explanation shall be submitted with the application. Where technical problems are resolved by an agreement or operating arrangement between the parties that would require special procedures be taken to reduce the likelihood of harmful interference (such as the use of artificial site shielding) or would result in a reduction of quality or capacity of either system, the details thereof shall be contained in the application. The following guidelines are applicable to the coordination procedure:

(1) Coordination involves two separate elements: Notification and response. Both or either may be oral or in written form. To be acceptable for filing, all applications and major technical amendments must certify that coordination, including response, has been completed. The name of the carriers with which coordination was accomplished must be specified.

(2) Notification must include relevant technical details of the proposal. At minimum, this should include, as applicable, the following:

Transmitting station name
Transmitting station coordinates
Frequencies and polarizations to be added or changed
Transmitting equipment type, its stability, actual output power, and emission designator
Transmitting antenna type and model and, if required, a typical pattern and maximum gain
Transmitting antenna height above ground level and ground elevation above mean sea level
Receiving station name
Receiving station coordinates
Receiving antenna type and model and, if required, a typical pattern and maximum gain
Receiving antenna height above ground level and ground elevation above mean sea level
Path azimuth and distance

(3) For transmitters employing digital modulation techniques at frequencies below 15 GHz, the notification should clearly identify the type of modulation. Upon request, additional details of the operating characteristics of the equipment shall also be furnished.

(4) Response to notification should be made as quickly as possible, even if no technical problems are anticipated. Every reasonable effort should be made by all carriers to eliminate all problems and conflicts. If no response to notification is received within 30 days, the applicant will be deemed to have made reasonable efforts to coordinate and may file his application without a response.

(5) The 30-day notification period is calculated from the date of receipt by the carrier being notified. If notification is by mail, this date may be ascertained by: (i) The return receipt on certified mail, (ii) the enclosure of a card to be dated and returned by the recipient, or (iii) a conservative estimate of the time required for the mail to reach its destination. In the latter case, the estimated date when the 30-day period would expire should be stated in the notification.

(6) All technical problems that come to light during coordination must be resolved unless a statement is included with the application to the effect that the applicant is unable or unwilling to resolve the conflict and briefly the reason therefor.

(7) Where a number of technical changes become necessary for a system during the course of coordination, an attempt should be made to minimize the number of separate notifications for these changes. Where the changes are incorporated into a completely revised notice, the items that were changed from the previous notice should be identified.

(8) Where subsequent changes are not numerous or complex, the carrier receiving the changed notification should make an effort to respond in less than 30 days. Where the notifying carrier believes a shorter response time is reasonable and appropriate, it may be helpful for him to so indicate in the notice and perhaps suggest a response date.

(9) If it is determined that a subsequent change could have no impact on some carriers receiving the original notification, it is not necessary to coordinate the change with such carrier. However, these carriers should be advised of the change and of the opinion that coordination is not required for said change.

(10) Carriers should supply to all other carriers, or known carrier applicants, within their areas of operations, the name, address and telephone number of their coordination representatives. Upon request from coordinating carriers or applicants, data and information concerning existing or proposed facilities and future growth plans in the area of interest should be furnished unless such request is unreasonable or would impose a significant burden in compilation.

(11) Carriers should keep other carriers with which they are coordinating advised of deletions or changes in plans for facilities previously coordinated. If applications have not been filed 6 months after coordination was completed, carriers may assume, unless notified otherwise, that such frequency use is no longer desired.

* * * * *

8. In § 21.106, paragraph (a) is amended to read as follows:

§ 21.106 Emission limitations.

(a) The mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(1) When using transmissions other than those employing digitial modulation techniques:

(i) On any frequency removed from the assigned frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth: At least 25 decibels;

(ii) On any frequency removed from the assigned frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels.

(iii) On any frequency removed from the assigned frequency by more than 250 percent of the authorized bandwidth: At least 43 plus 10 Log_{10} (mean output power in watts) decibels, or 80 decibels, whichever is the lesser attenuation.

(2) When using transmissions employing digital modulation techniques (See Section 21.122):

(i) For operating frequencies below 15 GHz, in any 4 KHz band the center frequency of which is removed from the assigned frequency by 50 percent or more of the authorized bandwidth: As specified by the following equation but in no event less than 50 decibels. $A=35+0.8(P-50)+10\ Log_{10}B$. (Attenuation greater than 80 decibels is not required.)

Where:

A=attenuation (in decibels) below the mean output power level
P=percent removed from the carrier frequency
B=authorized bandwidth in MHz

(ii) For operating frequencies above 15 GHz, in any 1 MHz band, the center frequency of which is removed from the assigned frequency by 50 percent or more of the authorized bandwidth: As specified by the following equation but in no event less than 11 decibels. $A=11+0.4(P-50)+10\ Log_{10}B$. (Attenuation greater than 56 decibels is not required.)

* * * * *

9. Section 21.122 is added new to read as follows:

§ 21.122 Microwave digital modulation.

(a) Microwave transmitters employing digital modulation techniques and operating below 15 GHz shall, with appropriate multiplex equipment, comply with the following additional requirements:

(1) The bit rate, in bits per second, shall be equal to or greater than the bandwidth specified by the emission designator in Hertz (e.g., to be acceptable, equipment transmitting at a 20 MB/s rate must not require a bandwidth of greater than 20 MHz).

(2) Equipment to be used for voice transmission shall be capable of satisfactory operation within the authorized bandwidth to encode at least the following number of voice channels:

Frequency range:	*Number of encoded voice channels*
2110 to 2130 MHz	96
2160 to 2180 MHz	96
3700 to 4200 MHz	1,152
5925 to 6425 MHz	1,152
10,700 to 11,700 MHz	1,152

(3) The required minimum number of channels shown in paragraph (a)(2) of this section may be reduced by a factor 1/N provided that N transmitters may be operated satisfactorily within an authorized bandwidth less than, or equal to, the maximum authorizable bandwidth over the same radio path (e.g. (1) the 1152 channels requirement may be reduced to 576 if two transmitters can be satisfactorily operated over the same path within a 40 MHz maximum bandwidth for the 11 GHz band or (2) reduced to 288 channels if four transmitters can be satisfactorily accommodated within this bandwidth). Applications submitted for equipment type acceptance designed to operate in this mode must include data which will demonstrate successful operation under typical transmission conditions. Where type accepted equipment is designed to operate on the same frequency in a cross-polarized configuration to meet the above capacity requirements, the Commission will require, at the time additional transmitters are authorized, that both polarizations of a frequency be used before a new frequency assignment is made, unless a single transmitter installation was found to be justified by the Commission at the time it authorized the first transmitter.

(b) For purposes of compliance with the emission limitation requirements of Section 21.106(a)(2) of this part and the requirements of paragraph (a) of this section, digital modulation techniques are considered as being employed when digital modulation contributes 50 percent or more to the total peak frequency deviation of a transmitted radio frequency carrier. The total peak frequency deviation shall be determined by adding the deviation produced by the digital modulation signal and the deviation produced by any frequency division multiplex (FDM) modulation used. The deviation (D) produced by the FDM signal shall be determined in accordance with Section 2.202(f) of Part 2 of this Chapter.

(c) Transmitters employing digital modulation techniques shall effectively eliminate carrier spikes or single frequency tones in the output signal to the degree which would be obtained without repetitive patterns occurring in the signal.

(d) Transmitters type accepted for use with digital modulation prior to November 1, 1974 may continue to be used where authorized until December 31, 1976. After the latter date, such equipment will no longer be type accepted for digital modulation unless it is type accepted for such use after November 1, 1974.

[FR Doc.74-22858 Filed 10-2-74;8:45 am]

Title 49—Transportation

SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION

[POST Docket No. 1; Amdt. 1-96]

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

Delegation of Authority Under the Housing and Community Development Act of 1974

The purpose of this amendment is to delegate to the Urban Mass Transportation Administrator the functions vested in the Secretary by section 813 of the Housing and Community Development Act of 1974 (August 22, 1974, Pub. L. 93-383, § 813; 88 Stat. 633, 737). That section amends the Federal-Aid Highway Act of 1973 (August 13, 1973, Pub. L. 93-87; 87 Stat. 250) which requires the Secretary to impose certain restrictions on the provision of charter bus service by or on behalf of recipients of grants for the purchase of buses under the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. § 1601 et seq.) and 23 U.S.C. 103(e)(4) and 142 (a) and (c).

Since this amendment relates to Departmental management, procedures and practices, notice and public procedure thereon are unnecessary, and it may be made effective in fewer than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 1 of Title 49 of the Code of Federal Regulations is amended by adding a new paragraph (h) to § 1.50 as follows:

§ 1.50 Delegations to the Urban Mass Transportation Administrator.

* * * * *

(h) Section 813 of the Housing and Community Development Act of 1974 (Pub. L. 93-383).

Effective date. This amendment is effective October 3, 1974.

(Sec. 9(e) Department of Transportation Act (49 U.S.C. 1657(e)).)

Issued at Washington, D.C., on September 27, 1974.

CLAUDE S. BRINEGAR,
Secretary of Transportation.

[FR Doc.74-22946 Filed 10-2-74;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Fourth Revised S. O. 1119]

PART 1033—CAR SERVICE

Demurrage on Freight Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 25th day of September 1974.

It appearing, that an acute shortage of freight cars exists throughout the country; that certain carriers are unable to furnish an adequate supply of freight cars to shippers located on their lines; that these shortages of freight cars are impeding the movement of many commodities; that many freight cars are ordered and held by shippers for loading which are later returned to the carrier without being used in transportation service; that such practices immobilize large numbers of freight cars needed by shippers for the transportation of other freight; and that the existing demurrage and detention rules, regulations, and practices of the railroads are ineffective to control such use of freight cars. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1119 Service Order No. 1119.

(a) *Demurrage on freight cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its demurrage rules and charges.

(1) *Application.* (i) The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(ii) *Description of cars subject to this order.* Except as otherwise provided in paragraph (a) (1) (ii) of this section, this order shall apply to freight cars which are subject to demurrage rules applicable to detention of cars and which are listed in the Official Railway Equipment Register, I.C.C. R.E.R. No. 392, issued by W. J. Trezise, or successive issues thereof, as having one of the mechanical designations shown on pages 1119 and 1120 under the headings: "Class 'G'—Gondola Car Type," "Class 'H'—Hopper Car Type," including cars bearing mechanical designations modified in the manner described in the various notes thereto. (See Exception (iii).)

(iii) *Exception.* The provisions of this order shall not apply to freight cars while subject to the provisions of Agent B. B. Maurer's Tariffs 8–0, I.C.C. H–30; 551–L, I.C.C. H–50; 552–P, I.C.C. H–47; and 719–F, I.C.C. H–53; nor to perishable protective charges published in Agent W. T. Jamison's National Perishable Protective Tariff No. 18, I.C.C. 37; supplements thereto, or reissues thereof.

(2) *Demurrage, detention or storage charges.* (i) When empty cars placed on orders are not used in transportation service, demurrage will be charged for all detention, including Saturdays, Sundays, and holidays (see list in Item 25, Freight Tariff 4–J, I.C.C. H–59), from actual or constructive placement until released, with no free time allowance.

(ii) Charges for cars detained as described in paragraph (a) (1) of this section shall be assessed at the following rates, until car is released:

$10.00 per car per day, or fraction of a day, for each of the first four days.
$20.00 per car per day, or fraction of a day, for each of the next two days.
$30.00 per car per day, or fraction of a day, for each of the next two days.
$50.00 per car per day for each subsequent day.

(iii) In the application of this section, a demurrage day consists of a 24-hour period, or fraction thereof, computed from the hour of actual or constructive placement of the car, except that on cars placed in advance of the date for which ordered for loading, time will be computed from 7 a.m., of the day for which so ordered.

(iv) When a car so ordered and placed on a public track or on an industrial interchange track is not used and no advice from the party who ordered the car has been received within 48 hours (two days), exclusive of Saturdays, Sundays, and holidays (see list in Item 25, Freight Tariff 4–J, I.C.C. H–59), from the first 7 a.m., after placement (see paragraph (3)), the car shall be removed and treated as released at the time of removal. Such cars shall be subjected to demurrage charges as provided herein.

(v) In the event a car is rejected account not suitable for loading, this section will not apply if the party ordering the car advises the carrier of rejection and condition that caused the car to be rejected, within 48 hours (two days) exclusive of Saturdays, Sundays, and holidays (see list in Item 25, Freight Tariff 4–J, I.C.C. H–59) after actual placement (see (iii)).

If rejection has not been made within time specified herein, demurrage will be charged for all detention, computed under paragraphs (a) (2) (i), (ii), and (iii) of this section.

(b) If the application of demurrage rules published in any tariff lawfully in effect results in demurrage charges greater than those provided in this order, such greater charges shall apply.

(c) *Regulations suspended — announcement required.* The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to its tariff affected hereby, in substantial accordance with the provisions of Rule 9(k) of the Commission's Tariff Circular No. 20, announcing such suspension.

(d) *Effective date.* This order shall become effective at 7 a.m., October 1, 1974.

(e) *Expiration date.* This order shall expire at 6:59 a.m., December 1, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies Secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17 (2))

It is further ordered, That a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–23069 Filed 10–2–74;8:45 am]

[Fifth Revised S.O. 1124]

PART 1033—CAR SERVICE

Demurrage and Free Time on Freight Cars

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 24th day of September 1974.

It appearing, that an acute shortage of certain types of freight cars exists throughout the country; that certain carriers are unable to furnish adequate supplies of such freight cars to shippers located on their lines; that these shortages of freight cars are impeding the movement of many commodities; that many freight cars are held by shippers for excessive periods awaiting loading, unloading, or disposition instructions; that such practices immobilize large numbers of freight cars needed by shippers for the transportation of other freight; and that the existing demurrage and detention rules, regulations, and practices of the railroads are ineffective to control such use of freight cars. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1124 Service Order No. 1124.

(a) *Demurrage and free time on freight cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) *Application.* (i) The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(ii) This order shall apply to all freight cars which are listed in the Official Railway Equipment Register, I.C.C. R.E.R. No. 392, issued by W. J. Trezise, or successive issues thereof, as having one of the mechanical designations shown on pages 1119 and 1120 under the headings: "Class 'G'—Gondola Car Type," "Class 'H'—Hopper Car Type," including cars bearing mechanical designations modified in the manner described in the various notes thereto. (See exceptions (iii), (iv), (v), (vi), (vii), and (viii).)

(iii) *Exception.* This order shall not apply to cars held at or outside of ocean, Great Lakes, or river ports, for loading or unloading with freight requiring transfer between rail and water carriers.

(iv) *Exception.* This order shall not apply to freight cars of Mexican ownership while held by or for shippers at Mexican border crossings, viz:

Brownsville, Tex.	Douglas, Ariz.
Laredo, Tex.	Naco, Ariz.
Eagle Pass, Tex.	Nogales, Ariz.
Presidio, Tex.	Calexico, Calif.
El Paso, Tex.	

(v) *Exception.* This order shall not apply to cars subject to Freight Tariff 8–0, I.C.C. H–30, issued by B. B. Maurer, supplements thereto, or reissues thereof, Car Demurrage Rules on Cars Used in Handling Coal or Coke Products at Coal Mines, etc.

(vi) *Exception.* This order shall not apply to cars made exempt from demurrage by the provisions of Sections B, Rule 1, Item 900, of General Car Demurrage Tariff 4–J, I.C.C. H–59, issued by B. B. Maurer, supplements thereto, or reissues thereof.

(vii) *Exception.* The provisions of Rule 8, Item 935 of General Car Demurrage Tariff 4–J, I.C.C. H–59, issued by B. B. Maurer, supplements thereto, or reissues thereof, or similar provisions of other applicable demurrage, detention, or storage tariffs shall govern the adjustment, cancellation, or refund of demurrage assessed as a result of the causes described in such rules.

(viii) *Exception.* Exceptions to this order may be authorized to carriers by the Railroad Service Board. Request for exceptions must be submitted in writing to Chairman, Railroad Service Board, Interstate Commerce Commission, Washington, D.C. 20423. Each such request must specifically identify the type of cars for which an exemption is desired and must clearly state the reasons why such cars cannot be utilized in other services.

(ix) The terms "loading", "unloading", "constructive placement", and "forwarding directions" as defined in General Car Demurrage Tariff 4–J, I.C.C. H–59, issued by B. B. Maurer, supplements thereto, or reissues thereof, shall apply to cars subject to this order.

(x) The term "holidays" means holidays as listed in Item 25 of General Car Demurrage Tariff 4–J, I.C.C. H–59, issued by B. B. Maurer, supplements thereto, or reissues thereof.

(2) *Free time.* (i) Not more than a total of 48 hours' free time, computed in accordance with the provisions of the applicable tariffs naming demurrage or detention rules and charges, shall be allowed for loading, unloading, or furnishing of forwarding or disposition instructions on cars held for orders.

(ii) If the maximum free time authorized in applicable tariffs is less than the 48–hour period described in paragraph (i) of this section, the free-time periods, if any, provided in such tariffs shall apply.

(3) *Demurrage, detention, or storage charges—cars not subject to average demurrage basis.* (i) After the expiration of the free-time period described in Part (2) of this order, or without free-time allowance when none is provided, demurrage charges shall be assessed at the following rates, until car is released:

$10.00 per car per day, or fraction of a day, for each of the first two days
$20.00 per car per day, or fraction of a day, for each of the next two days
$30.00 per car per day, or fraction of a day, for each of the next two days
$50.00 per car per day, or fraction of a day, for each subsequent day

(ii) Except as provided in demurrage Rule 6, section B of General Car Demurrage Tariff 4–J, I.C.C. H–59, the applicable demurrage charges provided herein will accrue on all Saturdays, Sundays, and holidays subsequent to the free time, or without free time when none is provided, including a Saturday, Sunday, or holiday immediately following the day on which the last day of free time begins, provided such last day of free time begins to run at or before 7 a.m., or expires at or before 11:59 p.m., of the day immediately prior to the Saturday, Sunday, or holiday.

(4) *Cars subject to average demurrage basis.* (i) One credit will be allowed for each car released before the expiration of the first twenty-four (24) hours of free time. After the expiration of forty-eight (48) hours free time (or the adjusted free time if provided in applicable tariffs), one debit per car per day, or fraction of a day, will be charged for each of the first two days. In no case shall more than one credit be allowed on any one car, and in no case shall more than four credits be applied in cancellation of debits accruing on any one car. When a car has accrued two debits, a charge of $20.00 per car per day, or fraction of a day, will be made for each of the next two days, or fraction of a day, and $30.00 per car per day, or fraction of a day, for each of the next two days, and $50.00 per car per day, or fraction of a day, will be made for all subsequent detention. In computing time under this rule, all Saturdays, Sundays, and holidays will be counted after the free time, including a Saturday, Sunday, or holiday immediately following the day on which the last day of free time begins.

(ii) Credits earned on cars held for loading shall not be used in offsetting debits accruing on cars held for unloading, nor shall credits earned on cars held for unloading be used in offsetting debits accruing on cars held for loading.

Credits earned on cars loaded and unloaded in intraplant switching service shall not be used to offset debits accruing on cars handled in other services; nor shall credits earned on cars handled in other services be used to offset debits accruing on cars loaded and unloaded in intraplant switching service.

NOTE: The term "intraplant switching service" will be applied as defined in the applicable tariffs, and will include cars of grains, seeds, or soybeans, handled in "setback service."

(iii) Credits cannot be earned by private cars subject to Rule 1, section B, Paragraph 4(a) of General Car Demurrage Tariff 4–J, I.C.C. H–59, issued by B. B. Maurer, supplements thereto, or reissues thereof, or subject to similar rules in other tariffs, but debits charged on such cars while under constructive placement may be offset by credits earned on other cars.

(iv) At end of the calendar month the total number of applicable credits will be deducted from the total number of debits at the ratio of two credits for one debit, and $10.00 per debit will be charged for the remainder. (See Note.) If the total number of debits are offset by credits through deduction at the above ratio of two credits for one debit, no charge will be made for the detention of the cars except as otherwise provided herein for detention beyond the second debit day, and no payment will be made by the railroad on account of such excess of credits; nor shall the credits in excess of the debits of any one month be considered in computing the average detention for another month.

NOTE: For the purpose of applying Part (iv) of this paragraph, when an odd number of credits is earned, one of such credits will be disregarded in the computation.

(v) Credits earned on cars subject to this order shall not be used in offsetting debits accruing on cars not subject to this order; nor shall debits accruing on cars subject to this order be offset by credits earned on cars not subject to this order.

(5) Existing tariff rules requiring the placement or release, as a unit, of all cars in a multiple-car shipment shall remain in effect.

(6) The demurrage, detention, or storage rates provided herein shall supersede all published storage charges expressed in cents per hundred-weight, per bushel, or other unit of measure, for all freight held in cars in excess of the free-time periods provided in Paragraph (2) herein.

(7) If the demurrage, detention, or storage rates authorized in the applicable tariffs are greater than those described herein, such higher rates shall apply.

(8) *Notices of arrival, constructive placement, etc.* (i) Existing tariff provisions defining constructive placement and establishing the requirements for the placement, the giving of arrival or constructive placement notice of freight destined for unloading or transshipment, shall apply.

(ii) If no such rules with respect to arrival, or regarding constructive placement are published in the applicable tariffs, the rules published in General Car Demurrage Tariff 4–J, I.C.C. H–59, issued by B. B. Maurer, supplements thereto, or reissues thereof, shall apply.

(b) *Rules and regulations suspended.* The operation of all rules and regulations, including rates, rules and free-time periods granted by authority of Part 1, section 22 of the Interstate Commerce Act, insofar as they conflict with the provisions of this order, is hereby suspended.

(c) *Notification of shipper required.* (1) Carriers shall send or deliver a written notice to shippers or consignees of the requirements of this order at or prior to the time of actual or constructive placement of cars for loading or unloading or at the time notice of arrival or of constructive placement is given. On cars held for instructions from the shipper or qualified owner of the freight, such notices must acompany or precede the arrival notice.

(2) If a notice described in paragraph (1) of this section has been given to a shipper or receiver at origin, destination, or hold point, no further notices of the requirements of this order need be given.

(3) Carriers are required to maintain a copy of all notices of the requirements of this order sent to shippers, receivers, or qualified owners of freight, at the station point from which sent.

(4) Failure of a carrier to send and preserve copies of the notices required

by paragraph (1) of this section shall not be deemed as nullifying the requirements of sections (a) and (b) of this order.

(d) *Effective date.* This order shall become effective at 7:00 a.m., October 1, 1974.

(e) *Expiration date.* This order shall expire at 6:59 a.m., December 1, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies Secs. 1(10–17), 15 (4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commision at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-23068 Filed 10-2-74;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

SEQUOIA AND KINGS CANYON NATIONAL PARKS, CALIFORNIA

Proposed Designation of Snowmobile Routes

Notice is hereby given that pursuant to the authority contained in Section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. section 31), section 5 of the Act of June 2, 1920 (41 Stat. 732; 16 U.S.C. Section 61), the Act of March 4, 1940 (54 Stat. 41, as amended; 16 U.S.C. Section 80 et seq.), 245 DM. 1 (34 FR 13879), as amended, National Park Service Order No. 77 (38 FR 7478) as amended, Regional Director, Western Region Order No. 7 (37 FR 6326), and 36 CFR 2.34(c) (39 FR 11882), it is proposed to amend § 7.8 of Title 36 of the Code of Federal Regulations as set forth below.

The purpose of this proposal is to designate snowmobile routes in Sequoia and Kings Canyon National Parks and to define the term "unplowed roadway" as used in the designation. The proposed routes within these Parks will serve primarily as paths for access to a more extensive network of snowmobile trails on the adjoining lands of Sequoia National Forest.

Consideration has been given to sections 3 and 4 of E.O. 11644 (37 FR 2877) as well as to the requirements of the general National Park regulations. In order to properly designate such routes along roadways, it is considered necessary to define the boundaries that would determine or establish the width of such routes.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed regulation to the Superintendent, Sequoia and Kings Canyon National Parks. Three Rivers, California, 93271, on or before November 4, 1974.

Section 7.8 is amended by the addition of paragraph (e) as follows:

§ 7.8 Sequoia and Kings Canyon National Parks.

* * * * *

(e) *Snowmobiles.* (1) Definition: Unplowed roadway. The unplowed roadway is that portion of the roadway located between the road shoulders designated by snow poles or by signs posted by the Superintendent, or both.

(2) Designated routes: Snowmobiles are permitted on designated routes as depicted on maps available for public inspection at Park Headquarters, at each Ranger Station, and at each Entrance Station. The snowmobile routes so designated are as follows:

(i) Within the developed area about Grant Grove and Wilsonia Village in Kings Canyon National Park, a route between a point known as Bear Cabin on the exterior boundary of Wilsonia Village and a point on the Panoramic Point Road.

(ii) The unplowed roadway of the Panoramic Point Road, plus short extensions to each terminus, between the old Grant Grove maintenance area and the north boundary of the Grant Grove section of Kings Canyon National Park at a point adjacent to and immediately to the north of Panoramic Point.

(iii) The unplowed roadway of the Park Ridge Road between its junction with the Panoramic Point Road and the east boundary of the Grant Grove section of Kings Canyon National Park.

(iv) The unplowed roadway of Mineral King Road within Sequoia National Park.

HENRY G. SCHMIDT,
Superintendent, Sequoia and Kings Canyon National Parks.

[FR Doc.74-22927 Filed 10-2-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

FROZEN GREEN BEANS AND FROZEN WAX BEANS [1]

Proposed Standards for Grades

Notice is hereby given that the United States Department of Agriculture is considering the revision of the United States Standards for Grades of Frozen Green Beans and Frozen Wax Beans (7 CFR, § 52.2321 to § 52.2331). This grade standard is issued under authority of the Agricultural Marketing Act of 1946 (Sec. 205, 60 Stat. 1090, as amended, 7 U.S.C. 1624) which provides for the issuance of official U.S. grade standards to designate different levels of quality for the voluntary use of producers, buyers, and consumers. Official grading services are also provided under this act upon request of the applicant and upon payment of a fee to cover the cost of such service.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposals should file the same, in duplicate, not later than December 31, 1974, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. All written submissions made pursuant to this notice will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR § 1.27(b)).

STATEMENT OF CONSIDERATION LEADING TO THE PROPOSED REVISION

The American Frozen Food Institute formally requested the Department to revise the grade standards for frozen green and wax beans to convert them to attributes type standards.

Experience with this statistical approach with other commodities in recent years indicates it will prove effective and satisfactory.

A preliminary study was conducted in cooperation with the green and wax bean freezing industry in the early part of 1974 to determine the applicability of the attributes approach for this product.

Incorporating the attributes approach in standards means these rules are followed:

(1) Any deviation from a specific requirement for any of the quality factors is a defect;

(2) Each defect is classified as to its relative severity as minor, major, severe, or critical;

(3) A standard sample unit size is provided for the various styles regardless of container size;

(4) Allowances for the various defect classifications are set to specific Acceptable Quality Levels (AQL's) based on this sample unit size;

(5) Allowances are cumulative for all sample units providing a more accurate estimate of process quality;

(6) Defects are counted and tallied according to class, thereby eliminating the need for calculating percentages;

(7) The scoring system is eliminated. Acceptance or rejection would be on a "go" or "no go" basis for each grade classification; and

(8) Specific requirements for compliance with the styles are provided.

In response to the request of the American Frozen Food Institute to revise the frozen green and wax bean standards

[1] Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

and in consideration of the favorable results of the aforementioned study and in recognition of the Institute's request for a more statistically sound approach to standardization, the Department herein proposes to revise the current frozen green and wax bean standards which have been in effect since August 25, 1954.

The proposed revision is as follows:

PRODUCT DESCRIPTION, STYLES, STYLE COMPLIANCE, AND TYPES

Sec.
52.2321 Product description.
52.2322 Styles.
52.2323 Style classification and compliance.
52.2324 Types.

DEFINITIONS OF TERMS

52.2325 Definitions of terms.

SAMPLE UNIT SIZES

52.2326 Sample unit sizes.

GRADES, FACTORS OF QUALITY, AND GRADE COMPLIANCE

52.2327 Grades.
52.2328 Factors of quality and grade compliance.

LOT COMPLIANCE

52.2329 Sample size.
52.2330 Lot acceptance for the style of short cuts.
52.2331 Lot acceptance for quality.

TALLY SHEET

52.2332 Tally sheet.

AUTHORITY: Agricultural Marketing Act of 1946, sec. 205, 60 Stat. 1090, as amended (7 U.S.C. 1624).

PRODUCT DESCRIPTION, STYLES, STYLE COMPLIANCE, AND TYPES

§ 52.2321 Product description.

"Frozen green beans" and "frozen wax beans," hereinafter called "frozen beans," means the frozen product prepared from the clean, sound, succulent pods of the bean plant by stemming, washing, blanching, sorting, and properly draining and is then frozen in accordance with good commercial practice and maintained at temperatures necessary for the preservation of the product.

§ 52.2322 Styles of frozen beans.

(a) "Whole" means frozen beans consisting of whole pods, including whole pods which are less than 2¾ inches in length.

(b) "Sliced Lengthwise," "French Style," "Julienne," or "Shoestring" means frozen beans consisting of pods that are sliced lengthwise.

(c) "Cut" means frozen beans consisting of pods that are cut transversely into pieces less than 2¾ inches but not less than ¾ inch in length.

(d) "Short cut" means frozen beans consisting of pods that are cut transversely into pieces predominantly less than ¾ inch in length.

(e) "Mixed" means a mixture of two or more of the following styles of frozen beans: Whole, cut, or short cut.

§ 52.2323 Style classification and compliance.

(a) *General.* For the purpose of determining compliance with the styles of "cut" and "short cut" any pieces that are of the lengths specified in Table I are considered defects. Such defects are classified as Minor or Major in Table I. Each "X" represents one defect.

(b) *Compliance.* Tolerances for compliance with style are contained in Tables II and III as applicable for the style.

TABLE I

Style	Defect	Classification: Minor	Classification: Major
Cut	Pieces shorter than ¾ inch in length.	X	
	Pieces longer than 2¾ inches.		X
Short cut	Pieces ¾ inch or longer but not longer than 1¼ inches.	X	
	Pieces longer than 1¼ inches.		X

TABLE II.—*Cut Style—Tolerances for style compliance*

Acceptable quality level (AQL)	20.0	3.0
Number of sample units	In any sample unit—absolute limit (AL)	Maximum defects permitted: 59	13

Number of units	Total[1]	Major
1	200	49	10
2	400	93	18
3	600	136	25
4	800	179	32
5	1,000	221	39
6	1,200	263	46
7	1,400	305	52
8	1,600	346	59
9	1,800	388	66
10	2,000	429	72
11	2,200	471	79
12	2,400	512	86
13	2,600	554	92
14	2,800	595	99
15	3,000	636	105
16	3,200	677	112
17	3,400	718	118
18	3,600	759	125
19	3,800	801	131
20	4,000	842	138
21	4,200	883	144

[1] Total=minor plus major.

TABLE III.—*Short cut—Tolerances for style compliance*

Acceptable quality level (AQL)	23.5	0.65
Number of sample units	In any sample unit—absolute limit (AL)	Maximum defects permitted: 65	5

Number of units	In the total sample: Total[1]	In the total sample: Major
1	200	57	3
2	400	108	5
3	600	158	7
4	800	208	9
5	1,000	257	11
6	1,200	306	12
7	1,400	355	14
8	1,600	404	16
9	1,800	453	17
10	2,000	501	19
11	2,200	550	21
12	2,400	598	22
13	2,600	647	24
14	2,800	695	25
15	3,000	743	27
16	3,200	791	28
17	3,400	840	30
18	3,600	888	31
19	3,800	936	33
20	4,000	984	34
21	4,200	1,032	36

[1] Total=minor plus major.

§ 52.2324 Types of frozen beans.

(a) The type of frozen beans is not incorporated in the grades of the finished product, since type of frozen beans is not a factor of quality for the purpose of these grades. The type of frozen beans is described as "round type" or "flat type".

(b) "Round type" means frozen beans having a width not greater than 1½ times the thickness of the bean.

(c) "Flat type" means frozen beans having a width greater than 1½ times the thickness of the bean.

DEFINITIONS OF TERMS

§ 52.2325 Definitions of terms.

(a) *Absolute limit (AL).* The maximum number of defects permitted in a sample unit.

(aa) *Acceptable Quality Level (AQL).* Acceptable Quality Level (AQL) is the maximum percent defective, or the maximum number of defects per hundred units, that, for purposes of sampling inspection, can be considered satisfactory as a process average.

(b) *Blemished.* Any unit which is affected or damaged by discoloration or any other means to the extent that the appearance or eating quality is adversely affected.

(c) *Color*—(1) *Green Beans*—(i) *Well colored.* The individual units have a distinct green color that may range from a light shade of green color to a moderately dark shade of green characteristic of the variety.

(ii) *Fairly well colored.* The individual units are lacking in a distinct green color such that they are a pale shade of green that materially affects the color appearance of the unit.

(iii) *Poorly colored.* The individual units are lacking in green color development such that the color appearance is seriously affected by a very pale green to whitish color.

(2) *Wax Beans*— (i) *Well colored.* The individual units have a color ranging from a distinct green color to a distinct yellow color with intermediate stages of greenish-yellow to yellowish-green.

(ii) *Fairly well colored.* The individual units have a pale yellow color that materially affects the color appearance of the unit.

(iii) *Poorly colored.* The individual units have a whitish yellow to yellowish white color that seriously affects the color appearance of the unit.

(d) *Character*—(1) *Round type*— (i) *Good character.* The pods are full fleshed and tender and the seeds are not mealy.

(ii) *Reasonably good character.* The pods are reasonably fleshy and reasonably tender and the seeds are not mealy.

(iii) *Fairly good character.* The pods have not entierly lost their fleshy structure, are fairly tender, and the seeds may be slightly mealy.

(iv) *Poor character.* The seeds may be hard and more than slightly mealy and the pods have no flesh.

(2) *Flat type.*—(i) *Good character.* The pods have a good, green color, are tender, and have a definite seed pocket. The seeds may be slightly enlarged for the type but are not mealy.

(ii) *Reasonably good character.* The pods have a green color, which may have a slight yellowish cast, are reasonably tender and may not have a definite seed pocket. The seeds may be no more than moderately enlarged for the type and may be slightly mealy.

(iii) *Fairly good character.* The pods may have a yellowish green color; are fairly tender and lacking a seed pocket. The seeds may be enlarged and may be mealy and moderately hard.

(iv) *Poor character.* The pods may have a greenish yellow color; may be not tender and lacking a seed pocket. The seeds may be enlarged, hard and mealy.

(e) *Decay.* The bacterial or fungus deterioration of a unit to the extent that the appearance or eating quality is seriously affected or to a degree that the unit is offensive.

(f) *Defect.* Any nonconformance with a specified requirement. Defects are classified as "Minor," "Major," "Severe," or "Critical."

(g) *Detached stem.* The stem or portion of stem that attaches the bean pods to the vine stem, but has become separated from the pod.

(h) *Deviant.* As applied to these standards, "deviant" means a sample unit which fails the requirements for the prerequisite factors of flavor and odor, overall color appearance, character with respect to sliced lengthwise style, and sloughing: *Provided:* That such sample unit is not more than one grade below the intended or indicated grade.

(i) *Extraneous vegetable materials.*—(1) *Class 1.* Tender, green, edible vegetable material similar in color and texture to that of beans, including but not limited to:

(i) Leaves or portions of leaves or grass.

(ii) Material from plants other than the bean plant.

(2) *Class 2.* Any material that is not tender, may be slightly tough or fibrous to hard, brittle, or woody, may not be green, and includes but is not limited to:

(i) Discolored leaves or grass or portions thereof;

(ii) Bean stalk or vine material, including vine stems, regardless of color, length, or diameter; or

(iii) Material from plants other than the bean plant.

(j) *Fiber.* (1) *Edible.* Fiber developed in the wall tissue of the bean pod that is noticeable upon chewing but may be consumed with the rest of the bean material without objection.

(2) *Tough.* Fiber developed in the wall tissue of the bean pod that is objectionable upon chewing and tends to separate from the rest of the bean.

(k) *Flavor.*—(1) *Good flavor.* The product, after cooking, has a good characteristic, normal flavor and odor and is free from objectionable flavors and objectionable odors of any kind.

(2) *Fairly good flavor.* The product, after cooking, may be lacking in good flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

(l) *Mechanical damage.* Any unit that is broken or split into two parts or that has very ragged edges, or is crushed, or is damaged by other mechanical means to such an extent that the appearance is seriously affected.

(m) *Sample.* The number of sample units to be used for inspection of a lot.

(n) *Sample unit.* The amount of product specified to be used for inspection. It may be:

(1) The entire contents of a container; or

(2) A portion of the contents of a container; or

(3) A combination of the contents of two or more containers; or

(4) A portion of unpacked product.

(o) *Small piece.* In sliced lengthwise style only means a piece of pod less than ¾ inch in the longest dimension and loose seeds or pieces of seeds.

(p) *Tough strings.* Strings or pieces of strings removed from the cooked frozen bean which will support a ½ pound weight for not less than five seconds.

(q) *Unit.* Any individual portion of a bean pod.

(r) *Unsnipped unit.* A unit without an attached stem but with the stem collar that is hard and/or tough and would be objectionable upon eating.

(s) *Unstemmed unit.* A unit with attached stem or portion thereof that attaches the pod to the vine stem.

SAMPLE UNIT SIZES

§ 52.2326 Sample unit sizes.

(a) Compliance with requirements for the style of "cut" and "short cut" and for factors of quality is based on the following sample unit sizes:

(1) For style: 200 units

(2) Factors of quality: Whole style—100 units, Sliced lengthwise style—9 ounces, All other styles—200 units.

In the styles of whole and cut, a mechanically damaged unit that is broken into separate parts will be reassembled and counted as one unit in the standard sample unit size.

(b) Detached stems and harmless extraneous material associated with the sample unit are not included in the count or weight of the standard sample unit size. "Associated" means in the same container when the container is one of several used to compose the sample unit and all of the product in it is included in the standard sample unit size. When only a portion of the last one of several containers is included in the standard sample unit size, all of the stems and extraneous material in the container are considered associated with the portion taken as a sample unit if such portion is 50 percent or more of the contents of the container. None of the stems and extraneous material are taken if less than 50 percent of the contents is used as a sample unit. If all of a standard sample unit includes only a portion of the contents on one container, the "associated" material is that material that is commingled with the representative portion of product taken from the contents.

GRADES, FACTORS OF QUALITY, AND GRADE COMPLIANCE

§ 52.2327 Grades.

(a) "U.S. Grade A" (or "U.S. Fancy") is the quality of frozen beans that:

(1) Meets the following prerequisites (with deviants as specified in § 52.2331 (a)):

(i) Has similar varietal characteristics;

(ii) Has a good flavor and odor;

(iii) Has a good, bright, overall color appearance;

(iv) With respect to the style of "sliced lengthwise", is of at least reasonably good character and the amount of small pieces that may be present does not exceed one ounce;

(v) The appearance or eating quality is not materially affected by sloughing; and

(2) Is within the limits for defects as classified in Table IV and specified in Table V, VI, or VII, as applicable for the style.

(b) "U.S. Grade B" (or "U.S. Extra Standard") is the quality of frozen beans that:

(1) Meets the following prerequisites (with deviants as specified in § 52.2331 (a)):

(i) Has similar varietal characteristics;

(ii) Has a good flavor and odor;

(iii) Has at least a reasonably good overall color appearance which may be slightly dull;

(iv) With respect to the style of "sliced lengthwise" is of at least reasonably good character, and the amount of small pieces that may be present does not exceed two ounces;

(v) The appearance or eating quality is not seriously affected by sloughing; and

(2) Is within the limits for defects as classified in Table IV and specified in Table, V, VI, or VII, as applicable for the style.

(c) "U.S. Grade C" (or "U.S. Standard") is the quality of frozen beans that:

(1) Meets the following prerequisites (with deviants as specified in § 52.2331 (a)):

(i) Has similar varietal characteristics;

(ii) Has a fairly good flavor and odor;

(iii) Has at least a fairly good overall color appearance which may be dull but is not off color;

(iv) With respect to the style of "sliced lengthwise" is of at least a fairly good character, and amount of small pieces that may be present does not exceed 3.5 ounces; and

(2) Is within the limits for defects as classified in Table IV and specified in Table V, VI, or VII as applicable for the style.

(d) "Substandard" is the quality of frozen beans that fail to meet the requirements for U.S. Grade C.

§ 52.2328 Factors of quality and grade compliance.

(a) The grade of a lot of frozen beans is based on compliance with the prerequisites specified in § 52.2327 and with

requirements for the following quality factors:

(1) Color;
(2) Damage;
(3) Workmanship;
(4) Character; and
(5) Harmless extraneous material.

(b) Defects are classified as minor, major, severe, or critical. Each "X" mark in Table IV represents "one defect."

TABLE IV.—*Classification of defects*

Quality factors	Defects	Classification			
		Minor	Major	Severe	Critical
Color	Individual unit adversely affected;				
	Materially		×		
	Seriously			×	
Damage	Blemished;				
	Slightly	×			
	Materially		×		
	Seriously			×	
	Decay				×
	Mechanical	×			
Workmanship	Unstemmed unit			×	
	Detached stem			×	
	Unsnipped unit		×		
Fiber	Edible		×		
	Tough			×	
Tough strings			×		
Character	Reasonably good in grade A only	×			
	Fairly good;				
	In grade A		×		
	In grade B	×			
	Poor;				
	In grades A and B			×	
	In grade C	×			
Harmless extraneous material.	Class 1			×	
	Class 2				×

TABLE V.—*Grade compliance—Cut and short cut*

Acceptable quality level (AQL)		Grade A				Grade B				Grade C			
		5.5	2.0	.55	0.15	8.5	2.8	1.7	0.2	11.0	4.7	2.8	0.4
Absolute limit (AL)		21	10	5	2	28	13	9	3	36	19	13	4
Number of sample units	Number of units	Total [1]	Major	Severe	Critical	Total [1]	Major	Severe	Critical	Total [1]	Major	Severe	Critical
1	200	17	7	3	1	23	10	6	1	30	15	10	2
2	400	30	12	5	1	43	17	11	3	55	26	17	4
3	600	43	17	6	2	62	23	15	3	80	37	23	5
4	800	55	22	8	3	80	30	19	4	104	48	30	6
5	1,000	68	27	10	3	98	36	23	5	128	58	36	7
6	1,200	80	31	11	4	116	43	27	5	152	69	43	8
7	1,400	92	36	12	4	134	49	31	6	176	79	49	9
8	1,600	104	40	14	5	152	55	35	7	200	90	55	10
9	1,800	116	45	15	5	170	62	39	7	223	100	62	11
10	2,000	128	49	17	6	188	68	43	8	247	110	68	12
11	2,200	140	53	18	6	206	74	47	9	270	121	74	13
12	2,400	152	58	19	7	223	80	50	9	294	131	80	14
13	2,600	164	62	21	7	241	86	54	10	317	141	86	15
14	2,800	176	66	22	7	258	92	58	10	340	151	92	15
15	3,000	188	71	23	8	276	98	62	11	363	161	98	16
16	3,200	200	75	25	8	294	104	65	12	387	171	104	17
17	3,400	211	79	26	8	311	110	69	12	410	181	110	18
18	3,600	223	84	27	9	328	116	73	13	433	191	116	19
19	3,800	235	88	29	9	346	122	76	13	456	201	122	20
20	4,000	247	92	30	10	363	128	80	14	479	212	128	21
21	4,200	258	96	31	10	381	134	84	14	502	222	134	22

[1] Total=minor+major+severe+critical.

TABLE VI.—*Grade compliance—Whole*

Acceptable quality level (AQL)		Grade A				Grade B				Grade C			
		12.5	4.5	1.25	0.30	18.75	6.25	3.75	0.50	25.0	10.5	6.25	0.80
Absolute limit (AL)		22	11	5	2	32	14	10	3	40	20	14	4
Number of sample units	Number of units	Total [1]	Major	Severe	Critical	Total [1]	Major	Severe	Critical	Total [1]	Major	Severe	Critical
1	100	18	8	3	1	26	10	7	1	33	16	10	2
2	200	33	14	5	2	48	18	12	3	62	29	18	4
3	300	48	20	7	3	68	26	17	4	89	41	26	5
4	400	62	25	9	3	89	33	21	4	116	53	33	6
5	500	75	30	10	4	109	40	26	5	143	64	40	7
6	600	89	36	12	4	130	48	30	6	170	76	48	9
7	700	103	41	14	5	150	55	35	7	197	87	55	10
8	800	116	46	15	5	170	62	39	7	223	99	62	11
9	900	130	51	17	6	190	68	43	8	250	110	68	12
10	1,000	143	56	18	6	210	75	48	9	276	122	75	13
11	1,100	157	61	20	7	230	82	52	9	302	133	82	14
12	1,200	170	66	21	7	250	89	56	10	329	144	89	15
13	1,300	183	71	23	7	269	96	60	11	355	156	96	16
14	1,400	197	76	24	8	289	103	64	11	381	167	103	17
15	1,500	210	81	26	8	309	109	68	12	407	178	109	18
16	1,600	223	86	27	9	329	116	73	13	433	189	116	19
17	1,700	236	91	29	9	348	123	77	13	459	200	123	20
18	1,800	250	96	30	10	368	130	81	14	485	212	130	21
19	1,900	263	101	32	10	387	137	85	15	511	223	137	22
20	2,000	276	105	33	10	407	143	89	15	537	234	143	23
21	2,100	289	110	35	11	426	150	93	16	563	245	150	24

[1] Total=Minor+Major+Severe+Critical.

TABLE VII.—*Grade compliance—Sliced lengthwise or french cut*

	Maximum defects permitted											
	U.S. Grade A				U.S. Grade B				U.S. Grade C			
Acceptable quality level (AQL) [2]	8.50	4.0	1.5	0.25	12.5	7.5	3.0	0.40	15.0	10.0	5.0	0.50
Absolute limit (AL)	16	10	5	2	22	15	8	3	25	18	11	3
	In the total sample											
Number of sample units	Ounces of product	Total [1]	Major	Severe	Critical	Total [1]	Major	Severe	Critical	Total [1]	Major	Severe	Critical
1	9	12	7	3	0	17	11	6	1	20	14	8	2
2	18	22	12	6	1	30	20	9	2	36	25	14	3
3	27	31	16	7	2	43	28	13	3	51	36	20	4
4	36	40	21	9	3	56	36	16	4	66	46	25	5
5	45	48	25	11	3	68	43	20	4	81	56	30	6
6	54	57	29	13	3	81	51	23	5	96	66	36	7
7	63	65	33	15	4	93	58	26	5	101	76	41	8
8	72	74	38	16	4	105	66	29	6	125	86	46	8
9	81	82	42	18	4	118	73	32	6	140	96	51	9
10	90	91	46	20	5	130	81	36	7	154	105	56	10
11	99	99	50	21	5	142	88	39	7	169	115	61	11
12	108	107	54	23	6	154	96	42	8	183	125	66	11
13	117	116	58	24	6	166	103	45	8	197	135	71	12
14	126	124	63	26	6	178	110	48	9	212	144	76	13
15	135	132	66	28	7	190	118	51	9	226	154	81	14
16	144	141	70	29	7	202	125	54	10	240	164	86	14
17	153	149	74	31	7	214	132	57	10	254	173	91	15
18	162	157	78	33	7	226	140	60	11	269	183	96	16
19	171	165	82	34	8	238	147	63	11	283	193	101	17
20	180	173	86	36	8	250	154	66	12	297	202	105	17
21	189	182	90	37	8	260	161	69	12	311	212	110	18

[1] Total=Minor + Major + Severe + Critical.
[2] Based on an estimated count of 10 per ounce.

LOT COMPLIANCE

§ 52.2329 Sample size.

(a) *Lot inspection.* The sample size to determine compliance with requirements for style and for prerequisites specified in § 52.2327 and other quality factors, shall be as specified in the sampling plans in the "Regulations Governing Inspection of Processed Fruits and Vegetables and Related Products" (§ 52.38).

(b) *On-line inspection.* The sample size to determine compliance with requirements for style and for prerequisites specified for the grade in § 52.2327 and other quality factors, is based on the following sampling frequencies:

(1) *Normal production.* One sample unit approximately every thirty minutes during production, but in no case less than three sample units.

(2) *Low volume production.* In the case of production of less than 400 cases (24/9 oz. containers—5400 pounds), or equivalent thereof, in an eight hour shift—one sample unit approximately every ninety minutes but in no case shall be less than thre sample units.

§ 52.2330 Lot acceptance for style.

A lot of frozen beans is considered as meeting the style requirements for cuts or short cuts, as applicable, if the defects permitted and the AL values for the applicable defect classifications specified in Table II or III, as applicable, are not exceeded.

§ 52.2331 Lot acceptance for quality.

Alot of frozen beans is considered as

A lot of frozen beans is considered as meeting the requirements for quality if:

(a) The number of deviants for the prerequisites specified for the applicable grade in § 52.2327 do not exceed the acceptance number specified in the sampling plans in the "Regulations Governing Inspection of Processed Fruits and Vegetables and Related Products" (§ 52.38).

(b) The defects permitted and the AL values for the applicable defect classifications specified in Tables V, VI, and VII are not exceeded.

TALLY SHEET

§ 52.2332 Tally sheet for frozen green beans and frozen wax beans.

Defect tally sheet for frozen green beans and frozen wax beans

Number size, and kind of container
Label
Container mark
Net weight
Sample unit number
Prerequisite grade
Reason downgraded

Defect	Minor	Major	Severe	Critical	Minor	Major	Severe	Critical
Color								
Damage:								
Blemished								
Mechanical								
Decay								
Workmanship								
Unstemmed units								
Unsnipped units								
Detached stems								
Fiber								
Tough strings								
Character:								
Reasonably good								
Fairly good								
Poor								
Harmless extraneous material								
Total (each class)								
Cumulative total (each class)								
Total (all classes)								
Cumulative total (all classes)								
Style								
Cumulative total (each class)								
Total (all classes)								
Cumulative total (all classes)								

Dated: September 24, 1974.

JOHN C. BLUM,
Acting Administrator.

[FR Doc.74-22615 Filed 10-2-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 310, 700]

CERTAIN HALOGENATED SALICYLANILIDES AS ACTIVE OR INACTIVE INGREDIENTS IN DRUG AND COSMETIC PRODUCTS

Extension of Time for Additional Comment

In the FEDERAL REGISTER of September 13, 1974 (39 FR 33102), the Commissioner of Food and Drugs issued a proposal concerning the use of certain halogenated salicylanilides as active or inactive ingredients in drug and cosmetic products. The proposal was based upon the findings of the over-the-counter (OTC) Antimicrobial I Advisory Review Panel. In the public interest, the Commissioner provided 30 days for comment and invited submission of such comments on or before October 15, 1974.

Elsewhere in the same issue of the FEDERAL REGISTER (39 FR 33103), the Commissioner set forth the results of the OTC Antimicrobial I Advisory Review Panel and proposed to establish a monograph for OTC topical antimicrobial products. The preamble of the monograph proposal states that in accordance with § 330.10(a)(2), all data and information submitted for consideration by the Advisory Review Panel had been handled as confidential by the Panel and the Food and Drug Administration; but that now all such data and information shall be put on public display at the office of the Hearing Clerk, Food and Drug Administration, on or before October 15, 1974, except to the extent that the person who submitted it now demonstrates that it still falls within the confidentiality provisions of 18 U.S.C. 1905 or section 301(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331 (j)).

The Commissioner has received a request from the major manufacturer of the halogenated salicylanilide, tribromsalan, for an extension of time on the halogenated salicylanilides proposal so that the comment can include data and information which will be put on public display on October 15, 1974. This manufacturer has assured the Commissioner that U.S. sales of tribromsalan are now practically nil.

The Commissioner has reviewed the files of the Food and Drug Administration and has determined that there are no currently approved new drug applications for any prescription or OTC drug products containing halogenated salicylanilides. Based upon this fact and the statement of the manufacturer, the Commissioner concludes, for purposes of full commentary on this important matter, that an extension of time should be granted to provide interested persons an opportunity to comment on the pertinent halogenated salicylanilide data and information that will be put on public display provided such comments are submitted on or before November 12, 1974 to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852. 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: September 27, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-22959 Filed 10-3-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74-SW-41]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the Mena, Ark., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before November 4, 1974, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.181 (39 FR 440), the Mena, Ark., transition area is amended to read:

MENA, ARK.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Mena Municipal Airport (latitude 34°33'00" N, longitude 94°12'31" W) and within 5 miles each side of the Rich Mountain, Okla., VORTAC 112° T (105° M) radial extending from the 5-mile radius area to the VORTAC and within 3.5 miles each side of the 087° T (080° M) bearing from the Mena, Ark., NDB (latitude 34°32'55" N, longitude 94°12'34" W) extending from the 5-mile radius area to a point 12 miles east of the NDB.

Alteration of the transition area is necessary to provide controlled airspace for the instrument approach procedure predicated on a new NDB being established at latitude 34°32'55" N, longitude 94°12'34" W.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth Tex., on September 24, 1974.

ALBERT H. THURBURN,
Acting Director, Southwest Region.

[FR Doc.74-22934 Filed 10-2-74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-SW-40]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter controlled airspace in the El Paso, Tex., terminal area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before November 4, 1974, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

1. In § 71.171 (39 FR 354), the El Paso, Tex., control zone is amended to read:

EL PASO, TEX.

That airspace bounded by a line beginning at latitude 31°45'45" N, longitude 106°27'43" W; thence clockwise along the arc of a 6-mile radius circle centered at the El Paso

International Airport (latitude 31°48'35" N, longitude 106°22'55" W) to latitude 31°49'46" N, longitude 106°28'34" W; thence clockwise along the arc of a 6-mile radius circle centered at latitude 31°50'55" N, longitude 106°22'45" W; to latitude 31°55'12" N, longitude 106°26'00" W; to latitude 31°56'20" N, longitude 106°26'00" W; thence clockwise along the arc of a 7-mile radius circle centered at latitude 31°50'55" N, longitude 106°22'45" W; to latitude 31°47'30" N, longitude 106°16'45" W; thence clockwise along the arc of a 6-mile radius circle centered at the El Paso International Airport; to latitude 31°43'15" N, longitude 106°22'20" W; thence via the United States/Mexican border to point of beginning.

2. In § 71.181 (39 FR 440), the El Paso, Tex., transition area is amended to read:

EL PASO, TEX.

That airspace extending upward from 700 feet above the surface within a 9.5 mile radius of the El Paso International Airport (latitude 31°48'35" N, longitude 106°22'55" W) extending clockwise from the 261° to the 278° bearings from the El Paso International Airport; within a 9-mile radius of the Biggs AAF (latitude 31°50'55" N, longitude 106°22'45" W) extending clockwise from the 262° to the 029° bearings from the Biggs AAF; within 2 miles each side of the Newman, Tex., VORTAC 040° radial extending from the 9.5-mile radius area to 12 miles NE of the VORTAC; within a 15-mile radius of the El Paso International Airport extending clockwise from the 041° to the 161° bearings of the El Paso International Airport; thence via the United States/Mexican border to point of beginning.

The proposed amendments to controlled airspace will provide controlled airspace for aircraft executing current and proposed instrument approach and departure procedures and will conform the airspace to current criteria.

This amendment is proposed under the authority of Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Fort Worth, Tex., on September 24, 1974.

ALBERT H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.74-22935 Filed 10-2-74;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 1-5; Notice 13]

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Brake Hoses

This notice proposes amendment of Standard No. 106-74, *Brake hoses*, 49 CFR 571.106-74, to permit, for a limited time, the manufacturing of brake hose assemblies which comply with the standard in all respects except that they are constructed with hose which does not meet certain labeling requirements.

The scheme of effective dates for Standard No. 106-74 is as follows: all brake hoses and brake hose end fittings manufactured on or after September 1, 1974 must comply with the standard; all brake hose assemblies manufactured on or after March 1, 1975 must comply with the standard; and all vehicles manufactured on or after September 1, 1975 must contain only brake hose and brake hose assemblies which comply with the standard.

At least one manufacturer, Samuel Moore and Company, misinterpreted the significance of this scheme. It assumed that vehicle manufacturers who do not complete their brake hose assemblies until the hose is installed on the vehicle (as contrasted with the vehicle manufacturers whose brake hose assemblies are already completed before installation) are permitted to use non-conforming hose until September 1, 1975. The result of this incorrect assumption is that Moore has not taken steps to deplete its inventory on a schedule conforming with the standard, and thus faces a serious financial loss. There may be other manufacturers with the same problem.

The difference between Moore's non-conforming hose and its conforming hose is evidently only one of labeling. The construction of this non-conforming hose is identical to conforming hose, and its safe performance is not at issue. Therefore, the NHTSA tentatively concludes that the use of such non-conforming hose in assemblies manufactured before September 1, 1975, while it may make enforcement by this agency temporarily more difficult, is appropriate and in the public interest.

In consideration of the foregoing, it is proposed that Standard No. 106-74 (49 CFR 571.106-74) be amended by the addition of a new section to read as follows:

S12. *Brake hose assemblies manufactured from March 1, 1975, to August 31, 1975.* Notwithstanding any other provision of this standard, a brake hose assembly manufactured during the period from March 1, 1975, to August 31, 1975, shall meet each requirement of this standard, except that the assembly may be constructed of brake hose which meets every requirement of the standard for hose other than the hose labeling requirements of S5.2, S7.2, and S9.1.

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street S.W., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking 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 NHTSA 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 material.

Comment closing date: October 21, 1974.

Proposed effective date: Date of publication in the FEDERAL REGISTER.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.)

Issued on September 30, 1974.

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

[FR Doc.74-23001 Filed 9-30-74;1:30 pm]

CIVIL AERONAUTICS BOARD

[14 CFR Part 231]

[Docket No. 27065; EDR-279]

MAIL SCHEDULES AND TRANSPORTATION OF MAIL

Automation of Flight Schedule Information

SEPTEMBER 30, 1974.

Notice is hereby given that the Civil Aeronautics Board has under consideration an amendment to Part 231 of its Economic Regulations (14 CFR Part 231) which would provide for the automation of flight schedule information required under this part.

The principal features of the proposed amendment are described in the attached Explanatory Statement and the proposed amendment is set forth in the Proposed Rule. The amendment is proposed under the authority of sections 204(a), 401(e), 405(b) and 407 of the Federal Aviation Act, as amended (72 Stat. 743, 754, 760 and 766; 49 U.S.C. 1324, 1371, 1375 and 1377).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before November 18, 1974, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

EXPLANATORY STATEMENT

As presently written, Part 231 calls for the submission of flight schedule information in convention hard-copy form. Although the regulations prescribe standard hard-copy form dimensions, the presentation of flight schedule data and symbols used, including the identification

of aircraft types within the form, have been left to the carriers' discretion. This lack of uniformity has reduced the usefulness of these schedules to the Board and the public and has made it especially difficult to review these schedules for compliance with Board authorizations and for comparisons of schedule information among carriers.

It is apparent from the foregoing that the Board's requirements for the submission of flight schedule information are in need of revision. We believe it is also obvious that these requirements have not kept pace with the carriers' internal passenger reservation and flight schedule systems. It is widely acknowledged that many of the carriers have had automated flight schedule information for several years and that some carriers have been exchanging automated flight schedule data for computerized passenger reservation systems and other purposes. The Board's staff, on the other hand, has had to utilize outmoded manual procedures in reviewing and analyzing current flight schedules, the entire process of which has become cumbersome and unwieldly, especially in light of the growth in volume of the carriers' flight schedule filings since original issuance of Part 231.

Timely and accurate automated flight schedule information has been needed by the Board for quite some time, but, as indicated above, has not been realized under Part 231 as it presently stands. Flight schedule data in an automated form would be more useable to the Board, the carriers and the public for making indepth analyses of scheduling trends; providing specific information on reductions in service or new or additional service; observing unusual fluctuations from one time period to another; and for numerous *ad hoc* studies carried out by the Board's staff. Also, automated information would be helpful to the Board's staff in preparing projections of fuel requirements in conjunction with the monftoring of the ongoing energy shortage.

Several possible outside sources have been investigated in an attempt to acquire automated flight information which would be suitable for the Board's needs. However, none was found which would reliably provide this information on a timely basis. Accordingly, the Board is of the tentative view that Part 231 should be amended so as to provide that flight schedule information shall be submitted to the Board on magnetic tape. However, we have determined to include an express waiver provision in the instant proposal to afford carriers the means to submit flight schedule information in another manner upon an appropriate showing.

Under the proposal, it is contemplated that each carrier would submit to the Board within a specified time period, which we have tentatively determined should be ninety (90) days after the effective date of the instant rule, an initial filing of flight schedule information on magnetic tape, covering all of its current scheduled operations of passenger, freight and mail service which will be in effect at the date of such initial filing. Thereafter, whenever new flight schedules are to be introduced or existing flight schedules are to be revised, each carrier would submit a complete filing of flight schedule information covering all of its scheduled operations of passenger, freight, and mail service in the form proposed herein no later than ten (10) days prior to the earliest effective date of any new or revised flight schedule information contained therein.

The specific data elements being proposed are identified in the rule. However, specific magnetic tape record layouts and the actual filing specifications would be covered in a "Manual of ADP Instruction Directive" to be issued by the Board's Bureau of Accounts and Statistics under delegated authority. Procedures will be established to acknowledge receipt and acceptability of the air carriers' automated filings and to promptly make available thereafter a computer print out of all carriers' schedules for public inspection. Primary elements in this process will also include: (1) the provision of copies of the Board's COBOL computer programs so that carriers may print hard-copy schedules from their magnetic tape, including a table summarizing schedule changes contained in the magnetic tape to be filed, and (2) prescription of record count, schedule change count, and other batch controls to be submitted in the magnetic tape.

The within proposal would eliminate the present distinction in Part 231 between mail schedules which, consistent with section 405(b) of the Act, must be filed ten days in advance of their effectiveness and nonmail schedules which are permitted to be filed any time prior to their effectiveness. While section 405 applies only to procedures for mail schedules, we do not construe that section as precluding the Board from requiring that carriers give reasonable notice to the public and the Board in advance as to changes in schedule information with respect to passengers and property. Indeed, to require advance notice of schedules imposes no significant burden since carriers do and must provide advance notice to the public as to any schedule changes in order to generate traffic for them. Moreover, since virtually all certificated route authorizations include authority for the carriage of mail, any question as to the effect of this requirement on nonmail schedules, as such, is more theoretical than real. Therefore, the Board believes that under the Act, particularly sections 204(a), 401(e), 405 and 407, it is empowered to establish reasonable rules requiring that carriers give advance notice of schedule information for passengers and property.

In view of the extensive amendments involved, it is proposed to reissue Part 231 in its entirety.

Proposed Rule

Accordingly, it is proposed to reissue Part 231 of the Economic Regulations (14 CFR Part 231), the Part to read as follows:

PART 231—FLIGHT SCHEDULE INFORMATION

Sec.

231.1 Filing of flight schedule information.
231.2 Effect of filing.
231.3 Waivers.

§ 231.7 Filing of flight schedule information.

(a) Each air carrier authorized to engage in air transportation shall file with the Board's Bureau of Accounts and Statistics flight schedule information on magnetic tape. Data to be included as "flight schedule information" are: (1) airline code, (2) flight number, (3) alternate flight indicator, (4) flight leg sequence number, (5) effective date, (6) discontinued date, (7) frequency of operation code, (8) frequency rate indicator, (9) departure airport, (10) arival airport, (11) terminal departure time, (12) aircraft departure time, (13) terminal arrival time, (14) aircraft arirval time, (15) lapsed time-terminal, (16) equipment code, (17) class of service, (18) meal service code, (19) interchange information—carrier and flight number, and (20) duplicate leg indicator. This information will be provided for all schedules of aircraft operated by the air carrier between points where it is authorized to engage in air transportation. A brief description of each data element is shown below.

Description of Flight Schedule Data Elements

1. Airline code	Two letter alpha code.
2. Flight number	Carrier assigned, from one to four digits.
3. Alternate flight indicator	A one-position designator used whenever a flight leg is represented more than once, resulting from a different itinerary or effective operating period.
4. Flight leg sequence number	A two-digit number used to sequence the flight legs as they operate.
5. Effective date	A six-digit date in the form YYMMDD, where Y=year, M=month, and D=day. This is the date on which the flight leg becomes effective.
6. Discontinued date	A six-digit date in the form YYMMDD, which represents the date after which this flight leg no longer is effective. Not given for open-ended operations.
7. Frequency of operation code	A seven-digit number which allows a position for each day of the week starting with Monday. This is a series of 1's and 0's where 1 indicates that the service is scheduled on the corresponding day of the week. The value 1000100 indicates Monday and Friday service only and 1111111 indicates a seven-day operation.

DESCRIPTION OF FLIGHT SCHEDULE DATA ELEMENTS—Continued

8. Frequency rate indicator	A single digit either 1, 2, or 3 where 1=every week, 2=every other week, and 3=other scheduling frequency.
9. Departure airport	Standard three-letter airport code.
10. Arrival airport	Standard three-letter airport code.
11. Terminal departure time [1]	The local time of departure from the terminal. This is the time used for reservations, also the published departure time.
12. Aircraft departure time [1]	Time of day of aircraft departure provided that it is different from the terminal departure time.
13. Terminal arrival time [1]	Time of day of arrival at the terminal.
14. Aircraft arrival time [1]	Time of day of aircraft arrival provided that it is different from terminal arrival time.
15. Lapsed time (terminal)	The duration between terminal departure and terminal arrival expressed in minutes.
16. Equipment code	Identification of the type of equipment scheduled to perform the service.
17. Class of service codes	Indicate class of service offered F/Y/FN/YN, etc.
18. Meal codes	L/S=lunch in first class/snack in coach, etc.
19. Flight interchange information	Airline code and flight number.
20. Duplicate leg	A single digit to indicate that a flight leg is operated with two flight numbers and that this particular leg is the redundant one.

[1] Local time expressed as on a 2400-hour basis where 1400 hours=2 pm, etc.

(b) (1) No later than ninety (90) days after the effective date hereof, each air carrier shall submit to the Board's Bureau of Accounts and Statistics an initial filing of flight schedule information, in the form and manner prescribed in paragraph (a) of this section, covering all of its current scheduled operations of passenger, freight, and mail service, which will be in effect at the date of such initial filing. Thereafter, whenever new flight schedules are to be introduced or existing flight schedules are to be revised, an air carrier shall submit a complete filing of flight schedule information covering all of its scheduled operations of passenger, freight, and mail service, in the form and manner prescribed in paragraph (a) of this section, containing all new, revised, and unrevised flight schedule information.

(2) Filing of flight schedule information (other than the initial filing covering current scheduled operations) shall be due at the Board's Bureau of Accounts and Statistics no later than ten (10) days prior to the earliest effective date of any new or revised flight schedule information contained therein: *Provided, however,* That any such new or revised flight schedule information which is required by an order of the Postmaster General under section 405(b) of the Act, shall be filed with the Board's Bureau of Accounts and Statistics by the air carrier on or before the effective date of such order: *And provided further,* That if the Board postpones the effective date of any such order pursuant to section 405(b) of the Act, the carrier shall file its revised flight schedule information to conform to the action taken on such order by the Board and shall make such revisions as promptly as possible, but no more than ten (10) days after the effective date of such order.

NOTE: For related provisions applicable to Alaskan Air Carriers, see § 292.4 of this subchapter.

§ 231.2 Effect of filing.

The filing of any flight schedule information with the Civil Aeronautics Board shall not relieve an air carrier of requirements made by any other governmental authority as to filing or reporting.

§ 231.3 Waivers.

A waiver of any of the provisions of this part may be granted by the Board upon its own initiative, or upon the submission of a written request therefor from any air carrier, provided that such request is in the public interest and it appears to the Board that special or unusual circumstances warrant a departure from the provisions set forth herein.

[FR Doc.74-23048 Filed 10-2-74;8:45 am]

COST ACCOUNTING STANDARDS BOARD

[4 CFR Part 409]

DEPRECIATION OF TANGIBLE CAPITAL ASSETS

Proposed Cost Accounting Standard

Notice is hereby given of a proposed Cost Accounting Standard on the Depreciation of Tangible Capital Assets, being considered by the Cost Accounting Standards Board for promulgation to implement further the requirement of section 719 of the Defense Production Act of 1950, as amended, Public Law 91-379, 50 U.S.C. App. 2168. When promulgated, the Standard will be used by all relevant Federal agencies and national defense contractors and subcontractors.

A related proposal was published by the Board on June 11, 1974 (39 FR 20505). After reviewing the more than 100 responses to that publication, the Board has revised the proposal. The Board takes this opportunity to express its appreciation for the helpful suggestions and criticisms which have been furnished.

The proposal published on June 11 relied in part on asset guideline class lives established by the Treasury Department. The Board, after carefully considering all the relevant issues and the advice it has received, has determined that asset service lives for contract costing purposes should be developed on the basis of the contractor's own actual previous experience with comparable assets in similar service. The Board has therefore modified its proposal in order to place the primary reliance on records of the age of assets at the time of disposal or withdrawal from active service. The Board recognizes that such records are not now in existence for all contractors. The basic data from which such analyses can be prepared, however, are generally available. The Board has determined that a reasonable working period should be provided in which contractors can prepare the appropriate analytical records.

The proposal being published today includes a number of other modifications in the June 11 version. The Board now especially solicits comments on its proposal respecting the documentation of expected service lives. Interested persons should submit written data and views concerning the proposed Cost Accounting Standard to the Cost Accounting Standards Board, 441 G Street NW., Washington, D.C. 20548.

To be given consideration by the Board in its determination relative to final promulgation of the Cost Accounting Standard covered by this notice, written submissions must be made to arrive no later than November 4, 1974.

NOTE: All written submissions made pursuant to this notice will be made available for public inspection at the Board's office during regular business hours.

It is proposed to add Part 409 to read as follows:

Sec.
409.10 General applicability.
409.20 Purpose.
409.30 Definitions.
409.40 Fundamental requirement.
409.50 Techniques for application.
409.60 Illustrations.
409.70 Exemptions.
409.80 Effective date.

AUTHORITY: 84 Stat. 796, Sec. 103 (50 U.S.C. App. 2168).

§ 409.10 General applicability.

This Standard shall be used by defense contractors and subcontractors under Federal contracts entered into after the effective date hereof and by all relevant Federal agencies in estimating, accumulating, and reporting costs in connection with the pricing, administration, and settlement of all negotiated prime contract and subcontract national defense procurements with the United States in excess of $100,000, other than contracts or subcontracts where the price negotiated is based on (a) established catalog or market prices of commercial items sold in substantial quantities to the general public, or (b) prices set by law or regulation.

§ 409.20 Purpose.

(a) The purpose of this Standard is to provide criteria and guidance for assigning costs of tangible capital assets to cost accounting periods and for allocating such costs to cost objectives within such periods in an objective and consistent manner. The Standard is based on the concept that depreciation costs identified with cost accounting periods and benefiting cost objectives

within periods should be a reasonable measure of the expiration of service potential of the tangible assets subject to depreciation. Adherence to this Standard should provide a systematic and rational flow of the costs of tangible capital assets to benefited cost objectives over the expected service lives of the assets.

(b) This Standard does not cover nonwasting assets or natural resources which are subject to depletion.

§ 409.30 Definitions.

(a) The following definitions of terms which are prominent in this Standard are reprinted from Part 400 of this chapter for convenience. Other terms which are used in this Standard and are defined in Part 400 of this chapter have the meanings ascribed to them in that part unless the text demands a different definition or the definition is modified in paragraph (b) of this section:

(1) *Residual value.* The proceeds (less removal and disposal costs, if any) realized upon disposition of a tangible capital asset. It usually is measured by the net proceeds from the sale or other disposition of the asset, or its fair value if the asset is traded in on another asset. The estimated residual value is a current forecast of the residual value.

(2) *Service life.* The period of usefulness of a tangible capital asset (or group of assets) to its current owner. The period may be expressed in units of time or output. The estimated service life of a tangible capital asset (or group of assets) is a current forecast of its service life and is the period over which depreciation cost is to be assigned.

(3) *Tangible capital asset.* An asset that has physical substance, more than minimal value, and is expected to be held by an enterprise for continued use or possession beyond the current accounting period for the services it yields.

(b) The following modifications of definitions set forth in Part 400 of this chapter are applicable to this Standard: None.

§ 409.40 Fundamental requirement.

(a) The depreciable cost of a tangible capital asset (or group of assets) shall be assigned to cost accounting periods in accordance with the following criteria:

(1) The depreciable cost of a tangible capital asset shall be its capitalized cost less its estimated residual value.

(2) The estimated service life of a tangible capital asset (or group of assets) shall be used to determine the cost accounting periods to which the depreciable cost will be assigned.

(3) The method of depreciation selected for assigning the depreciable cost of a tangible capital asset (or group of assets) to the cost accounting periods representing its estimated service life shall reflect the expected consumption of services in each cost accounting period.

(4) The gain or loss which is recognized upon disposition of a tangible capital asset shall be assigned to the cost accounting period in which the disposition occurs.

(b) The annual depreciation cost of a tangible capital asset (or group of assets) shall be allocated to cost objectives for which it provides service in accordance with the following criteria:

(1) Depreciation cost may be charged directly to cost objectives only if such charges are made on the basis of usage and only if depreciation costs of all like assets used for similar purposes are charged in the same manner.

(2) Where tangible capital assets are part of, or function as, an organizational unit whose costs are charged to other cost objectives based on a measure of the services provided by the organizational unit, the depreciation cost of such assets shall be included as part of the cost of the organizational unit.

(3) Depreciation costs which are not allocated in accordance with paragraph (b) (1) or (2) of this section shall be included in appropriate indirect cost pools.

(4) The gain or loss which is recognized upon disposition of a tangible capital asset, where material in amount, shall be allocated in the same manner as the depreciation cost of the asset has been or would have been allocated for the cost accounting period in which the disposition occurs. Where such gain or loss is not material, the adjustment may be included in an appropriate indirect cost pool.

§ 409.50 Techniques for application.

(a) Determination of the appropriate depreciation charges involves estimates both of service life and of the likely consumption of services in the respective cost accounting periods included in such life. Many of the same factors are to be considered in selecting service life estimates and in selecting depreciation methods. Both physical and economic factors should be considered. The following are the factors which may be taken into account: quantity and quality of expected output, and the timing thereof; costs of repair and maintenance, and the timing thereof; potential standby usefulness; and technical or economic obsolescence of the asset (or group of assets), or of the product or service it is involved in producing.

(b) Depreciation of a tangible capital asset shall begin when the asset and any others on which its effective use depends are ready for use in a normal or acceptable fashion. However, where partial utilization of a tangible capital asset is identified with a specific operation, depreciation shall commence on any portion of the asset which is substantially completed and used for that operation. Depreciable spare parts which are required for the operation of a tangible capital asset shall be accounted for over the service life of the asset.

(c) A consistent policy shall be followed in determining the depreciable cost to be assigned to the beginning and ending cost accounting periods of asset use. The policy may provide for any reasonable starting and ending dates in computing the first and last year depreciable cost.

(d) Tangible capital assets may be accounted for by treating each individual asset as an accounting unit, or by combining two or more assets as a single accounting unit, provided such treatment is consistently applied over the service life of the asset or group of assets.

(e) Estimated service lives initially established for tangible capital assets (or groups of assets) shall be reasonable approximations of their expected actual periods of usefulness, considering the factors mentioned in paragraph (a) of this section.

(1) The expected actual periods of usefulness shall be those periods which are supported by records of either past retirement or withdrawal from active use (and retention for standby or incidental use) for like assets (or groups of assets) used in similar circumstances appropriately modified for specifically identified factors expected to influence future lives. The factors which can be used to modify past experience include:

(i) Changes in expected physical usefulness from that which has been experienced such as changes in the quantity and quality of expected output.

(ii) Changes in expected economic usefulness, such as changes in expected technical or economic obsolescence of the asset (or group of assets), or of the product or service produced.

(2) Supporting records shall be maintained which are adequate to show the age at withdrawal from active use (and retention for standby or incidental use) or at retirement for a representative sample of such assets for each significant category. Whether assets are accounted for individually or by groups, the basis for estimating service life shall be predicated on supporting records for either individual assets or any reasonable grouping of assets as long as that basis is consistently used. The burden shall be on the contractor to justify estimated service lives which are shorter than such experienced lives.

(3) The records required in paragraph (d) (1) and (2) of this section, if not available on the date when the requirements of this Standard must first be followed by a contractor, shall be developed and be available following the second fiscal year after that date and thereafter as a basis for subsequent estimates of service lives. Estimated service lives used for financial accounting purposes if not unreasonable under the criteria specified in (d) (1) of this section, shall be used until adequate supporting records are available.

(4) Estimated service lives for tangible captial assets for which the contractor has no prior experience for similar assets shall be established based on a projection of the expected actual period of usefulness, but shall not be less than asset guideline periods established for asset guideline classes under the Revenue Procedure 72–10 published by the Internal Revenue Service, and any additions, supplements or revisions thereto, which are in effect as of the first day of the cost accounting period in which the assets are acquired.

(f) The contracting parties may agree on the estimated service life of individual tangible capital assets where the special purpose for which the equipment was acquired or other special circumstances warrent a shorter estimated service life than the life determined in accordance with paragraph (d) of this section.

(g)(1) The method of depreciation used for financial accounting purposes shall be used for contract costing unless (i) such method does not reasonably reflect the expected consumption of services for the tangible capital asset (or group of assets) to which applied, or (ii) the method is unacceptable for Federal income tax purposes. If the contractor's method of depreciation used for financial accounting purposes does not reasonably reflect the expected consumption of services or is unacceptable for Federal income tax purposes, he shall establish a method of depreciation for contract costing which meets these criteria, in accordance with paragraph (g)(3) of this section.

(2) After the date of initial applicability of this Standard, selection of methods of depreciation for newly acquired tangible capital assets, which are different than the methods currently being used for like assets in similar circumstances, shall be supported by projections of the expected consumption of services of those assets (or groups of assets) to which the different methods of depreciation shall apply. Support in accordance with paragraph (g)(3) of this section shall be based on the expected consumption of services of either individual assets or any reasonable grouping of assets as long as the basis selected for grouping assets is consistently used.

(3) The expected consumption of asset services over the estimated service life of a tangible capital asset (or group of assets) is influenced by the factors mentioned in paragraph (a) of this section which affect either potential activity or potential output of the asset (or group of assets). These factors may be measured by the expected activity or the expected physical output of the assets, as for example: hours of operation, number of operations performed, number of units produced, or number of miles traveled. An acceptable surrogate for expected activity or output might be a monetary measure of that activity or output such as estimated labor dollars, total cost incurred or total revenues generated by use of tangible capital assets to the extent that such monetary measures can reasonably be related to the usage of specific tangible capital assets (or groups of assets). In the absence of reliable data for the measurement or estimation of the consumption of asset services by the techniques mentioned, the expected consumption of services may be represented by the passage of time. The appropriate method of depreciation should be selected as follows:

(i) An accelerated method of depreciation is appropriate where the expected consumption of asset services is significantly greater in early years of asset life.

(ii) The straight line method of depreciation is appropriate where the expected consumption of asset services is reasonably level over the service life of the asset (or group of assets).

(h) The estimated service life and method of depreciation to be used for an original complement of low-cost equipment shall be based on the expected consumption of services over the expected useful life of the complement as a whole and shall not be based on the individual items which form the complement.

(i) Estimated residual values shall be determined for all tangible capital assets (or groups of assets). For tangible personal property, only estimated residual values which exceed ten percent of the capitalized cost of the asset (or group assets) need be used in establishing depreciable costs. Where the declining balance method of depreciation or the class life asset depreciation range system is used the residual value need not be deducted from capitalized cost to determine depreciable costs. No depreciation cost shall be charged which would significantly reduce book value of a tangible capital asset (or group of assets) below its residual value.

(j) Estimates of service life, consumption of services, and residual value shall be reexamined for tangible capital assets (or groups of assets) whenever circumstances change significantly. Where changes are made to the estimated service life, residual value, or method of depreciation during the life of a tangible capital asset, the remaining depreciable costs for cost accounting purposes shall be limited to the undepreciated cost of the assets and shall be assigned only to the cost accounting period in which the change is made and to subsequent periods.

(k)(1) Gains and losses on disposition of tangible capital assets shall be considered as adjustments of depreciation costs previously recognized and shall be assigned to the cost accounting period in which disposition occurs. The gain or loss for each asset disposed of is the difference between the net amount realized and its undepreciated balance. However, the gain to be recognized for contract costing purposes shall be limited to the difference between the original acquisition cost of the asset and its undepreciated balance.

(2) Gains and losses on the disposition of tangible capital assets shall not be recognized where: (i) Assets are grouped and such gains and losses are processed through the accumulated depreciation account, (ii) the asset is given in exchange as part of the purchase price of a simliar asset and the gain or loss is included in computing the depreciable cost of the new asset, or (iii) the disposition results from an involuntary conversion and the asset is replaced by a similar asset. In the last case the gain or loss shall be included in computing the depreciable cost of the new asset.

(3) The contracting parties may agree on a treatment of gains and losses arising from mass or extraordinary dispositions.

(4) Gains and losses on disposition of tangible capital assets transferred in other than an arms-length transaction and subsequently disposed of within 12 months from the date of transfer shall be assigned to the transferor.

(l) Where, in accordance with Section 409.40(b)(1), the depreciation costs of like tangible capital assets used for similar purposes are directly charged to cost objectives on the basis of usage, average charging rate shall be established for such assets. Any variances between total depreciation cost charged to cost objectives and total depreciation cost for the cost accounting period shall be accounted for in accordance with the contractor's established practice for handling such variances.

(m) Practices for determining depreciation methods, estimated service lives and estimated residual values need not be changed for assets acquired prior to compliance with this Standard if otherwise acceptable under applicable procurement regulations. However, any such changes must conform to the criteria established in this Standard and may be effected on a prospective basis to cover the undepreciated balance of cost by agreement between the contracting parties pursuant to negotiation under (a)(4)(B) of the Contract Clause set out at § 331.50 of the Board's regulations (4 CFR 331.50).

§ 409.60 Illustrations.

The following examples are illustrative of the provisions of this Standard.

(a) X, Y, and Z companies purchase identical milling machines to be used for similar purposes. Industry data indicates that for the purpose for which the machines will be used the milling machines should have an estimated service life of 12 years.

Company X estimates service life for tangible capital assets on an individual basis. Its experience with similar machines is that the average replacement period is 14 years. Under the provisions of the Standard, Company X shall use the estimated service life of 14 years for the milling machine unless it can demonstrate changed circumstances or new circumstances to support a different estimate.

Company Y estimates service life for tangible capital assets by grouping assets of the same general kind and with similar service lives. Accordingly, all machine tools are accounted for as a single group. The average replacement life for machine tools for Company Y is 12 years. In accordance with the provisions of the Standard, Company Y shall use a life of 12 years for the acquisition unless it can support a different estimate for the entire group.

Company Z estimates service life for tangible capital assets by grouping assets according to use without regard to service lives. Accordingly, all machinery and equipment is accounted for as a single group. The average replacement life for machinery and equipment in Company Z is ten years. In accordance with the provisions of the Standard, Company Z shall use an estimated service life of ten years for the acquisition unless it can support a different estimate for the entire group.

(b) Company X desires to charge depreciation of the milling machine described in (a) directly to final cost objectives. Usage of the milling machine can be measured readily

based on hours of operation. Contractor may charge depreciation cost directly on a unit of time basis provided he uses an average depreciation charge for all like milling machines in the machine shop and charges depreciation for all like milling machines directly to final cost objectives.

(c) A contractor acquires, and capitalizes as an asset accountability unit, a new lathe. The estimated service life is ten years for the lathe. He acquires, and capitalizes as an original complement of low-cost equipment related to the lathe, a collection of tool holders, chucks, indexing heads, wrenches, and the like. Replacements of these items will be made as needed and are expected to be expensed as acquired. The complement should be depreciated over an estimated service life of ten years.

(d) A contractor acquires a test facility with an estimated physical life of ten years, to be used on contracts for a new program. The test facility was acquired for $5 million. It is expected that the program will be completed in six years and the test facility acquired will not be required for other products of the contractor. Although the facility will last ten years, the contracting parties may agree in advance to depreciate the equipment over six years.

(e) Contractor acquires a building by donation from its local Government. The building had been purchased new by another company and subsequently acquired by the local Government. Contractor capitalizes the building at its fair value. Under the Standard the depreciable cost of the asset based on that value, if otherwise allowable, may be accounted for over its estimated service life and allocated to cost objectives in accordance with the contractor's cost allocation practices.

(f) A contractor has an established practice of regular reviews of service life estimates for significant individual assets. A major item of equipment which was acquired prior to the applicability of this Standard was estimated, at acquisition, to have a service life of twelve years. The first scheduled review of the service life estimate takes place after two years of service, during which time the Standard has become applicable to new asset acquisitions. The review results in a well-supported determination to shorten the estimated service life to a total of seven years. The remaining annual depreciation charges based on this particular asset will be appropriately increased. This change is not a change of practice, but a correction of a numeric estimate. The requirement of Section 409.50(1) does not apply, and no action pursuant to section (a)(4)(B) of the CAS clause is required.

§ 409.70 Exemption.

This Standard shall not apply where compensation for the use of tangible capital assets is based on use allowances as provided for by the provisions of Federal Management Circular 73-8 (Cost Principles for Educational Institutions) and Federal Management Circular 74-4 (Principles for Determining Costs Applicable to Grants and Contracts with State and Local Governments).

§ 409.80 Effective date.

(a) The effective date of this Cost Accounting Standard is [Reserved].

(b) This Cost Accounting Standard shall be followed by each contractor for all tangible capital assets acquired on or after the start of his next fiscal year beginning after the receipt of a contract to which this Cost Accounting Standard is applicable.

ARTHUR SCHOENHAUT,
Executive Secretary.

[FR Doc.74-23076 Filed 10-2-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 271-8]

GEORGIA

Proposed Compliance Schedules

Section 110 of the Clean Air Act and the implementing regulations of 40 CFR Part 51 require each State to submit a plan which provides for attainment and maintenance of the national ambient air quality standards throughout the State. Each such plan is to contain legally enforceable compliance schedules setting forth the dates by which all sources must be in compliance with any and all applicable requirements of the plan.

Pursuant to these requirements, the State of Georgia on August 2, 1974, submitted to the Agency compliance schedules for a number of sources within the State. Some of these schedules cannot be proposed for approval at this time since the public hearing requirements of 40 CFR 51.4 have not yet been met. With respect to those schedules which were submitted after due notice and public hearing, the Agency, after appropriate review, has made the following determinations.

Several of these newly submitted schedules relate to regulations which either are not yet part of the approved Georgia plan or are involved in judicial review resulting from the "tall stacks" controversy. Only one of these schedules, that for Hubert Moore Lumber Company, Alapaha, is being proposed for approval at this time; this is done because the foregoing factors do not affect that portion of the affected regulation which deals with this source's operation. The remaining schedules are now set forth as proposed rulemaking, and the public is invited to comment on them.

Each of the proposed compliance schedules identified below establishes a date by which the individual source must attain compliance with an emission limitation or other regulation of the Georgia Implementation Plan. This date is indicated under the heading "Final Compliance Date". In many cases, the schedule includes incremental steps toward compliance, with interim dates for achieving those steps. While the table does not list these steps and dates, the actual schedules do.

All compliance schedules listed here are available for public inspection at the following locations:

Air Programs Office
Environmental Protection Agency
Region IV
1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

Air Quality Control Section
Environmental Protection Division
Department of Natural Resources
19 Hunter Street, S.W.
Atlanta, Georgia 30334

Each schedule satisfies the substantive requirements of § 51.15 and § 51.6. Also, each schedule has been determined to be in accordance with the approved control strategy of the State implementation plan. An evaluation of any of the compliance schedules may be obtained by consulting personnel of the Agency's regional office in Atlanta.

All interested parties are encouraged to submit written comments on the proposed compliance schedules. These comments will be weighed carefully by the Agency before it approves or disapproves the schedules in question. The Administrator's decision, however, will be based primarily on his determination as to whether these schedules meet the requirements of § 110(a) of the Clean Air Act and of the Agency's implementing regulations published in 40 CFR Part 51. Comments will be accepted on or before 30 days from the date of publication, and should be sent to the Acting Director, Air Programs Office, Environmental Protection Agency, Region IV, 1421 Peachtree Street, N.E., Atlanta, Georgia 30309, Attention: John Eagles.

(42 U.S.C. 1857c-5)

Dated: September 23, 1974.

JACK E. RAVAN,
Regional Administrator,
Region IV.

Subpart L—Georgia

1. § 52.573 is amended by adding the following:

§ 52.573 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of 51.6 and 51.15 of this chapter. All regulations cited are air pollution control regulations of the State.

GEORGIA

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Duncan & Johnson Lumber Co., Inc., Conical Burner Permit No. 2421-106-1035-T.	Columbus	391-3-1-.02(2)(l)	July 29, 1974	Immediately	Sept. 16, 1974
Anderson Gin, Cotton Gin Permit No. 0724-107-1311-T.	Covington	391-3-1-.02(2)(q)	do	do	May 15, 1974
Arlington Manufacturing Co., Cotton Gin Permit No. 0724-019-1050-T.	Arlington	391-3-1-.02(2)(q)	Apr. 25, 1975	do	Aug. 15, 1974
John D. Archbold Memorial Hospital, Incinerator Permit No. 8061-136-1237-T.	Thomasville	391-3-1-.02(2)(c)	July 29, 1974	do	Jan. 1, 1975
Barrow & Prescott, Inc., Cotton Gin Permit No. 0724-081-783-T.	Matthews	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Sept. 1, 1974

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Bascoa Co. (Godee Gin), Cotton Gin Permit No. 0724-124-1531-T.	Sylvania	391-3-1-.02(2)(q)	July 29, 1874	do	Aug. 15, 1974
Battle Lumber Co., Inc., Conical Burner Permit No. 2421-81-1512-T.	Wadley	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Baxley Veneer & Cleat Co., Inc., Conical Burner Permit No. 2499-047-778-T.	Albany	391-3-1-02(2)(l)	Apr. 25, 1974	do	Jan. 18, 1974
Beadlee Lumber Co., Conical Burner Permit No. 2421-35-1510-T.	Moultrie	391-3-1-.02(2)(l)	July 29, 1974	do	Dec. 31, 1974
LeRoy T. Bird & Son Ginnery, Cotton Gin Permit No. 0724-016-1161-T.	Portal	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Blakely Peanut Co., Conical Burner Permit No. 5159-49-1483-T.	Blakely	391-3-1-.02(2)(l)	do	do	Aug. 1, 1974
Blount Asphalt Co., Inc., Hot Mix Asphalt Plant Permit No. 2951-075-1333-T.	Stockbridge	391-3-1-.02(2)(k)	do	do	Sept. 30, 1974
Buford General Hospital, Incinerator Permit No. 8061-067-890-T.	Buford	391-3-1-.02(2)(c)	Apr. 25, 1974	do	Jan. 1, 1975
Ace Post Co., Inc., Conical Burner Permit No. 2491-148-1515-T.	Waycross	391-3-1-.02(2)(l)	July 29, 1974	do	Dec. 31, 1974
Burgin Lumber Co., Inc., Conical Burners Nos. 1, 2, 3 Permit No. 2421-120-1516-T.	Cuthbert	391-3-1-.02(2)(l)	do	do	Do.
Burt Lumber Co., Conical Burner Permit No. 2421-157-1496-T.	Washington	391-3-1-.02(2)(l)	do	do	Do.
Button Gwinett Hospital Incinerator Permit No. 8061-067-889-T.	Lawrenceville	391-3-1-.02(2)(c)	Apr. 25, 1974	do	Jan. 1, 1975
Cargill Inc., Soybean Truck and Railroad Unloading Permit No. 2075-069-080-T.	Gainesville	391-3-1-.02(2)(N)	do	do	Mar. 1, 1975
Casey Bros., Cotton Gin Permit No. 0724-057-760-T.	Cave Springs	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Clarkes Block Co., Concrete Block Facility Permit No. 3271-025-1250-T.	Savannah	391-3-1-.02(2)(N)	July 29, 1974	do	Sept. 15, 1974
Cobb Memorial Hospital, Incinerator Permit No. 8061-059-1170-T.	Royston	391-3-1-.02(2)(c)	do	do	July 1, 1975
Coleman Gin, Cotton Gin Permit No. 0724-053-955-T.	Swainsboro	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Coley's Gin and Fertilizer Co., Cotton Gin Permit No. 0724-046 832-T.	Vienna	391-3-1-.02(2)(q)	do	do	Do.
Columbian Peanut Co., Conical Burner Permit No. 5159-120-1485-T.	Shellman	391-3-1-.02(2)(l)	July 29, 1974	do	Aug. 1, 1974
Columbian Peanut Co., Conical Burner Permit No. 5159-101-1484-T.	Pelham	391-3-1-.02(2)(l)	do	do	Do.
Columbian Peanut Co., Peanut Shelling and Cleaning Permit No. 5159-30-1482-T.	Fort Gaines	391-3-1-.02(2)(l)	do	do	Do.
Comer Gin Co. (Madison County Gin), Cotton Gin Permit No. 0724-095-1542-T.	Danielsville	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Connor Bros. Lumber Co., Conical Burner Permit No. 2421-137-1509-T.	Tifton	391-3-1-.02(2)(l)	do	do	Dec. 15, 1974
Container Corp. of America, Conical Burner Permit No. 2421-134-1506-T.	McRae	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Control Packaging Corp., Fuller's Earth Processing Facility Permit no. 3295-136-1188-T.	Ochlocknee	391-3-1-.02(2)(N) (p).	do	do	June 15, 1974
Creasy Bros. Paving Contractors, Hot Mix Asphalt Plant Permit No. 2951-016-1144-T.	Statesboro	391-3-1-.02 (2)(k)	do	do	May 1, 1974
Desoto Gin & Peanut Co., Cotton Gin Permit No. 0724-129-769-T.	DeSoto	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Sept. 1, 1974
Diamond Shamrock Chemical Co., NOPCO Division:					
Hydrated Silicon Dioxide Drying Permit No. 2841-115-1453-T.	Cedartown	391-3-1-.02(2)(e)	July 29, 1974	do	Dec. 1, 1974
Sulfonated Naphthalene Spray Drying Permit No. 2841-115-1451-T.	do	391-3-1-.02(2)(e)	do	do	May 1, 1975

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Sodium or Potassium Stearate Soap Manufacturing Permit No. 2841-115-1450-T.	do	391-3-1-.02(2)(e)	do	do	Feb. 1, 1975
Metallic Soap Drying Permit No. 2841-115-1449-T.	do	391-3-1-.02(2)(e)	do	do	July 1, 1975
Dooly Medical Center, Incinerator Permit No. 8061-046-1286-T.	Vienna	391-3-1-.02(2)(e)	do	do	Nov. 1, 1974
Dunn's Cotton Gin, Cotton Gin Permit No. 0724-120-846-T.	Shellman	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Farmers Gin Co., Cotton Gin Permit No. 0724-019-1534-T.	Edison	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
Farmers Gin Co., Cotton Gin Permit No. 0724-088-803-T.	Smithville	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Sept. 1, 1974
Farmers Gin & Storage Co., Inc., Cotton Gin Permit No. 0724-081-1192-T.	Wadley	391-3-1-.02(2)(q)	July 29, 1974	do	Aug. 15, 1974
Farmers Mill & Elevator Co., Inc., Cotton Gin Permit No. 0724-087-1268-T.	Dexter	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
Funston Gin Co., Inc., Cotton Gin Permit No. 0724-035-1198-T.	Funston	391-3-1-.02(2)(q)	do	do	Do.
Sam Finley, Inc., Hot Mix Asphalt Plant Permit No. 2951-025-1047-T.	Savannah	391-3-1-.02(2)(k)	Apr. 25, 1974	do	Do.
Fitzgerald Oil & Fertilizer Co., Cotton Gin Permit No. 0724-009-1160-T.	Fitzgerald	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
Georgia Pacific Corp., Plaster and Gypsum Wallboard Plant Permit No. 3275-063-1426-T.	Brunswick	391-3-1-.02(2)(e)	do	do	May 1, 1975
Glennville Wood Preserving Co., Inc., Wood-fired Boiler Permit No. 2491-132-1104-T.	Glennville	391-3-1-.02(2)(d)	do	do	Aug. 15, 1974
Griffin-Spalding County Hospital, Incinerator Permit No. 8061-126-1010-T.	Griffin	391-3-1-.02(2)(e)	do	do	July 15, 1974
Haralson Gin Co., Cotton Gin Permit No. 0724-038-1247-T.	Haralson	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Cecil Hodges Lumber Co., Conical Burner Permit No. 2421-150-1498-T.	Sandersville	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
John L. Lutchenson Memorial Tri County Hospital, Incinerator Permit No. 8061-023-990-T.	Fort Oglethorpe	391-3-1-.02(2)(e)	Apr. 25, 1974	do	July 1, 1975
IMC Corp., Granular Fertilizer Manufacturing Plant Permit No. 2871-121-1347-T.	Augusta	391-3-1-.02(2)(N)	July 29, 1974	do	Dec. 31, 1974
IMC Corp., Superphosphate and Granular Fertilizer Manufacturing Plant Permit No. 2871-129-1337-T.	Americus	391-3-1-.02(2)(N)	do	do	Do.
Horace Jackson Lumber Co., Inc., Conical Burner Permit No. 2421-150-1497-T.	Sandersville	391-3-1-.02(2)(l)	do	do	Do.
Jenkins County Gin Co., Inc., Cotton Gin Permit No. 0724-082-998-T.	Millen	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Johnson Concrete Co., Ready-Mix Concrete Plant Permit No. 3273-126-706-T.	Griffin	391-3-1-.02(2)(N)	do	do	Jan. 4, 1974
Keadle Bros. Lumber Co., Conical Burner Permit No. 2421-101-1494-T.	Camilla	391-3-1-.02(2)(l)	July 29, 1974	do	Dec. 31, 1974
Kennestone Hospital, Incinerator Permit No. 8061-033-1179-T.	Marietta	391-3-1-.02(2)(e)	do	do	July 15, 1974
Knight Bros. Lumber Co., Inc., Conical Burner Permit No. 2421-143-1514-T.	Jeffersonville	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Lamb Bros. Lumber Co., Inc., Conical Burner Permit No. 2421-81-1492-T.	Wrens	391-3-1-.02(2)(l)	do	do	Do.
Leslie Peanut & Gin Co., Inc., Cotton Gin Permit No. 0724-129-1232-T.	Leslie	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Leonard N. Lokey Manufacturing Co., Conical Burner Permit No. 2499-097-688-T.	Thomson	391-3-1-.02(2)(l)	Apr. 25, 1974	do	Apr. 12, 1974
Louisville Fertilizer & Gin Co., Cotton Gin Permit No. 0724-081-814-T.	Louisville	391-3-1-.02(2)(q)	do	do	Sept. 1, 1974
McAvoy Wood Products Co., Inc., Conical Burner Permit No. 2511-157-1501-T.	Washington	391-3-1-.02(2)(l)	July 29, 1974	do	Dec. 31, 1974
McCay Gin & Warehouse, Cotton Gin Permit No. 0724-040-777-T.	Cordele	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Sept. 1, 1974
McGarity & Welch Gin Co., Cotton Gin Permit No. 0724-075-758-T.	McDonough	391-3-1-.02(2)(q)	do	do	Oct. 1, 1974
Macon County Gin Co., Inc., Cotton Gin Permit No. 0724-046-1042-T.	Byromville	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Macon County Gin Co., Inc., Cotton Gin Permit No. 0724-094-841-T.	Montezuma	391-3-1-.02(2)(q)	do	do	Do.

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Cliff Martin Gin Co., Inc., Cotton Gin Permit No. 0724-081-1275-T.	Wrens	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
Meadows & Thomas, Inc., Cotton Gin Permit No. 0724-138-1243-T.	Lyons	391-3-1-.02(2)(q)	do	do	Do.
Millen Fertilizer Co. (Millen Gin), Cotton Gin Permit No. 0724-082-1194-T.	Millen	391-3-1-.02(2)(q)	do	do	Do.
Mobley Lumber Co., Inc., Conical Burner Permit No. 2421-124-1403-T.	Sylvania	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Monroe County Hospital, Incinerator Permit No. 8061-102-1165-T.	Forsyth	391-3-1-.02(2)(c)	do	do	June 21, 1975
Hubert Moore Lumber Co., Open Burning Permit No. 2421-010-1001-T.	Alapaha	391-3-1-.02(5)(a)	Apr. 25, 1974	do	Jan. 1, 1975
Pelham Phosphate Co.:					
Ammonium Thiosulfate Plant Permit No. 2871-101-1401-T.	Pelham	391-3-1-.02(2)-(N)(R).	July 29, 1974	do	June 15, 1974
Superphosphate Plant Permit No. 2871-101-1400-T.	do	391-3-1-.02(2)(N)(R).	do	do	Do.
Granular Fertilizer Plant Permit No. 2871-101-1399-T.	do	391-3-1-.02(2)(N)(R).	do	do	June 15, 1975
Plains Cotton Warehouse, Peanut Shelling and Cleaning Permit No. 5159-129-1487-T.	Plains	391-3-1-.02(2)(N)	do	do	Aug. 1, 1974
Planters Product Co., Conical Burner Permit No. 5159-125-1490-T.	Donalsonville	391-3-1-.02(2)(l)	do	do	Do.
Producers Gin Co., Cotton Gin Permit No. 0724-046-1183-T.	Pinehurst	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Producers Gin Service, Cotton Gin Permit No. 0724-150-1181-T.	Harrison	391-3-1-.02(2)(q)	do	do	Do.
Pulliam Lumber Co., Conical Burner Permit No. 2421-62-1508-T.	Mitchell	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Riddle & Slack Lumber Co., Conical Burner Permit No. 2421-137-1517-T.	Tifton	391-3-1-.02(2)(l)	do	do	Do.
J. M. Rowland Gin, Cotton Gin Permit No. 0724-017-837-T.	Midville	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
St. Joseph Hospital, Incinerator Permit No. 8061-121-1408-T.	Augusta	391-3-1-.02(2)(c)	July 29, 1974	do	Oct. 20, 1974
Sasser Gin Co., Cotton Gin Permit No. 0724-135-922-T.	Sasser	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Shingler Farm Service, Inc., Cotton Gin Permit No. 0724-159-1281-T.	Poulan	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
H. E. Sims Lumber Co., Inc., Conica Burner Permit No. 2421-141-1511-T.	LaGrange	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
C. R. Simmons Warehouse, Cotton Gin Permit No. 0724-133-1175-T.	Reynolds	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
The Singer Co., Peanut Shelling and Cleaning Permit No. 5159-128-1486-T.	Lumpkin	391-3-1-.02(2)(N)	do	do	Aug. 1, 1974
Smith Gin Co., Cotton Gin Permit No. 0724-008-1029-T.	Adairsville	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Smith Setzer & Sons of Georgia, Inc., Cement Storage Silos and Concrete Mixer Equipment Permit No. 3272-108-909-T.	Watkinsville	391-3-1-.02(2)(N)	do	do	Apr. 1, 1974
Murph Gin & Warehouse, Cotton Gin Permit No. 0724-094-1533-T.	Marshallville	391-3-1-.02(2)(q)	July 29, 1974	do	Aug. 15, 1974
Musella Gin & Cotton Co., Cotton Gin Permit No. 0724-039-1201-T.	Musella	391-3-1-.02(2)(q)	do	do	Do.
Myers Hardwood Co., Conical Burner Permit No. 2448-134-1507-T.	Lumber City	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
National Gypsum Co., Plaster and Gypsum Wallboard Plant Permit No. 3275-025-1315-T.	Garden City	391-3-1-.02(2)(c)	do	do	July 1, 1975
National Homes Manufacturing Co., Conical Burner Permit No. 2451-97-1502-T.	Thomson	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Roy V. Noble Co., Cotton Gin Permit No. 0724-046-822-T.	Pinehurst	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Roy V. Noble Co., Cotton Gin Permit No. 0724-046-821-T.	Vienna	391-3-1-.02(2)(q)	do	do	Do.
Nu-Knox, Inc., Conical Burner Permit No. 2421-97-1500-T.	Thomson	391-3-1-.02(2)(l)	July 29, 1974	do	Dec. 31, 1974
Norman W. Paschall Co.:					
Picking and Blending Operation Permit No. 2294-056-1678-T.	Peachtree City	391-3-1-.02(2)(N)	Apr. 25, 1974	do	Jan. 31, 1975
Plant Operations Permit No. 2294-056-1045-T.	do	391-3-1-.02(2)(N)	do	do	Aug. 1, 1974
Peach County Hospital, Incinerator Permit No. 8061-111-1167-T.	Fort Valley	391-3-1-.02(2)(c)	July 29, 1974	do	July 1, 1974
Southeastern Brick Co., Brick Production Permit No. 3271-148-1338-T.	Waycross	391-3-1-.02(2)(N)	do	do	Sept. 30, 1974

GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Southern States Phosphate & Fertilizer, Granular Fertilizer Manufacturing Plan and Normal Superphosphate Manufacturing Plant Permit No. 2871-025-1445-T.	Savannah	391-3-1-.02(2)(N)	do	do	Dec. 31, 1974
Stapleton Gin Co., Cotton Gin Permit No. 0724-081-762-T.	Stapleton	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Sumner Construction Corp., Hot Mix Asphalt Plant Permit No. 2951-137-1041-T.	Tifton	391-3-1-.02(2)(k)	do	do	Do.
Swift Fertilizer, Granular Fertilizer Plant Permit No. 2871-047-1330-T.	Albany	391-3-1-.02(2)(N)	July 29, 1974	do	Dec. 31, 1974
Swift Chemical Co., Savannah Superphosphate and Granular Fertilizer Manufacturing Plant Permit No. 2871-025-1332-T.	Savannah	391-3-1-.02(2)(N)	do	do	Do.
Temple Gin Co., Cotton Gin Permit No. 0724-073-1185-T.	Hartwell	391-3-1-.02(2)(c)	do	do	Aug. 15, 1974
Tom's Foods, Ltd., Boiler Permit No. 2065-106-1346-T.	Columbus	391-3-1-.02(2)(d)	do	do	June 30, 1975
J. A. Thomas Gin, Cotton Gin Permit No. 0724-108-1182-T.	Farmington	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Town Creek Feed Mill, Feed Mill Permit No. 2048-028-1479-T.	Canton	391-3-1-.02(2)(N)	do	do	Jan. 31, 1975
Tom's Foods, Ltd., Bulk Sugar Railroad Car Unloading Permit No. 2065-106-1345-T.	Columbus	391-3-1-.02(2)(N)	do	do	Dec. 1, 1974
H. V. & T. G. Thompson Lumber Co., Inc., Conical Burner Permit No. 2421-103-1495-T.	Ailey	391-3-1-.02(2)(1)	do	do	Dec. 31, 1974
Trapnell Gin Co., Cotton Gin Permit No. 0724-021-1162-T.	Metter	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Tugalo Construction Co., Inc., Hot Mix Asphalt Plant Permit No. 2951-127-1012-T.	Toccoa	391-3-1-.02(2)(k)	Apr. 25, 1974	do	Do.
Turner County Hospital, Incinerator Permit No. 8061-142-873-T.	Ashburn	391-3-1-.02(2)(c)	do	do	Jan. 1, 1975
Twiggs Gin Co., Inc., Cotton Gin Permit No. 0724-143-874-T.	Jeffersonville	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
USS Agri-Chemicals, Div'sion of U.S. Steel Corp., Granular and Superphosphate Fertilizer Manufacturing Plant Permit No. 2871-106-1317-T.	Columbus	391-3-1-.02(2)(N)	July 29, 1974	do	Dec. 31, 1974
N. A. West Block Co., Inc., Cement Silo and Boiler Permit No. 3271-061-876-T.	East Ellijay	391-3-1-.02(2)(N)	Apr. 25, 1974	do	June 30, 1974
Pearson Mills, Conical Burner Permit No. 2421-111-907-T.	Fort Valley	391-3-1-.02(2)(1)	do	do	Apr. 30, 1974

[FR Doc.74-22679 Filed 10-2-74;8:45 am]

[40 CFR Part 52]

[FRL 272-8]

KANSAS

Approval of Compliance Schedules

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of State plans for implementation of the national ambient air quality standards. In August 1974, the State of Kansas submitted to the Environmental Protection Agency compliance schedules to be considered as proposed revisions to the approved plans pursuant to 40 CFR 51.6. 40 CFR 51.6 requires the Administrator to approve or disapprove compliance schedules submitted by the States. Therefore, the Administrator proposes the approval of the compliance schedules listed below.

The approvable schedules were adopted by the State and submitted to the Environmental Protection Agency after notice and public hearings in accordance with the procedural requirements of 40 CFR 51.4 and 51.6 and the substantive requirements of 40 CFR 51.15 pertaining to compliance schedules. The compliance schedules have been reviewed and determined to be consistent with the approved control strategies of Kansas. Each approved revision establishes a new date by which the individual source must comply with the applicable emission limitation in the federally approved State Implementation Plan. This date is indicated in the table below, under the heading "Final Compliance Date." In all cases, the schedules include incremental steps toward compliance with the applicable emission limitations. While the tables below do not include these interim dates, the actual compliance schedules do.

Six of the sources, Kiowa District Hospital, Kiowa; U.S.D. #219, Minneola; U.S.D. #342, McLouth; U.S.D. #381, Spearville; U.S.D. #459, Bucklin, and Lane County Hospital, Dighton, will cease operation, and therefore the applicable compliance schedules contain final compliance dates only.

Six of the schedules are amendments to schedules previously published in the FEDERAL REGISTER (39 FR 29380) on August 15, 1974. These schedules cover the following sources: CK Processing, Salina; Far-Mar-Co, Inc., Wichita; Gulf Oil Chemicals, Pittsburg; Kansas Refined Helium, Otis; New Era Milling, Arkansas City; Walton Foundry, Inc., Iola.

The list of proposed approvable Kansas Compliance schedules that appeared in the August 15, 1974, FEDERAL REGISTER included a schedule for Owens-Corning Fiberglas Corporation, Kansas City, Kansas, I Oven Stack. The Final compliance date as published contained a typographical error. The final compliance date is September 30, 1974, not September 30, 1975, as shown.

In the indication of proposed approval of individual compliance schedules, the individual schedules are included by reference only. In addition, since the large number of compliance schedules preclude setting forth detailed reasons for approval of individual schedules in the FEDERAL REGISTER, an evaluation report has been prepared for each individual compliance schedule. Copies of these evaluation reports and the compliance schedules proposed to be approved are available for public inspection at the Environmental Protection Agency, Region VII, 1735 Baltimore Avenue, Kansas City, Missouri 64108.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Region VII office at the above address. All comments submitted on or before November 1, 1974, will be considered. All comments received, as well as copies of the applicable implementation plans, will be available for inspection during normal business hours at the Regional Office.

(42 U.S.C. 1857c-5)

Dated: September 23, 1974.

JEROME H. SVORE,
Regional Administrator.

It is proposed to amend Part 52 of Chapter I, Title 40 of the Code of Federal Regulations as follows:

Subpart R—Kansas

1. In § 52.876, the table in paragraph (c)(1) is amended as follows:

Compliance schedules.

* * * * *

(c) * * *

KANSAS

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
C. K. Processing Co., Inc., Alfalfa Dehydrator.	Manhattan	28-19-20	June 28, 1974	Immediately	Nov. 1, 1974
Far-Mar-Co., Inc.:					
Elevator A—Rail Car Unloading	Wichita	28-19-20	do	do	Aug. 15, 1974
Elevator B—Rail Car Unloading	do	28-19-20	do	do	Do.
Elevator A—Basement Conveyor	do	28-19-20	do	do	Do.
Elevator A—Head House Legs	do	28-19-20	do	do	Do.
Elevator B—Head House Legs	do	28-19-20	do	do	Do.
Elevator B—Basement Conveyor	do	28-19-20	do	do	Do.
Elevator C—Basement Conveyor	do	28-19-20	do	do	Do.
Elevator D—Basement Conveyor	do	28-19-20	do	do	Do.
Elevator C & D—Head House Legs.	do	28-19-20	do	do	Do.
First National Bank, Incinerator	Great Bend	28-19-40	do	do	Aug. 31, 1974
Gove County Hospital, Incinerator	Quinter	28-19-40	do	do	Feb. 1, 1975
Hanover-Washington County Hospital, Incinerator.	Hanover	28-19-40	do	do	July 1, 1975
Kansas Refined Helium Co., Safety Flare.	Otis	28-19-45	do	do	Sept. 1, 1974
Rush County Hospital, Incinerator	La Crosse	28-19-40	do	do	Oct. 1, 1974
Kansas State University Health Center, Incinerator.	Manhattan	28-19-40	do	do	Jan. 1, 1975
Peoples State Bank, Incinerator	McPherson	28-19-40	do	do	Apr. 30, 1975
Farmers National Bank, Incinerator	Abilene	28-19-40	do	do	Sept. 1, 1974
Satanta District Hospital, Incinerator.	Satanta	28-19-40, 28-19-41.	do	do	Jan. 1, 1975
Stevens County Hospital, Incinerator.	Hugoton	28-19-40, 28-19-41.	do	do	June 30, 1975
St. Joseph Memorial Hospital, Incinerators Nos. 1 and 2.	Larned	28-19-40C, 28-19-40D, 28-19-41.	do	do	July 31, 1975
U.S.D. No. 459, Bucklin High School Incinerator.	Bucklin	28-19-40	do	do	Do.
U.S.D. No. 457:					
Friend Elementary, Incinerator	Garden City	28-19-40	do	do	Sept. 1, 1974
Jenny Barker Elementary, Incinerator.	do	28-19-40	do	do	Do.
Lincoln Elementary, Incinerator	do	28-19-40	do	do	Do.
Pierceville-Plymell Elementary, Incinerator.	do	28-19-40	do	do	Do.
Theoni Elementary, Incinerator	do	28-19-40	do	do	Do.
Valentine Elementary, Incinerator.	do	28-19-40	do	do	Do.
U.S.D. No. 219, Incinerator (Minneola High).	Minneola	28-19-40	do	do	July 31, 1975
Pratt County Hospital, Incinerator	Pratt	28-19-40 28-19-41	do	do	June 30, 1975
Kiowa District Hospital, Incinerator	Kiowa	28-19-40, 28-19-41.	do	do	Nov. 1, 1974
U.S.D. No. 381:					
Spearville Grade, Incinerator	Spearville	28-19-40	do	do	July 31, 1975
Spearville High, Incinerator	do	28-19-40	do	do	Do.
Windthorst Middle Grade, Incinerator.		28-19-40	do	do	Do.
New Era Milling Co., Grain Screening Separator.	Arkansas City	28-19-20	do	do	Sept. 1, 1974
U.S.D. No. 342:					
McLouth Elementary, Open Burning.	McLouth	28-19-45	do	do	July 1, 1975
McLouth High, Open Burning	do	28-19-45	do	do	Do.
Walton Foundry, Inc., Cupola	Iola	28-19-20	do	do	Dec. 31, 1974
Lane County Hospital, Incinerator	Dighton	28-19-40	July 26, 1974	do	July 31, 1975
Morton County Hospital, Incinerator.	Elkhart	28-19-40, 28-19-41.	do	do	Do.
Gold Bond Building Products:					
Calcining Kettles (3)	Medicine Lodge	28-19-20	do	do	Aug. 1, 1974
Raymond Mills (3)	do	28-19-20	Dec. 14, 1973	do	Oct. 1, 1974
Block Grinders (2)	do	28-19-50	do	do	Apr. 1, 1975
Board End Trimming	do	28-19-50	do	do	Do.
Rotary Calciners (2)	do	28-19-20	do	do	June 1, 1975
Ross Industries, Inc., Terminal Elevator.	Wichita	28-19-20	July 26, 1974	do	June 15, 1975
Killough-Clark, Inc.:					
Primary Impactor Crushers (2)	Ottawa	28-19-20	do	do	Sept. 1, 1974
Secondary Hammer Mill (2)	do	28-19-20	do	do	Do.
Tertiary Screening Plant (1)	do	28-19-20	do	do	Do.
Highland Community Junior College, Incinerators Nos. 1 and 2.	Highland	28-19-40C, 28-19-41A.	June 28, 1974	do	Mar. 1, 1975
Gulf Oil Chemicals Co., Coal Burning Facilities.	Pittsburg	28-19-31	do	do	June 1, 1975

[FR Doc.74-22924 Filed 10-2-74;8:45 am]

[40 CFR Part 52]

[FRL 258-7]

NEW YORK AND NEW JERSEY

Approval and Promulgation of Implementation Plans

On May 31, 1972 (37 FR 10842), pursuant to section 110(b) of the Clean Air Act (42 U.S.C. 1857c-5(b)), and 40 CFR Part 51, the Administrator extended, by 18-months, the date for submission of plans to provide for attainment and maintenance of the secondary standards for sulfur oxides in the following air quality control regions in New York State and New Jersey: Niagara Frontier Intrastate Region and the New York portion of the New Jersey-New York-Connecticut Interstate Region; and, the New Jersey portions of the Metropolitan Philadelphia and New Jersey-New York-Connecticut Interstate Regions. As a result of these extensions, the States were required to submit the plans to EPA by July 31, 1973.

On September 14, 1973 (38 FR 25678), the Administrator revoked the annual and 24-hour secondary standards for sulfur oxides. The standard which remains in effect is a concentration of 1,300 $\mu g/m^3$ (0.5 ppm) maximum 3-hour average, not to be exceeded more than once per year. Since this revocation was proposed prior to July 31, 1973, the deadline for plans submittal was extended to January 14, 1974.

The Commissioner of the New York State Department of Environmental Conservation submitted to the Administrator, on July 27, 1973, the New York State plan for attainment and maintenance of the secondary standard for sulfur oxides in the Niagara Frontier Intrastate Regions and the New York portion of the New Jersey-New York-Connecticut Interstate Region. The maximum 1-hour sulfur oxide air quality data for the period (1971 and 1972) which was submitted with the plan showed that at two sites, one in Manhattan and one in Queens, there seemed to exist a potential for violation of the maximum 3-hour standard. On November 23, 1973, the State submitted maximum 3-hour sulfur oxides air quality data which showed that despite the high 1-hour levels in Queens the 3-hour standard was not violated at that site and was violated at the site in Manhattan.

As of the date of this action, the State of New Jersey has failed to submit a

plan to provide for the attainment and maintenance of the secondary standards for sulfur oxides in the New Jersey portions of the Metropolitan Philadelphia and New Jersey-New York-Connecticut Interstate Regions. However, on October 11, 1973, the State submitted data depicting maximum 3-hour concentrations for sulfur oxides recorded during 1972.

To ascertain whether any additional control strategies for sulfur oxides were still necessary to provide for attainment and maintenance of the secondary standards for sulfur oxides in the four regions in question, EPA examined the impact of such parameters as meteorology and site influences to determine whether the maximum 3-hour concentrations measured in 1972 were indeed reflective of the adequacy of the existing control strategy and representative of current ambient air quality. The 1972 maximum 3-hour value, for the regions in question, is summarized in Table 1.

TABLE 1.—*1972 maximum 3-hour sulfur oxide values*

State	AQCR	Station	1972 maximum value ug/m³ (ppm)
New Jersey	New Jersey-New York-Connecticut	Elizabeth	917 (0.35)
	Metropolitan Philadelphia	Paulsboro	891 (0.34)
New York	New Jersey-New York-Connecticut	New York	1,651 (0.35)
		Queens	1,153 (0.44)
	Niagara frontier	Buffalo	865 (0.33)

The only site, in either state, which exceeded the 3-hour standard was located in New York City. The site is located on the roof of the engineering building at the City College of New York. Based on investigations made by City Department of Air Resources it was determined that the high concentrations observed at the site were directly associated with research activities being conducted at the College. Measures have been taken to assure that similar activities will not be conducted in the future without the use of appropriate control equipment. The City of New York, by letter dated May 30, 1974, submitted a report which discusses the problem and concludes that the contravention of the 3-hour standard does not warrant the institution of area or City-wide measures. The College, on June 11, 1974, informed the City that the College would install a zinc oxide catalyst on the exhaust line to prevent the emission of unreacted hydrogen sulfide to the atmosphere. Data for the previous three years at this station are presented in Table 2.

TABLE 2.—MAXIMUM 3-HOUR SULFUR OXIDE VALUES MEASURED AT CITY COLLEGE

Year:	*Maximum Value—* $\mu g/m^3$ *(ppm)*
1969	1,048 (0.40)
1970	1,074 (0.41)
1971	655 (0.25)

Similarily a comparison of meteorological parameters between 1972 and the three previous years indicates that the extent by which the standard was achieved in 1972 was not attributable to any vagaries in meteorology.

PUBLIC COMMENTS SOLICITED

The Administrator has concluded that it will not be necessary to promulgate any new regulations for the purpose of attainment and maintenance of secondary standards in New Jersey and New York in order to satisfy the requirements of the Act. The Administrator wishes to obtain public comments on his finding that the plan is adequate for achieving the secondary standards for sulfur oxides in the affected areas of New Jersey and New York. EPA specifically invites comments pertaining to any additional measures that may be taken by Federal, State or local authorities to support or supplement the air pollution control strategy for the Region, the means of implementing these measures, and the comparative social and economic effects of other appropriate pollution control measures.

Public hearings on the Administrator's position for New Jersey will be held on or after November 4, 1974. Notice of the times, dates and locations of the hearings will be published in a subsequent issue of the FEDERAL REGISTER.

The Administrator's final decision on the need for a plan for attaining the secondary standards for sulfur oxides in New Jersey and New York will be influenced by the comments and testimony he receives. Such comments, and any additional analysis of alternative strategies which is made in the time before the final decision may lead the Administrator to adopt a final position that differs in important ways from this proposal.

SUBMITTAL OF WRITTEN COMMENTS

Interested persons may participate in this rulemaking by submitting written comments, preferably in triplicate, to the Regional Administrator, EPA, Region II, 26 Federal Plaza, New York, New York 10007. Receipt of comments will be acknowledged. Comments received will be available for public inspection during normal business hours at the EPA Region II Office, 26 Federal Plaza, New York, New York, Room 907 and at other locations to be announced in the New Jersey area. This notice of proposed rulemaking is issued under the authority of section 110(c) of the Clean Air Act (42 U.S.C. 1857c-5(c)).

Dated: September 27, 1974.

JOHN QUARLES,
Acting Administrator.

It is proposed to amend Part 52 of Chapter I, Title 40 Code of Federal Regulations as follows:

Subpart FF—New Jersey

1. In § 52.1580, the attainment date table is revised by replacing the letter "c" for attainment of the secondary standards for sulfur oxides in the New Jersey portions of the New Jersey-New York-Connecticut and Metropolitan Philadelphia Interstate Regions with the date *May 31, 1975.*

Subpart HH—New York

2. In § 52.1682, the attainment date table is revised by replacing the letter "c" for the attainment of the secondary standards for sulfur oxides in the Niagara Frontier Interstate Region and the New York portion of the New Jersey-New York-Connecticut Interstate Region with the dates *July 1977* and *July 1975*, respectively.

[FR Doc.74-23057 Filed 10-2-74;8:45 am]

[40 CFR Part 52]

[FRL 272-7]

PENNSYLVANIA

Parking Management Regulations; Corrected Public Hearing Date for Philadelphia

Notice is hereby issued that the date of the public hearing to be held in Philadelphia, Pennsylvania, published incorrectly in the September 23, 1974 FEDERAL REGISTER (39 FR 34070), has been changed from October 10, 1974 to October 11, 1974.

As previously announced, the purpose of the hearing is to solicit public comment on the proposed revisions to the parking management regulations (40 CFR 52.86).

The location and time for the hearing, Green Federal Building, Room 7306 at 10 a.m., remain unchanged.

Dated: September 26, 1974.

EDWARD F. TUERK,
Acting Assistant Administrator for Air and Waste Management.

[FR Doc.74-23056 Filed 10-2-74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20070]

FM BROADCAST STATIONS

Proposed Table of Assignments; Extension of Time for Comment

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Ogallala, Nebraska), Docket No. 20070, RM-1970.

1. On May 29, 1974, the Commission adopted a Memorandum Opinion and Order and Notice of Proposed Rule Making in the above-entitled proceeding. Publication was given in the FEDERAL REGISTER on June 10, 1974, 39 FR 20401. The date for filing comments has expired and the date for filing reply comments is presently September 30, 1974.

2. On September 23, 1974, counsel for Ogallala Broadcasting Company, Inc., requested that the time for filing reply comments be extended to and including October 16, 1974. Counsel states that the press of other Commission business necessitates the additional time requested. Counsel for Industrial Business Corporation, another party in this proceeding, has consented to the extension.

3. We are of the view that the public interest would be served by extending the time in this proceeding. *Accordingly, it is ordered*, That the time for filing reply comments is extended to and including October 16, 1974.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

Adopted: September 26, 1974.

Released: September 27, 1974.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.74-23014 Filed 10-2-74;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

[Public Notice CM-167]

STUDY GROUP 4 OF THE U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL RADIO CONSULTATIVE COMMITTEE (CCIR)

Notice of Meeting

The Department of State announces that Study Group 4 of the U.S. National Committee for the International Radio Consultative Committee (CCIR) will meet on October 24, 1974, at 10 a.m. in the first floor auditorium of the ComSat Building, 950 L'Efant Plaza, SW., Washington, D.C.

Study Group 4 deals with matters relating to systems of radio communications for the fixed services using satellites. The main items of the agenda for the meeting on October 24 are:

a. Review the results of the CCIR XIIIth Plenary Assembly;

b. Discussion of U.S. Study Group 4 priorities for the next interim period, particularly in preparation for the 1979 World General Administrative Radio Conference;

c. Organization and assignment of work programs.

Members of the general public who desire to attend the meeting on October 24 will be admitted up to the limits of the capacity of the meeting room.

Dated: September 25, 1974.

GORDON L. HUFFCUTT,
Chairman,
U.S. National Committee.

[FR Doc.74-23003 Filed 10-2-74;8:45 am]

Agency for International Development

A.I.D. AFFAIRS OFFICER, YEMEN

Redelegation of Authority Regarding Contracting Functions

Redelegation of Authority Regarding Contracting Functions No. 99.1.25, effective October 1, 1973, and published in the FEDERAL REGISTER on October 19, 1973 (38 FR 29094), is amended to change the last two lines of subparagraph 1. to read: "* * * does not exceed $50,000 or local currency equivalent."

This amendment is effective immediately.

Dated: September 24, 1974.

JOHN F. OWENS,
Director, Office of
Contract Management.

[FR Doc.74-23004 Filed 10-2-74;8:45 am]

DEPARTMENT OF THE TREASURY

Office of the Secretary

RAPID TRANSIT VEHICLE SEATS FROM BRAZIL

Antidumping Tentative Negative Determination

Information was received on February 4, 1974, that rapid transit vehicle seats from Brazil were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of April 3, 1974, on page 12144.

I hereby make a tentative determination that rapid transit vehicle seats from Brazil are not being, nor are likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

STATEMENT OF REASONS ON WHICH THIS TENTATIVE DETERMINATION IS BASED

Analysis of information from all sources revealed that the proper basis of comparison for fair value purposes is between purchase price and the constructed value of the imported merchandise.

Purchase price was calculated on the the basis of the c.i.f. delivered contract price, with deductions for inland freight in the country of exportation, forwarding and handling costs, ocean freight, marine insurance, U.S. duty, U.S. brokerage, and inland freight in the United States.

Constructed value was calculated on the basis of the sum of the cost of materials and of fabrication of the merchandise, an amount for general expenses and profit related to the manufacture and sale of merchandise of the same general class or kind as the merchandise under consideration and the cost of all containers and coverings used to pack the merchandise ready for shipment to the United States.

Using the above criteria, purchase price was found to be the same as the constructed value of the imported merchandise.

In accordance with § 153.37, Customs Regulations (19 CFR 153.37), interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20229, in time to be received by his office not later than October 15, 1974. Such request must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than November 4, 1974.

This tentative determination and the statement of reasons therefor are published pursuant to section 153.33 of the Customs Regulations (19 CFR 153.33).

[SEAL] DAVID R. MACDONALD,
Assistant Secretary
of the Treasury.

SEPTEMBER 30, 1974.

[FR Doc.74-23009 Filed 10-2-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Group 537]

ARIZONA

Filing of Plats of Survey; Correction

SEPTEMBER 26, 1974.

1. In FR Doc. 74-20710, appearing on pages 32568 and 32569 of the issue of Monday, September 9, 1974, the heading "Group 539" is corected to read "Group 537."

CHARLES G. BAZAN, Jr.,
Chief, Branch of Records
and Data Management.

[FR Doc.74-22955 Filed 10-2-74;8:45 am]

[N-5311, N-4595]

NEVADA

Order Opening Public Lands

SEPTEMBER 26, 1974.

1. In exchanges of land made under the provisions of section 8 of the Act of June 28, 1934, 48 Stat. 1272, as amended; 43 U.S.C. 315g, the following lands have been reconveyed to the United States:

MOUNT DIABLO MERIDIAN

T. 15 N., R. 20 E.,
Sec. 33, NW¼SW¼.

T. 14 N., R. 22 E.,
Sec. 12, SW¼NW¼; Nine lode mining claims known as: Margaret Morella, Baby Ruth, Snow Bog, Homestead, Hallie, Porcupine, Myrtle, Sunrise and Baltimore Fraction No. 1, as shown on Mineral Survey 4290, located within Sections 11, 12, 13 and 14.

The areas described aggregate 253.050 acres.

2. Mineral rights were not conveyed to the United States in the SW¼NW¼ Section 12, T. 14 N., R. 22 E.

3. The lands in T. 15 N., R. 20 E., are located in Eagle Valley approximately 3 miles southwest of Carson City, Nevada, and ½ mile northeast of Stewart Indian School and are slightly rolling.

4. The lands in T. 14 N., R. 22 E., are situated 20 miles south of Carson City and 20 miles northeast of Minden and Gardnerville, Nevada.

5. Subject to valid existing rights, provisions of existing withdrawals, and the requirements of applicable law, the lands in paragraph 1 are hereby open to operation of the public land laws generally. They are also open to the mining and mineral leasing laws, except as to the lands described in paragraph 2. All valid applications received at or prior to 10:00 a.m. on October 31, 1974, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

6. Inquiries concerning the lands should be addressed to the Chief, Division of Technical Services, Nevada State Office, Bureau of Land Management, 300 Booth Street, Reno, Nevada 89502.

A. JOHN HILLSAMER,
Acting Chief, Division of Technical Services.

[FR Doc.74-22949 Filed 10-2-74;8:45 am]

[N-6986, etc.]

NEVADA

Order Opening Public Lands

SEPTEMBER 25, 1974.

1. In accordance with the provisions of Section 3 of the Act of June 14, 1926, 44 Stat. 741, as amended; 43 U.S.C. 869, and Section 16 of the Act of May 13, 1946, 60 Stat. 179, 49 U.S.C. 1115, the following lands were reconveyed to the United States:

MOUNT DIABLO MERIDIAN

(N-6986)

T. 19 N., R. 18 E.,
Sec. 10, SE¼SE¼.

(N-7846)

T. 18 N., R. 19 E.,
Sec. 25, W½SW¼SW¼SW¼;
Sec. 26, S½SE¼SE¼SE¼;
Sec. 36, N½NW¼NW¼NE¼.

(N-7845)

T. 20 N., R. 19 E.,
Sec. 21, S½NE¼NE¼, NW¼NE¼NE¼, N½NE¼NE¼NE¼.

(N-5762)

T. 36 N., R. 38 E.,
Sec. 32, W½NW¼SW¼.

(N-4432)

T. 2 S., R. 68 E.,
Sec. 7, lots 3, 4.

The lands described aggregate 185.45 acres.

2. The land in T. 19 N., R. 18 E., lies 6 miles west of Reno, Nevada. Vegetation consists of sagebrush, cheatgrass and perennial grasses.

3. The lands in T. 18 N., R. 19 E., lie adjacent to Nevada State Highway 27, 12 miles south of Reno, Nevada.

4. The lands in T. 20 N., R. 19 E., are located 5 miles northwest of Reno, Nevada. Topography is rolling. Vegetative cover is sagebrush, cheatgrass and perennial grasses.

5. The land in T. 36 N., R. 38 E., is located one mile south of the City of Winnemucca, Nevada, at an elevation of 4400 feet. Topography is generally flat to gently rolling and is covered with big sage and grass.

6. The land in T. 2 S., R. 68 E., is located in southeastern Nevada about 12 miles south of Pioche, Nevada. The topography is gently sloping to hilly. The vegetation consists of typical desert shrubs and native grasses.

7. Subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law, the lands are hereby open to application, petition and selection, including location under the United States mining laws. All valid applications received at or prior to 10:00 a.m. on October 30, 1975, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

8. The lands have been open to applications and offers under the mineral leasing laws.

9. Inquiries concerning the lands should be addressed to the Chief, Division of Technical Services, Nevada State Office, Bureau of Land Management, 300 Booth Street, Reno, Nevada 89502.

A. JOHN HILLSAMER,
Acting Chief, Division of Technical Services.

[FR Doc.74-22952 Filed 10-2-74;8:45 am]

Bureau of Land Management

NEVADA

Order Opening Public Lands

SEPTEMBER 24, 1974.

1. In exchanges of land made under the provisions of section 8 of the Act of June 28, 1934, 48 Stat. 1272, as amended; 43 U.S.C. 315g, the following lands have been reconveyed to the United States:

MOUNT DIABLO MERIDIAN

(N-4534, N-7092, N-3822)

T. 27 N., R. 18 E.,
Sec. 2, lots 2, 3, 4, S½N½, N½S½, S½SW¼, SW¼SE¼;
Sec. 3, N½;
Sec. 4, NE¼.
T. 21 N., R. 19 E.,
Sec. 1, all.
T. 36 N., R. 19 E.,
Sec. 25, SW¼NW¼, NW¼SW¼;
Sec. 26, SE¼NE¼, NE¼SE¼.
T. 42 N., R. 19 E.,
Sec. 21, NE¼, E½NW¼, N½SE¼;
Sec. 23, NE¼, E½NW¼;
Sec. 35, NE¼, E½NW¼, SW¼SW¼.
T. 23 N., R. 20 E.,
Sec. 31, lots 2, 3, 4, S½NE¼, SE¼NW¼, E½SW¼, SE¼.

(N-5565)

T. 16 N., R. 44 E.,
Sec. 14, NW¼.

The areas described aggregate 3,315.60 acres.

2. The United States did not acquire the mineral rights in the NW¼ sec. 14, T. 16 N., R. 44 E.

3. The lands in T. 27 N., R. 18 E., are located within Washoe County, approximately 5 miles northwest of Flanigan, Nevada, and 17 miles east of Wendel, California. The topography is level to rolling. The predominate vegetation is sagebrush and shadscale.

4. The land in T. 21 N., R. 19 E., lies about 12 miles north of Reno, Nevada. The vegetative cover is sagebrush, bitterbush and grasses.

5. The lands in T. 36 N., R. 19 E., are located in the Dutch Flat area, Washoe County, Nevada, and are fairly level.

6. The lands in T. 42 N., R. 19 E., are located 4–5 miles south of Vya in northwestern Washoe County, Nevada. Vegetation is predominantly sagebrush.

7. The lands in T. 23 N., R. 20 E., are in Washoe County about 20 miles north of Sparks, Nevada. Soils are sandy with a vegetative cover of sagebrush, bitterbrush, and grasses.

8. The land in T. 16 N., R. 44 E., is located in Big Smoky Valley, Lander County, Nevada, approximately 17 air miles southeast of Austin, Nevada. Principal vegetation consists of greasewood, big sagebrush, rabbitbrush, saltgrass, wild rye and halogeton.

9. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands in paragraph 1 are hereby open to operation of the public land laws generally. They are also open to the general mining and mineral leasing laws, except as to the lands described in paragraph 2. All valid applications received at or prior to 10 a.m. on October 29, 1974 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

10. Inquiries concerning the lands should be addressed to the Chief, Division of Technical Services, Nevada State Office, Bureau of Land Management, 300 Booth Street, Reno, Nevada 89502.

A. JOHN HILLSAMER,
Acting Chief, Division of Technical Services.

[FR Doc.74-22943 Filed 10-2-74;8:45 am]

Office of the Secretary

[INT FES 74-57]

AUTHORIZED AUBURN-FOLSOM SOUTH UNIT, CENTRAL VALLEY PROJECT, CALIFORNIA

Notice of Availability of Final Amendment to the Final Environmental Statement and Supplement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final amendment to the Final Environmental Statement for the authorized Auburn-Folsom South Unit, Central Valley Project, California.

This amendment was prepared in response to a ruling on April 15, 1974, by

Chief Judge Thomas J. MacBride, United States District Court for Eastern District of California, that the final environmental statement and supplement did not sufficiently comply with the requirements of the National Environmental Policy Act of 1969; and a direction by him that a free-standing amendment be prepared which adequately discussed certain specified flood control and water supply alternatives to Auburn Reservoir.

An injunction against further planning or construction was stayed for 180 days.

Copies are available for inspection at the following locations:

Office of Communications, Room 7220, Department of the Interior, Washington, D.C. 20240. Telephone (202) 343–9247.

Office of Assistant to the Commissioner—Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240. Telephone (202) 343–4991.

Division of Engineering Support, Technical Services and Publications Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225. Telephone (303) 234–3006.

Office of the Regional Director, Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825. Telephone (916) 484–4571.

Auburn-Folsom South Unit CVP Construction Office, Bureau of Reclamation, P.O. Box 1309, Auburn, California 95603. Telephone (916) 885–7546.

Single copies of the final amendment to the final environmental statement may be obtained on request to the Commissioner of Reclamation or the Regional Director.

Dated: September 20, 1974.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.74–22953 Filed 10–2–74;8:45 am]

[N–10612]

NEVADA

Proposed Classification of Public Lands for Disposal by Exchange

SEPTEMBER 25, 1974.

Pursuant to subsection 8b of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), and the regulations in 43 CFR 2201.1 and 2400.0–3, it is proposed to classify the lands described below for disposal through exchange, for land within the Susanville District.

MOUNT DIABLO MERIDIAN

T. 41 N., R. 18 E.,
Sec. 1, lots 1, 2, 3, 4, S½N½;
Sec. 2, lots 1, 2, SE¼NE¼.
T. 41 N., R. 19 E.,
Sec. 3, lots 3, 4, S½NW¼, SW¼;
Sec. 4, lots 1, 2, 3, 4, S½N½, S½.
T. 42 N., R. 18 E.,
Sec. 1, SW¼NW¼, S½SW¼;
Sec. 2, lot 2, S½NE¼, SE¼;
Sec. 11, E½NE¼;
Sec. 12, SE¼;
Sec. 13, lots 2, 3, 6, W½NE¼NE¼, SE¼NE¼NE¼, NW¼NE¼, S½NE¼;
Sec. 23, E½E½;
Sec. 24, lots 4, 5, 6, 7, S½NW¼, N½SW¼, SW¼SE¼;
Sec. 26, E½E½;
Sec. 35, E½E½, SW¼NE¼, W½SE¼;
Sec. 36, lots 1, 2, 3, 4, W½E½, W½W½, SE¼SW¼.
T. 42 N., R. 19 E.,
Sec. 16 E½;
Sec. 20, NE¼;
Sec. 21, N½, N½S½;
Sec. 23, E½, E½W½;
Sec. 26, SE¼NE¼;
Sec. 30, lots 2, 4, SW¼NE¼, SE¼NW¼;
Sec. 31, NE¼NW¼;
Sec. 34, SW¼SW¼;
Sec. 35, W½NE¼, E½NW¼, NE¼SW¼, NW¼SE¼.

The area described aggregates 5789.59 acres in Washoe County, Nevada. This proposal has been discussed with local governmental officials and other interested parties. Information from these discussions and other sources indicate that these lands meet the criterion of 43 CFR 2430.4(d), which authorizes classification of lands for exchange under appropriate authority.

Pursuant to the regulations in 43 CFR 2202.5, the filing of a valid formal exchange application will segregate the lands from appropriation under the public lands, including the mining laws.

Information concerning these lands, including the field report and the environmental analysis record, is available for inspection and study at the Susanville Bureau of Land Management District Office located in Susanville, California and the Nevada State Office, Bureau of Land Management, 300 Booth Street, Reno, Nevada.

Persons may submit comments, suggestions or objections to the proposed classification on or before October 30, 1974, to the Nevada State Director, Bureau of Land Management, Room 3008, Federal Building, 300 Booth Street, Reno, Nevada 89502.

A. JOHN HILLSAMER,
Chief, Lands and Minerals Operations.

[FR Doc.74–22944 Filed 10–2–74;8:45 am]

[N–10602]

NEVADA

Proposed Withdrawal and Reservation of Lands

SEPTEMBER 26, 1974.

The Bureau of Land Management has filed the above application for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws, but not the mineral leasing laws.

The applicant desires the land to protect its recreational and historical values.

On or before November 4, 1974, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 300 Booth Street, Reno, Nevada 89502.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested.

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

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

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, NEVADA

T. 18 S., R. 55 E.,

COLD CREEK CAMPGROUND

Sec. 1: E½ lot 1, E½SE¼NE¼;

WILLOW CREEK CAMPGROUND

Sec. 2: lots 1, 2, S½NE¼, N½N½SE¼;

WHEELER WASH CHARCOAL KILNS

Sec. 32: W½SW¼NE¼NW¼, E½SE¼NW¼NW¼, W½W½SE¼NW¼, E½E½SW¼NW¼.

The areas described aggregate approximately 272.00 acres.

A. JOHN HILLSAMER,
Acting Chief, Division of Technical Services.

[FR Doc.74–22939 Filed 10–2–74;8:45 am]

NEVADA GRAZING DISTRICT ADVISORY BOARDS

Notice of Meetings

Notice is hereby given that six Bureau of Land Management grazing district advisory boards, established by the Taylor Grazing Act, will meet at separate locations in Nevada during November and December 1974, as follows in chronological order:

Las Vegas—November 6, at 9 a.m., at the Bureau of Land Management District Office. The agenda contains 13 items: (1) Approve minutes of January 9, 1974 meeting, (2) reorganization of the advisory board, (3) grazing applications, (4) applications to transfer grazing privileges, (5) Kane Springs grazing unit adjudication, (6) reclassification of class of livestock for allotments with wild free-roaming horses and burros, (7) Section 4 range improvements applications, (8) cooperative agreements, (9) wild horse and burro plans, (10) term permits, (11) range conservation and development plans for FY 76, (12) range management automated system, and (13) other items requiring advisory board action.

Ely—November 14, at 9 a.m., at the Bureau of Land Management District Office. The agenda contains 11 items: (1) Advice and recommendation on

1975–76 grazing applications, (2) transfers of grazing privileges, (3) assignments of cooperative agreements and section 4 permits, (4) cooperative agreements and Section 4 range improvement permit applications, (5) allotment adjustments, (6) inter-district licensing agreements, (7) grazing reduction resulting from Mount Wilson Fire, (8) progress in wild horse management, (9) special wild horse situations, (10) proposed Duckwater Management Framework Plan decisions, and (11) advice and recommendation on requests for change in class of livestock.

Battle Mountain—November 14, at 9 a.m., at the Bureau of Land Management District Office. The agenda contains 7 items: (1) Section 3 grazing licenses, (2) Section 7 grazing transfers, (3) licensed horse use, (4) range line divisions, (5) proposed sheep to cattle conversions, (6) advisory board responsibility, and (7) district wild horse plan.

Winnemucca—November 20, at 9 a.m., at the Bureau of Land Management District Office. The agenda contains 7 items: (1) Election of officers, (2) recommendations on 1975 grazing applications, (3) transfers of grazing privileges, (4) cooperative agreements, (5) latest developments as to district advisory board under the Federal Committee Act, October 6, 1972, (6) report "Effects of Livestock Grazing on Wildlife, Watershed, Recreation and other Resource Values in Nevada" April 1974, and (7) Archeological investigation requirements for new projects.

Elko—November 21, at 9 a.m., at the Bureau of Land Management District Office. The agenda contains 7 items: (1) Election of officers, (2) approval of the minutes of the meeting held June 28, 1974, (3) report on the September meeting of National Advisory Board Council held at Grand Junction, Colorado, (4) report on the National Wild Horse and Burro Advisory Board meeting held in Reno, (5) Review of Nevada Resources Study conducted during 1974, (6) report on 1974 hunting seasons and related wildlife matters, and (7) recommendations on 1975–76 grazing applications, allotment management plans, transfer of base property qualifications, rangeland agreements and range improvements.

Carson City—November 21, at 9 a.m., at the Bureau of Land Management District Office. The agenda contains 5 items: (1) Reorganization of the board, (2) consider 1975–76 grazing applications, (3) Section 7 transfers, (4) transfer of Bodie Area Mono County to California, and (5) change in class of livestock.

Protest meetings will be held at the above districts on tentative dates listed below. The agenda will consist of hearing protests on any actions determined or considered adverse during the regular advisory board meeting. Meeting times and places will be the same as for the regular meetings scheduled above.

Las Vegas—December 5
Ely—December 10
Winnemucca—December 10
Carson City—December 17
Battle Mountain—December 18
Elko—December 19

All meetings will be open to the public. Written and oral statements are welcome. Written statements and requests to give oral statements should be addressed to advisory board chairmen, as follows:

Winnemucca—District Advisory Board Chairman, P.O. Box 71, Winnemucca, Nevada 89445.
Carson City—District Advisory Board Chairman, 801 N. Plaza Street, Carson City, Nevada 89701.
Las Vegas—District Advisory Board Chairman, 4765 Vegas Drive, Las Vegas, Nevada 89108.
Battle Mountain—District Advisory Board Chairman, P.O. Box 194, Battle Mountain, Nevada 89820.
Elko—District Advisory Board Chairman, 2002 Idaho Street, Elko, Nevada 89801.
Ely—District Advisory Board Chairman, c/o Bureau of Land Management, Pioche Star Route, Ely, Nevada 89301.

E. I. ROWLAND,
State Director.

[FR Doc.74–22992 Filed 10–2–74;8:45 am]

[NM 22925]

NEW MEXICO

Notice of Application

SEPTEMBER 25, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for a dehydration and compressor site right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 22 S., R. 32 E.,
Sec. 8, NW¼NW¼.

The dehydration and compressor site contains 5 acres of national resource land in Lea County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

RAUL E. MARTINEZ,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.74–22993 Filed 10–2–74;8:45 am]

[NM 22944]

NEW MEXICO

Notice of Application

SEPTEMBER 27, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), K. B. Kennedy Engineering Company has applied for a six inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 14 S., R. 29 E.,
Sec. 35, NE¼, SE¼SW¼, NE¼SE¼, and S½SE¼.
T. 15 S., R. 29 E.,
Sec. 3, Lot 4, W½SW¼, SE¼SW¼;
Sec. 4, Lot 1;
Sec. 10, W½W½;
Sec. 12, N½NW¼, SE¼NW¼, NE¼SW¼, NW¼SE¼;
Sec. 15, W½W½;
Sec. 22, W½NW¼.
T. 15 S., R. 30 E.,
Sec. 7, N½S½;
Sec. 8, N½S½ and SE¼NE¼.

This pipeline will convey natural gas across 8.598 miles of national resource lands in Chaves County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

RAUL E. MARTINEZ,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.74–22995 Filed 10–2–74;8:45 am]

[NM 23187]

NEW MEXICO

Notice of Application

SEPTEMBER 25, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for two 4½-inch natural gas pipelines rights-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 21 S., R. 26 E.,
Sec. 1, Lots 8 and 9.

These pipelines will convey natural gas across .222 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

RAUL E. MARTINEZ,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.74–22994 Filed 10–2–74;8:45 am]

PINEDALE GRAZING DISTRICT ADVISORY BOARD

Notice of Meeting

SEPTEMBER 26, 1974.

Notice is hereby given that the Pinedale Grazing District Advisory Board

will meet at 10 a.m., November 6, 1974, at the Bureau of Land Management Office, Molyneux Building, Pinedale, Wyoming. The agenda will include a report on State Advisory Board Meeting, Status Federal Advisory Committee and 1975 Grazing Applications.

The meeting will be open to the public as space is available. Interested parties will be permitted to appear before the Board or file a written statement for its consideration. Those wishing to appear before the Board must inform the Chairman in writing prior to the meeting.

Written statements and requests to appear before the Board should be submitted to Albert P. Sommers, Chairman, c/o Area Manager, Bureau of Land Management, P.O. Box 768, Pinedale, Wyoming 82941.

NEIL F. MORCK,
District Manager.

[FR Doc.74-22940 Filed 10-2-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

DRIFT CREEK MANAGEMENT UNIT

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Drift Creek Management Unit, Siuslaw National Forest, Oregon. USDA-FS-R6-DES(Adm)74-11.

The environmental statement concerns selection of a long-range resource allocation plan and management direction of the Drift Creek Management Unit which includes a 6,400 inventoried roadless area, Siuslaw National Forest, in Lincoln County, State of Oregon.

This draft environmental statement was transmitted to CEQ on September 25, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3231
12th St. & Independence Ave., S.W.
Washington, D.C. 20250

USDA, Forest Service
Pacific Northwest Region
319 S.W. Pine Street
Portland, Oregon 97204

USDA, Forest Service
Siuslaw National Forest
545 S. W. 2nd Street
Corvallis, Oregon 97330

USDA, Forest Service
Waldport Ranger District
Waldport, Oregon 97394

A limited number of single copies are available upon request to Regional Forester T. A. Schlapfer, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208, or Forest Supervisor F. Dale Robertson, P.O. Box 1148, Corvallis, Oregon 97330.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Written comments are invited from the public, and 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 for which comments have not been requested specifically.

Written comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor F. Dale Robertson, Siuslaw National Forest, P.O. Box 1148, Corvallis, Oregon 97330. Written comments must be received by November 25, 1974 in order to be considered in the preparation of the final environmental statement.

ROBERT R. TYRREL,
Acting Regional Forester.

SEPTEMBER 25, 1974.

[FR Doc.74-22941 Filed 10-2-74;8:45 am]

OREGON DUNES NATIONAL RECREATION AREA ADVISORY COUNCIL

Notice of Meeting

The Oregon Dunes National Recreation Area Advisory Council will meet on Tuesday, October 29 at 9:30 a.m. in the conference room of the new Oregon Dunes National Recreation Area Office at 855 Highway Avenue in Reedsport.

The purpose of the meeting is to discuss the upcoming public meetings on the management plans and the hearings on wilderness in the National Recreation Area.

The meeting will be open to the public. Persons who wish to attend should notify Pamela Wilson, P.O. Box 1148, Corvallis, Oregon 97330. The telephone number is 503-752-4211, Ext. 502. Written statments may be filed with the committee before or after the meeting.

The committee has established the following rules for public participation. Any member of the public who wishes to speak must be recognized by the council chairman. The council chairman will decide the time when public participation will take place.

F. DALE ROBERTSON,
Forest Supervisor.

SEPTEMBER 29, 1974.

[FR Doc.74-22991 Filed 10-2-74;8:45 am]

OREGON DUNES NATIONAL RECREATION AREA

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the proposed Oregon Dunes National Recreation Area Management Plan.

The environmental statement concerns proposed management and development proposals for lands located within the boundaries of the Oregon Dunes National Area, located within Lane, Douglas and Coos Counties, State of Oregon. USDA-FS-R6-DES(Adm) 74-10.

This draft environmental statement was filed with CEQ on September 25, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg. Room 3231
12th St. & Independence Ave. SW
Washington, D.C. 20250

U.S. Forest Service
Pacific Northwest Region
319 S.W. Pine
Portland, Oregon 97208

Siuslaw National Forest
545 S.W. Second Street
Corvallis, Oregon 97330

Willamette National Forest
210 E. 11th Street
Eugene, Oregon 97402

Oregon Dunes
National Recreation Area
855 Highway Avenue
Reedsport, Oregon 97467

A limited number of single copies are available upon request to Theodore A. Schlapfer, Regional Forester, Pacific Northwest Region, 319 S.W. Pine Street, P.O. Box 3623, Portland, Oregon 97208.

Copies of the environmental statement have been sent to various Federal, state and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public and 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 for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Theodore A. Schlapfer, Regional Forester, Pacific Northwest Region, 319 S.W. Pine Street, P.O. Box 3623, Portland, Oregon 97208. Comments must be received by December 15, 1974, in order to be considered in the preparation of the final environmental statement.

ROBERT R. TYRREL,
Acting Regional Forester.

SEPTEMBER 25, 1974.

[FR Doc.74-22942 Filed 10-2-74;8:45 am]

PORTAGE-TWELVE MILE TIMBER SALE

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Portage-Twelve Mile Timber Sale. USDA-FS-DES(Adm.) 75-04.

The environmental statement concerns a proposed action to harvest approximately 80 million board feet of overmature Sitka spruce and western

hemlock from Portage Bay, Portage Creek and Twelve Mile Creek drainages located near Petersburg, Alaska.

This draft environmental statement was filed with CEQ on September 27, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Building, Room 3231
12th St. & Independence Ave. S.W.
Washington, D.C. 20250

USDA, Forest Service
Alaska Region
Federal Office Building
Juneau, Alaska 99801

Forest Supervisor, Chatham Area
Tongass National Forest
Federal Building
Sitka, Alaska 99835

Forest Supervisor, Stikine Area
Tongass National Forest
Federal Building
Petersburg, Alaska 99833

Forest Supervisor, Ketchikan Area
Tongass National Forest
Federal Building, Room 313
Ketchikan, Alaska 99901

A limited number of single copies are available upon request to Forest Supervisor, Stikine Area, Tongass National Forest, P.O. Box 309, Petersburg, Alaska 99833.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and 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 for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to James S. Watson, Forest Supervisor, Stikine Area, Tongass National Forest, Box 309, Petersburg, Alaska 99833. Comments must be received by November 27, 1974 in order to be considered ir the preparation of the final environmental statement.

R. MAX PETERSON,
Deputy Chief, Forest Service.

SEPTEMBER 27, 1974.

[FR Doc.74-23000 Filed 10-2-74;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

[Order No. 43-2; Amdt. 1]

BUREAU OF INTERNATIONAL COMMERCE

Organization and Functions

This order effective August 26, 1974, amends the material appearing at 39 FR 20622 of June 12, 1974.

DIBA Organization and Function Order 43-2, dated March 25, 1974, is hereby amended as follows:

1. Section 3. *Office of the Deputy Assistant Secretary* is revised to read as follows:

"SEC. 3. *Office of the Deputy Assistant Secretary.* .01 The *Deputy Assistant Secretary for International Commerce* shall assist and advise the Assistant Secretary for Domestic and International Business on export expansion, and shall serve as National Export Expansion Coordinator. Within the framework of overall DIBA goals, the Deputy Assistant Secretary shall determine the objectives of the Bureau, formulate policies and programs for achieving those objectives, and direct the execution of Bureau programs.

.02 The *Deputy Director* shall assist in the direction of the Bureau and perform the functions of the Deputy Assistant Secretary in his absence.

.03 The Deputy Assistant Secretary shall supervise and direct the following organization components:

a. Office of the Deputy Assistant Secretary

b. Commerce Action Group for the Near East

c. Office of Market Planning

d. Office of Export Development

e. Office of International Marketing

.04 The *Commerce Action Group for the Near East* (CAGNE) will provide a coordinated DIBA response to the economic situation and business opportunities in the Near East. The objectives, policies and programs of CAGNE shall relate to Saudi Arabia, Iran, Egypt, Israel, Lebanon, Syria, Iraq, Jordan, Kuwait, the U.A.E., Libya, Morocco, Tunisia, Algeria, and certain other countries in the Near East. Specifically CAGNE shall, with regard to the countries listed:

a. Develop and maintain information on and familiarity with economies and with economic and political policies;

b. Assemble, analyze and disseminate to the business community, information on economic conditions and new opportunities to assist U.S. firms to plan and conduct operations in the Near East;

c. Counsel U.S. exporters to the area, especially those new to (Near East) markets;

d. Plan and direct, where appropriate, promotional programs and new initiatives responsive to the needs of U.S. business;

e. Assist U.S. firms on a case-by-case basis to compete in markets by calling attention to specific sales, joint-venture and other opportunities and by arranging contacts between U.S. businessmen and area officials;

f. Develop and conduct a market research program;

g. Develop and supervise Country Commercial Programs for selected countries in the area, in conjunction with the Department of State and the Foreign Service of the United States;

h. Provide support to the Department of Commerce representative to such Joint Commissions or similar relationships as may be established, including representation in interagency planning sessions, coordination of input to working groups, and other activities involving the Department;

i. Provide liaison with Commerce elements outside DIBA whose functions contribute to the work of the Joint Commissions or similar relationships;

j. Concentrate all BIC activity and coordinate all DIBA activity on the Near East; and

k. Develop, as appropriate, formal liaison with the U.S. business community to facilitate communications and develop techniques for capitalizing on export opportunities in these markets.

2. Section 4, *Office of Market Planning:* Subsection 4.01 is revised to read:

".01 The Office of the Director includes: the *Director* who shall plan and direct the execution of the policies and programs of the Office, provide principal direction to market planning and strategy development for the Bureau of International Commerce, shall direct the analysis of ongoing Bureau programs to insure viability and shall recommend improvements; and the *Deputy Director* who shall assist in the direction of the Office and perform the functions of the Director in his absence. The Office of the Director shall coordinate all Bureau publications and communications programs and information systems and shall provide coordination and support services for the President's Interagency Committee on Export Expansion. The Director shall supervise and direct the following organization components:"

Subsection 4.05, *Commercial Representation Division* is added to read:

".05 The *Commercial Representation Division* shall be responsible for representing the interests of the Department to other agencies with regard to the official representation of U.S. commercial interests abroad. It shall be responsible for assuring that the other organizational elements of DIBA cohesively implement the provisions of pertinent legislation, State-Commerce Agreements, Commercial skills development program, and Executive Branch determinations covering commercial representation. In cases of dispute between Bureau offices as to the mix of activities required from State Department resources, the Deputy Bureau Director shall act as the arbiter. The Division shall concentrate its efforts in the following areas: recruitment, assignment, utilization, and career management aspects of economic/commercial personnel serving in support of Commerce programs; evaluation of past performance and evaluation of effectiveness in commercial reporting and performance of other commercial activities by personnel assigned these functions abroad; development of training requirements for the personnel scheduled for assignment or reassignment overseas; monitoring (by providing for participation in State Department inspection activities and by other activities) of both overseas and domestic programs concerned with the effectiveness of commercial services and commerical officer representation abroad; and development of

justification for personnel and other resource requirements involved in State and Commerce budget requests."

3. Section 6. The *Office of International Marketing* subsection 6.04 is revised to read:

".04 The *Assistant Director for Emergent Markets* shall have similar responsibilities within his assigned area. The Emergent Markets area shall consist of the following geographic divisions:

a. Far East Division (including South Asia)

b. Latin America Division

c. Africa Division (all African countries exclusive of Morocco, Tunisia and Algeria, and Libya)."

4. The attached BIC organization chart supersedes the organization chart dated March, 1974. A copy of the chart is on file with the original of this document in the Office of the Federal Register.

Effective date: August 26, 1974.

CHARLES W. HOSTLER,
Deputy Assistant Secretary for International Commerce.

Approved:

ROGER C. HILDEBEIDEL,
Acting Deputy Assistant Secretary for Administrative Management.

[FR Doc.74-22950 Filed 10-2-74;8:45 am]

[Order No. 42-2 Amdt. 3]

DIRECTORATE OF ADMINISTRATIVE MANAGEMENT

Organization and Functions

This order effective August 15, 1974 amends the material appearing at 39 FR 2781 of January 24, 1974.

DIBA Organization and Function Order 42-2 dated January 2, 1974 as amended, is hereby further amended, as follows:

1. Section 7. The Office of Budget is revised to read:

"*Section 7. Office of Budget* .01 The Office of Budget shall be headed by a *Director* who shall be the DIBA Budget Officer and who shall plan, coordinate and direct the budget and program planning functions of DIBA including the obligation and expenditure of DIBA appropriations and funds; the collection of contributions and receipts, approval of reimbursable agreements and agreements for special statistical studies; interpret budgetary and financial procedures established by higher authority and maintain liaison with counterpart budget, program analysis and fiscal offices in the Office of the Secretary, the Office of Management and Budget, and, as necessary other Federal agencies. The Director will head the following operating units:

.02 *The Program Planning and Analysis Division* which shall: analyze and evaluate DIBA programs and program plans; assist DIBA organizations to develop and improve program plans, including statements of objectives, and indicators of outputs, results, workload and accomplishments; coordinate and oversee the MBO process within DIBA; coordinate or prepare program issue and evaluation studies and analyses; coordinate Budget participation in DIBA's PMIS; develop, in conjunction with the Budget Formulation and Operations Division, recommended program and resource guidance for use by program managers; coordinate the issuance of budget system instructions and, in conjunction with other Budget divisions, prepare analyses and make recommendations to DIBA officials.

.03 *The Budget Formulation and Operations Division* which shall: carry out the activities necessary to formulate and execute the DIBA budget including development of the program/budget structure and coding pattern; prepare Preview, Secretarial, Presidential, and Congressional budget materials; prepare witnesses to testify on budget requests and complete materials for hearing transcripts; assist DIBA officials to prepare resource utilization plans (for funds, manpower and accomplishment units); prepare, approve, and transmit apportionment requests, allotments, monthly and quarterly fiscal plans, cost-based operating budgets, overseas direct project budget authorizations, and advices of fund availability; recommend action on Budget requests, operating budgets, program tables, reprogramming requests, and other budgetary items; negotiate and prepare reimbursable agreements; and prepare in conjunction with other budget divisions, recommendations and analyses of DIBA budget requests and resource status for DIBA officials.

.04 *The Funds Management and Reports Division* which shall: assure administrative control over the obligation and expenditure of DIBA appropriations and other funds; collect and deposit contributions and receipts; review obligating documents for financial coding and fund availability; prepare monthly reports on the status of resource utilization; assure, in cooperation with other budget divisions, current validity of operating budgets, plans, and other documents; recommend and control the use of hospitality, representation, and other fund limitations in DIBA accounts; prepare billings against reimbursable agreements; prepare required reports on manpower and employment ceilings; prepare special reports on funds and expenditures as required; maintain liaison with the Central Accounting Division; and review any account, document or resource report for budgetary implications and make necessary recommendations to DIBA officials."

Dated: August 15, 1974.

JUDITH S. CHADWICK,
Deputy Assistant Secretary for Administrative Management.

[FR Doc.74-22951 Filed 10-2-74;8:45 am]

Maritime Administration

[Report 126]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through July 31, 1974, exclusive of those vessels that called at Cuba on United States Government approved noncommercial voyages and those listed in Section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

FLAG OF REGISTRY, NAME OF SHIP

	Gross tonnage
Total, all flags (174 ships)	1,369,488
Cypriot (84 ships)	728,060
Aegis Banner	9,024
Aegis Eternity	8,814
Aegis Fame	9,241
Aegis Force	8,957
Aegis Hope (Previous trips to Cuba as the Huntsmore—British)	5,678
Aegis Loyal	11,035
Aegis Might	8,160
*Aegis Storm	22,124
*Aegis Thunder	22,146
Aftadelfos	8,136
Aghia Thalassini	8,120
Aghios Georgios	8,377
Akrotiri (previous trips to Cuba as the Anemone)	7,168
*Aktis	8,682
Alamar	12,299
Alevandros Skoutaris	8,280
*Aliartos	5,593
Alma	9,097
Alpa	9,159
Amarilis	8,959
**Andriana I (previous trips to Cuba as the Rowanmore—British)	8,274
Antigoni	3,174
Antonios	8,202
Areti	8,560
Arion	5,245
Aris (previous trips to Cuba as the Aris II)	9,561
Armar	9,559
Artigas	5,841
Athenian Democracy (tanker)	8,675
Baracoa	9,242
Begonia	6,576
Byron (tanker)	8,720
Camelia	8,111
Castalia	7,641
*Charalambos (tanker)	10,315
Cleopatra	8,150
Degedo	9,079
Dorine Papalios (previous trips to Cuba as the Formentor—British)	8,424
E. D. Papalios	9,431
Eftyhia (previous trips to Cuba—Greek)	10,347
Elpida	8,382
Enarxis	9,212
Fulvia	10,360
George N. Papalios	9,071
Georgios O (previous trips to Cuba as the Huntsfield—British and Cypriot)	9,483

Cypriot (84 ships)—Continued	Gross tonnage
Georgios T	9,646
Granikos (previous trips to Cuba as the Silver Coast)	7,473
Hymettus (tanker)	12,038
*Iokasti	5,496
**Irene's Pride (ex-Kika, Panama—Previous trips to Cuba as the Santa Lucia—Italian)	9,278
Iris	8,479
*Ismini	7,141
Kiki (previous trips to Cuba as the Gardenia)	9,723
Kitsa	9,519
Magnolia	7,249
Margaret H	8,482
**Miesto (Ex-Urdazuri II—previous trips to Cuba as the Meike—Netherlands)	500
Mimis N. Papalios	9,069
Mimosa	8,782
Miss Papalios	9,241
Mitera Assimina	7,731
Nea Hellas	9,241
Nike	9,689
*Northern Ice	4,100
*Panachrantos	6,307
Pantazis Caias	9,618
Petunia	7,843
Protoapostolos	8,130
Protoklitos	7,984
Protomachos	9,218
Ravens	8,039
Reifens	8,071
Rothens	8,106
Salvia	8,671
Seafarer	8,267
Silver Hope	5,319
Skipper	8,786
Successor	11,471
Takis Alexakos	9,249
Theoskepasti	6,618
Torenia	8,077
*Turbinia	10,541
Venturer	9,070
Zinnia	7,114
Somali (30 ships)	252,008
Agate Islands	8,738
Amber Islands	8,947
Atlantic Ocean	9,077
Ber Sea	8,167
Coral Islands (previous trips to Cuba—British)	8,932
*Dawn Grandeur	8,877
*Delima	7,870
Eastglory (previous trips to Cuba—British)	8,898
Feihang	8,684
Feita	8,661
Flores Sea	9,107
**Fortune Enterprize (previous trips to Cuba—British)	7,696
**Golden Bridge (previous trips to Cuba—British)	7,897
Hemisphere (previous trips to Cuba—British)	8,748
Jade Islands	10,250
**Jollity (previous trips to Cuba—British)	8,626
**Kinross (previous trips to Cuba—British)	5,258
Marble Islands	8,797
Mindanao Sea	8,871
Minfung	5,980
Mingwei	8,390
Molucca Sea	8,871
Nebula (previous trips to Cuba—British)	8,773
**New East Sea (previous trips to Cuba—British)	9,384
Onyx Islands	8,618
Opal Islands	9,063
Sea Pioneer	9,532
**Seasage (previous trips to Cuba—British)	3,794

Somali (30 ships)—Continued	Gross tonnage
Topaz Islands	8,998
**Venice (previous trips to Cuba—British)	8,504
Polish (12 ships)	85,557
Bytom	5,967
Chopin	9,231
Chorzow	7,237
Energetyk	10,654
Grodziec	3,487
Huta Zgoda	6,840
Hutnik	10,632
Kopalnia Siemianowice	7,262
Kopalnia Wujek	7,033
Piast	3,184
Rejowiec	3,401
Transportowiec	10,629
Yugoslav (8 ships)	56,988
Agrum	2,449
Bar	8,699
Centinje	8,120
Niksic	9,916
Piva	7,441
Plod	4,707
Tara	7,441
Ulcinj	8,215
British (7 ships)	57,129
Arctic Ocean	8,701
Cheung Chau	8,566
Ivory Islands	9,718
Mystic	6,656
Sea Moon	9,085
Steed	8,989
Yunglutaton	5,414
Greek (7 ships)	56,756
Aegis Legend (previous trips to Cuba—Cypriot)	8,814
Andromachi (previous trips to Cuba as the Penelope—Greek)	6,712
Annunciation Day (previous trips to Cuba—Cypriot)	7,831
**Despina A. II (Ex-Good-luck—previous trips to Cuba—Cypriot)	6,906
**Kavo Crossos (Ex-Triaena—previous trips to Cuba as the Lambros M. Fatsis and the La Hortensia—British)	9,486
Mareantes	8,497
*Violetta	8,510
Netherlands (6 ships)	6,794
Antarctic	1,384
Leo Polaris	1,528
Markab II	790
Megrez (previous trips to Cuba as the Gerda)	1,190
Rochab	787
Tempo	1,115
Argentine (5 ships)	41,762
Entre Rios	7,381
Fletero	7,607
*Pampa Argentina	9,495
Patagonia Argentina	9,645
*Rio Atuel	7,634
French (4 ships)	9,947
Captain Kermadec (Ex-Capitaine Nemo, Ex-Atlanta—previous trips to Cuba as the Enee)	1,232
Circe	2,874
Danae	2,967
Nelee	2,874

	Gross tonnage
Italian (3 ships)	36,079
Aldermine (tanker)	12,597
Elia (tanker)	11,021
San Nicola (tanker)	12,461
Moroccan (2 ships)	4,739
El Mansour Bi Llah	1,525
Marrakech	3,214
Singapore (2 ships)	15,611
**Hwa Chu (trips to Cuba—British)	9,091
Tong Hoe	6,520
Guatemalan (1 ship)	2,239
**Peten (previous trips to Cuba as the Magister—British)	2,239
Guinean (1 ship)	852
**Cedar Freeze (Ex-Drame Oumar—trip to Cuba as the Neve—French)	852
Lebanese (1 ship)	6,259
Antonis	6,259
Pakistani (1 ship)	8,708
**Maulabaksh (previous trips to Cuba as the Pheonician Dawn and the East Breeze—British)	8,708

*Added to Report No. 125 appearing in the Federal Register issue of July 3, 1974.

**Ships appearing on the list which have made no trips to Cuba under their present registry.

SEC. 2. In accordance with approved procedures, the following vessels listed in this section which called at Cuba after January 1, 1963, have reaquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance;

(a) that such vessels will not, thenceforth, be employed in the Cuban trade so long as it remains the policy of the United States Government to discourage such trade; and

(b) that no other vessels under their control will thenceforth be employed in the Cuban trade, except as provided in paragraph (c) and

(c) that vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuban trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY
NAME OF SHIP

a. Since last report:
None.

b. Previous reports:

Flag of registry:	Number of ships
British	49
Cypriot	13

Flag of registry:	Number of ships
Danish	1
Finnish	4
French	4
German (West)	1
Greek	31
Israeli	1
Italian	15
Japanese	1
Kuwaiti	1
Lebanese	9
Liberian	1
Moroccan	2
Norwegian	5
Singapore	1
Somali	2
Spanish	6
Swedish	1
Yugoslav	2
Total	150

SEC. 3. The following vessels have been removed from this list since they have been broken up, sunk or wrecked.

a. Since last report:

	Gross tonnage
Aegis Courage (Cypriot)	8,961
Aegis Strength (Cypriot)	9,439
Atlas (Somali)	3,916
Ho Fung (British)	7,121
Master George (Cypriot)	7,334

b. Previous Reports:

Flag of registry:	Broken up, Sunk or Wrecked
British	37
Cypriot	95
Finnish	6
French	1
Greek	22
Italian	5
Japanese	1
Lebanese	37
Maltese	3
Polish	9
Monaco	1
Moroccan	1
Norwegian	1
Pakistani	1
Panamanian	9
Singapore	1
Somali	3
South African	2
Swedish	1
Yugoslav	7
Total	243

SEC. 4. The ships listed in Section 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through July 31, 1974. (See table Below)

Flag of registry	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	Jan.-July 1974	Tota
British	133	180	126	101	78	62	45	53	18	10	6	3	815
Cypriot		1	17	27	42	68	115	199	173	86	96	76	900
Lebanese	64	91	58	25	16	16	4	1					275
Greek	99	27	23	27	29	7			1	1		2	216
Italian	16	20	24	11	11	10	15	13	9				129
Yugoslav	12	11	15	10	14	9	6	7	9	5	9	6	113
French	8	9	9	10	10	4	2	5	2	2	1		62
Finnish	1	4	5	11	12	8	2	1					44
Spanish	9	17											26
Norwegian	14	10											24
Moroccan	9	13	1							1			24
Maltese		2	6	1	4	8	1	2					24
Somali					2	11	7	4	6	6	23	10	69
Netherlands		4	2							8	17	12	43
Swedish	3	3											6
Kuwaiti		2	1										3
Israeli			2										2
Japanese	1					1							2
Argentine												5	5
Danish	1												1
German (West)	1												1
Haitian			1										1
Monaco				1									1
Singapore									1				1
Subtotal	371	394	290	224	218	204	197	285	219	119	152	114	2,787
Polish	18	16	12	10	11	7	2	3	4				83
Grand total	389	410	302	234	229	211	199	288	223	119	152	114	2,870

NOTE: Trip totals in Section 4 exceed ship totals in Section 1 and 2 because some of the ships made more than on trip to Cuba. Monthly totals subject to revision as additional data becomes available.

By Order of the Assistant Secretary of Commerce for Maritime Affairs.

Dated: September 27, 1974.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.74-22892 Filed 10-2-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

INTERNATIONAL AGREEMENTS AND MEMORANDUM OF UNDERSTANDING BY AGENCY

Availability for Review

During the years between May 1948 and the present time the Food and Drug Administration has entered into seven "International Agreements" (formal or informal) with six foreign countries. These agreements are with the Netherlands (informal; concerning source certification in dry milk products), Sweden (informal; regarding cooperation and collaboration in the interest of public health), Switzerland (formal; pertaining to Swiss Drug Inspection), Japan (formal; relating to sanitary control of certain shellfish), Korea (formal; concerning cooperation in fisheries) and Canada (two agreements; informal—exchange of drug plant inspection information; formal—cooperative efforts toward sanitary control of the shellfish industry).

In addition, between December 1958 and the present time, various offices or bureaus within the Food and Drug Administration have executed 42 "Domestic Memoranda of Understanding," 39 of these with 12 other government agencies (or units within the agency) and 3 with nongovernment organizations.

The government agencies are: Atomic Energy Commission (AEC)—one memorandum; Consumer Product Safety Commission (CPSC)—two memoranda; Department of Agriculture (AGRI)—twelve memoranda; Department of Defense (DOD)—six memoranda; Department of Health, Education, and Welfare (DHEW)—seven memoranda; Department of the Interior—one memorandum; Department of Labor—one memorandum; Department of the Treasury—three memoranda; Drug Enforcement Administration (DEA)—one memorandum; Environmental Protection Agency (EPA)—three memoranda; Federal Communications Commission (FCC)—one memorandum; and Federal Trade Commission (FTC)--one memorandum. The memoranda pertain to interrelated compliance problems, research, services and supporting functions, uniform Federal standards, mutual program planning, mutual responsibilities, information exchange, cooperative efforts and similar matters.

The nongovernment organizations are: American College of Radiology (regarding the reproduction and sale at cost of the Diagnostic Radiological Sciences Health Learning Laboratory); Canned Salmon Industry and National Canners' Association (concerning Canned Salmon Control Plan for 1974); and Halibut Association of North America (pertaining to Mercury in Halibut (HANA PLAN)).

A copy of these agreements and memoranda of understanding are available for public review in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

In addition, the Commissioner of Food and Drugs, being aware of the widespread interest of the consumer, industry, professional groups, associations, educators, government agencies and others in agreements or memoranda of understanding transacted by FDA, hereby gives notice that, in the interest of the public, all future such agreements or memoranda will be published in the FEDERAL REGISTER for public review.

Dated: September 26, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-22958 Filed 10-2-74;8:45 am]

PANEL ON REVIEW OF COLD, COUGH, ALLERGY, BRONCHODILATOR, AND ANTIASTHMATIC DRUGS

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Public

Law 92–463, 86 Stat. 770–776; 5 U.S.C. App.), the Food and Drug Administration announces the renewal by the Secretary, Department of Health, Education, and Welfare, of the Panel on Review of Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drugs for an additional period of 2 years beyond September 19, 1974.

Authority for this committee will expire September 19, 1976, unless the Secretary formally determines that continuance is in the public interest.

Dated: September 27, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74–22956 Filed 10–2–74;8:45 am]

TECHNICAL ELECTRONIC PRODUCT RADIATION SAFETY STANDARDS COMMITTEE

Notice of Meeting

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Public Law 92–463, 86 Stat. 770–776; 5 U.S.C. App.), the Food and Drug Administration announces the following public advisory committee meeting and other required information in accordance with provisions set forth in sections 10(a) (1) and (2) of the act:

Committee name	Date, time, place	Type of meeting and contact person
1. Technical Electronic Product Radiation Safety Standards Committee.	October 24, 9 a.m., Room 400, 12720 Twinbrook Parkway, Rockville, Md.	Open—Marshall Little, (HFX4–40), 5600 Fishers Lane, Rockville, Md. 20852, 301–443–3426.

Purpose. Provides advice and consultation to the Commissioner of Food and Drugs on the technical feasibility, reasonableness, and practicability of performance standards for electronic products to control the emission of electronic product radiation from such products and amendments to such standards before being prescribed by the Commissioner.

Agenda. To review provisions of a draft ultrasonic therapy standard.

Agenda items are subject to change as priorities dictate.

Dated: September 27, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74–22957 Filed 10–2–74;8:45 am]

Office of Education

FIELD INITIATED STUDIES

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in sections 641 and 642 of Part E of the Education of the Handicapped Act (20 U.S.C. 1441, 1442), applications are being accepted for field initiated studies relating to education of the handicapped. Under this program the Office of Education is interested in supporting a broad range of research and research related projects focused on the objectives of the Bureau of Education for the Handicapped.

Applications must be received by the U.S. Office of Education Application Control Center on or before January 6, 1975.

A. *Applications sent by mail.* An application sent by mail should be adressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.443 or 13.447. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

C. *Program information and forms.* Further information and application forms may be obtained from the Research Projects Branch, Bureau of Education for the Handicapped, Office of Education, 400 Maryland Avenue, S.W., (ROB, 2012), Washington, D.C. 20202.

D. *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a) published in the FEDERAL REGISTER on November 6, 1973 at 38 FR 30654, and Programs for the Education of the Handicapped published in the FEDERAL REGISTER on May 25, 1973 at 38 FR 13739. A notice of proposed rule-making which would revise these regulations was published in the FEDERAL REGISTER on October 11, 1973, at 38 FR 28240–28242 (proposed 45 CFR 121h). When republished in final form, the proposed regulations will supersede 45 CFR 121, Subpart E.

(20 U.S.C. 1441, 1442)

Dated: September 25, 1974.

(Catalog of Federal Domestic Assistance, No. 13.443 Handicapped Research and Demonstration; No. 13.447 Handicapped Physical Education and Recreation Research)

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.74–23073 Filed 10–2–74;8:45 am]

NATIONAL ADVISCRY COUNCIL ON INDIAN EDUCATION (FULL COUNCIL)

Notice of Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92–463), that the next meeting of the National Advisory Council on Indian Education (Full Council) will be held on October 18, 19, 20, 1974, 9 a.m. to 5 p.m. at the Hilton Inn West, Arabian Room, Oklahoma City, Oklahoma.

The National Advisory Council on Indian Education is established under section 401 of the Indian Education Act (P.L. 92–318, Title IV). The Council is directed to:

Advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under Section 318 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering Indian Education activities and services.

The Council shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other federal laws relating to Indian Education activities and services). The President shall transmit each such report to the Congress together with his comment and recommendations.

The proposed agenda includes:

1. Sub-committee meetings (all committees).
2. Title IV hearings.
3. Regular Council Business.

This meeting shall be open to the public.

Records shall be kept of all Council proceedings (and shall be available for public inspection at the Office of the National Advisory Council on Indian Education located at 425 13th St., NW., Room 326, Washington, D.C. 20004).

Signed at Washington, D.C. on September 20, 1974.

DWIGHT A. BILLEDEAUX,
Executive Director, National Advisory Council on Indian Education.

[FR Doc.74–22938 Filed 10–2–74;8:45 am]

STUDENT RESEARCH

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in sections 641 and 642 of Part E of the Education of the Handicapped Act (20 U.S.C. 1441, 1442); applications are being accepted from institutions of higher education for support of student research. Under this program the Office of Education is interested in a broad range of student directed research and research related projects focusing on the education of handicapped children.

Applications must be received by the U.S. Office of Education Application Control Center on or before December 9, 1974.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.443 or 13.447. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education).

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

C. *Program information and forms.* Further information and application forms may be obtained from the Research Projects Branch, Bureau of Education for the Handicapped, Office of Education, 400 Maryland Avenue, SW. (ROB, 2012), Washington, D.C. 20202.

D. *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a) published in the FEDERAL REGISTER on November 6, 1973 at 38 FR 30654, and Programs for the Education of the Handicapped published in the FEDERAL REGISTER on May 25, 1973 at 38 FR 13739. A notice of proposed rule-making which would revise these regulations was published in the FEDERAL REGISTER on October 11, 1973, at 38 FR 28240–28242 (proposed 45 CFR 121h). When republished in final form, the proposed regulations will supersede 45 CFR 121, Subpart E.

(20 U.S.C. 1441, 1442)

Dated: September 25, 1974.

(Catalog of Federal Domestic Assistance, No. 13.443 Handicapped Research and Demonstration; No. 13.447 Handicapped Physical Education and Recreation Research)

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.74-23072 Filed 10-2-74;8:45 am]

Office of the Secretary

MEDICARE

1975 Inpatient Hospital Deductible

Pursuant to authority contained in section 1813(b)(2) of the Social Security Act (42 U.S.C. 1395e(b)(2)), as amended, I hereby determine and announce that the dollar amount which shall be applicable for the inpatient hospital deductible, for purposes of section 1813(a) of the Act, as amended, shall be $92 in the case of any spell of illness beginning during 1975.

There follows a statement of the actuarial bases employed in arriving at the amount of the inpatient hospital pital deductible for the calendar year 1975. Certain other cost-sharing provisions under the Hospital Insurance program are also affected by changes in the amount of the inpatient hospital dedeductible.

The law provides that, for calendar years after 1968, the inpatient hospital deductible shall be equal to $40 multiplied by the ratio of (1) the current average per diem rate for inpatient hospital services for the calendar year preceding the year in which the promulgation is made (in this case, 1973) to (2) the current average per diem rate for such services for 1966. The law further provides that, if the amount so determined is not an even multiple of $4, it shall be rounded to the nearest multiple of $4. Further, it is provided that the current average per diem rates referred to shall be determined by the Secretary of Health, Education, and Welfare from the best available information as to the amounts paid under the program for inpatient hospital services furnished during the year by hospitals who are qualified to participate in the program, and for whom there is an agreement to do so, for individuals who are entitled to benefits as a result of insured status under the Old-Age, Survivors, and Disability Insurance program or the Railroad Retirement program.

The data available to make the necessary computations of the current average per diem rates for calendar years 1966 and 1973 are derived from individual inpatient hospital bills that are recorded on a 100 percent basis in the records of the program. These records show, for each bill, the total inpatient days of care, the interim reimbursement amount, and the total cost (the sum of interim reimbursement, deductible, and coinsurance).

Each individual bill is assigned both an initial month and a terminal month, as determined from the first day covered by the bill and the last day so covered. Insofar as the initial month and the terminal month fall in the same calendar year, no problems of classification occur.

Two tabulations are prepared, one summarizing the bills with each assigned to the year in which the period it covers begins, and the other summarizing the same bills with each assigned to the year in which the period it covers ends. The true value with respect to the costs for a given year on an accurate accrual basis should fall between the amount of total costs shown for bills beginning in that year and the amount shown for bills ending in that year.

The current average per diem rate for inpatient hospital services for calendar year 1966, on the basis described, is $37.92, while the corresponding figure for calendar year 1973 is $85.77. It may be noted that these averages are based on about 30 million days of hospitalization in 1966 and 66 million days of hospitalization in 1973. Accordingly the ratio of the 1973 rate to the 1966 rate is 2.262.

In order to accurately reflect the change in the average per diem hospital cost under the program, the average interim cost (as shown in the tabulations) must be adjusted for (i) the effect of final cost settlements made with each provider of services after the end of its fiscal year to adjust the reimbursement to that provider from the amount paid during that year on an interim basis to the actual cost of providing covered services to beneficiaries, and (ii) for changes in the benefit structure since the base year, 1966. To the extent that the ratio of final cost to interim cost is different in the current year than it was in 1966, the increase in average interim per diem costs will not coincide with the increase in actual cost that has occurred. The inclusion of the lifetime reserve days in the current tabulation of the average interim per diem cost when such days were not included in the corresponding tabulation for the base year, 1966, will understate the estimate of the increase in cost that has occurred, because the average cost per day of very long confinements in a hospital is less than the average for all confinements. In order to estimate the increase in average per diem cost that has occurred, a comparison must be based on similar benefits in the two periods (1973 and 1966); thus the effect of lifetime reserve days must be eliminated from the current year tabulation. The best data available indicates that these adjustments do not change the ratio shown above by enough to result in a different deductible for 1975. The values shown in this report do not reflect these adjustments for final cost settlements or lifetime reserve days. When the ratio of 2.262 is multiplied by $40, it produces an amount of $90.48, which must be

rounded to $92. Accordingly, the inpatient hospital deductible for spells of illness beginning during calendar year 1975 is $92.

Dated: September 30, 1974.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.74-23157 Filed 10-2-74;8:45 am]

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

COMMITTEE ON LICENSES AND AUTHORIZATIONS

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Committee on Licenses and Authorizations of the Administrative Conference of the United States, to be held at 11:00 a.m., October 11, 1974 in the offices of the National Lawyers Club (the Taft Room, 3rd floor), 1815 H Street, NW., Washington, D.C.

The Committee will meet to consider Licensing Decisions of Federal Banking Agencies.

Attendance is open to the interested public, but limited to the space available. Persons wishing to attend should notify this office at least one day in advance. The Committee Chairman may, if he deems it appropriate, permit members of the public to present oral statements at the meeting; any member of the public may file a written statement with the Committee before, during or after the meeting.

For further information concerning this Committee meeting contact William Francis Murphy, Staff Liaison, (phone 202-254-7038). Minutes of the meeting will be available on request.

RICHARD K. BERG,
Executive Secretary.

SEPTEMBER 27, 1974.

[FR Doc.74-22954 Filed 10-2-74;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. PRM-50-12]

ATLANTIC COUNTY CITIZENS COUNCIL ON ENVIRONMENT

Extension of Comment Period

This notice extends the period for comments to the notice, published August 9, 1974 (39 FR 28662), proposing amendment to regulations to require full scale operational system testing of pilot model or prototype versions of nuclear power plants.

A request for an extension of time to November 7, 1974, was submitted by the Atlantic County Citizens Council on Environment on the ground that additional time is necessary to make secondary distribution of the original notice to interested persons and to give those persons adequate time for comment.

The request for an extension of time is granted, and the comment period is hereby extended to November 7, 1974.

Dated at Washington, D.C., this 26th day of September 1974.

For the Atomic Energy Commission.

GORDON M. GRANT,
Acting Secretary of the Commission.

[FR Doc.74-23106 Filed 10-2-74;8:45 am]

[Docket No. 50-317]

BALTIMORE GAS AND ELECTRIC CO.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendment No. 2 to Facility Operating License No. DPR-53 issued to Baltimore Gas and Electric Company which revised Technical Specifications for operation of the Calvert Cliffs Nuclear Power Plant, Unit 1, located in Calvert County, Maryland. The amendment is effective as of its date of issuance.

The amendment modifies the Specification to require air lock door perimeter seals rather than the air locks to be tested after each opening of the door or every 3 days whichever interval is longer.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment, dated September 12, 1974, (2) Amendment No. 2 to License No. DPR-53, with any attachments, and (3) the related safety evaluation contained in the Commission's letter to Baltimore Gas and Electric Company. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Calvert County Library, Prince Frederick, Maryland 20678.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 25th day of September 1974.

For the Atomic Energy Commission.

OLAN D. PARR,
Chief, Light Water Reactors Branch 1-3, Directorate of Licensing.

[FR Doc.74-23010 Filed 10-2-74;8:45 am]

COMMITTEE OF SENIOR REVIEWERS

Meeting

SEPTEMBER 27, 1974.

In accordance with the purposes of § 142.b. of the Atomic Energy Act of 1954, as amended, the Committee of Senior Reviewers will hold a meeting on October 30, 31, and November 1, 1974, in the K-1006 Conference Room of the K-25 Plant, Union Carbide Corporation, Oak Ridge, Tennessee. The subject scheduled for discussion involves information concerning the design and fabrication of atomic weapons.

I have determined in accordance with subsection 10(d) of Public Law 92-463 that the meeting will involve the discussion of information which is classified and comes within exemptions (1) and (3) of 5 U.S.C. 552(b). It is essential to close such meeting to protect such classified material.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-22926 Filed 10-2-74;8:45 am]

[Docket Nos. 50-269, 50-270 and 50-287]

DUKE POWER CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendments No. 4, 4 and 1 to Facility Operating Licenses No. DPR-38, DPR-47 and DPR-55, respectively, issued to Duke Power Company which revised Technical Specifications for operation of the Oconee Nuclear Station, Units 1, 2 and 3, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

These amendments incorporate in the Oconee Technical Specifications the organizational position titles which will be standard for all Duke Power Company nuclear stations.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments.

For further details with respect to this action, see (1) the application for amendments dated August 19, 1974, (2) Amendments No. 4, 4 and 1 to Licenses No. DPR-38, DPR-47 and DPR-55, respectively, with any attachments, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document, 1717 H Street, NW., Washington, DC and at the Oconee County Library, 201 S. Spring Street, Walhalla, South Carolina 29691.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, DC 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 23rd day of September, 1974.

For the Atomic Energy Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Directorate of Licensing.

[FR Doc.74-23012 Filed 10-2-74;8:45 am]

[License No. 12-16029-01E]

NITTAN CORP.

Issuance of Byproduct Material License

Please take notice that the Atomic Energy Commission has, pursuant to § 32.26 of 10 CFR Part 32 issued License No. 12-16029-01E to the Nittan Corporation, 1255 Rand Road, Des Plaines, Illinois 60016, which authorizes the distribution of Model NID-48F Ionization Combustion Detectors manufactured by Nittan Company, Limited, Tokyo, Japan, to persons exempt from the requirements for a license pursuant to § 30.20 of 10 CFR Part 30.

1. The Ionization Combustion Detector is designed to detect incipient fires by responding to the products of combustion produced by thermal decomposition of building materials or contents.

2. The byproduct material incorporated in the Ionization Combustion Detector is americium 241 in the oxide form contained in a foil manufactured by the Radiochemical Centre (Model AMM). The maximum amount of americium 241 contained in an Ionization Combustion Detector is 1.5 microcuries.

3. Each Ionization Combustion Detector will have a label identifying the manufacturer (Nittan Company, Limited), the byproduct material (americium 241) contained in the Ionization Combustion Detector, and a recommendation that the Ionization Combustion Detector should be returned to the Nittan Corporation for disposal or service.

A copy of the license and the license application containing additional information are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, DC.

Dated at Bethesda, Maryland September 25, 1974.

For the Atomic Energy Commission.

BERNARD SINGER,
Chief, Materials Branch, Directorate of Licensing.

[FR Doc.74-23011 Filed 10-2-74;8:45 am]

[Docket Nos. 50-450, 50-451]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON SUMMIT POWER STATION

Notice of Meeting

OCTOBER 1, 1974.

In accordance with the purposes of Sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on the Summit Power Station, Units 1 and 2, will hold a meeting on October 18, 1974 in the Blue Room of the International Hotel, 6225 West Century Boulevard, Los Angeles, California 90045. The purpose of the meeting will be to review the application of the Delmarva Power and Light Company for a permit to construct Units 1 and 2, which are located in New Castle County, Delaware, about 15 miles southwest of Wilmington, Delaware.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

FRIDAY, OCTOBER 18, 1974, 9:00 A.M.-5:00 P.M.

Review of the application for a construction permit (presentations by the AEC Regulatory Staff and the Delmarva Power and Light Company and its consultants, and discussions with these groups).

In connection with the above agenda item, the Subcommittee will hold an executive session at 8:30 a.m. which will involve a discussion of its preliminary views, and an executive session at the close of the meeting, consisting of an exchange of opinions of the Subcommittee members and internal deliberations and formulation of recommendations to the ACRS. In addition, the Subcommittee may hold a closed session with the Regulatory Staff and Applicant to discuss privileged information concerning industrial security or other matters properly considered to be of a proprietary nature.

I have determined, in accordance with Subsection 10(d) of Public Law 92-463, that the executive sessions at the beginning and end of the meeting will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that a closed session may be held, if necessary, to discuss certain documents and information which are privileged and fall within exemption (4) of 5 U.S.C. 552(b). It is essential to close such portions of the meeting to protect such privileged information and protect the free interchange of internal views and to avoid undue interference with agency or Committee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than October 11, 1974, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the application for a construction permit and related documents which are on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and the Newark Free Library, Elkton and Delaware Roads, Newark, Delaware 19711.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 1:30 p.m. and 3:30 p.m. on October 18, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on October 16, 1974, to the Office of the Executive Secretary of the Committee (telephone 301-973-5651) between 8:30 a.m. and 5:15 p.m.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) Persons desiring to attend portions of the meeting where proprietary information is to be discussed may do so by providing to the Executive Secretary, Advisory Committee on Reactor Safeguards, 1717 H Street NW., Washington, D.C. 20545, 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(i) A copy of the transcript of the open portion of the meeting will be available for inspection on or after October 22, 1974 at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545 and within nine days at the Newark Free Library, Elkton and Delaware Roads, Newark, Delaware 19711. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street NE., Washington, D.C. 20002 (telephone 202-547-6222) upon payment of appropriate charges.

(j) On request, copies of the Minutes of the meeting will be made available for inspection at the Atomic Energy Commission Public Document Room, 1717 H Street NW., Washington, D.C. 20545 after January 20, 1975. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-23212 Filed 10-2-74;11:44 am]

CIVIL AERONAUTICS BOARD

[Docket No. 25397]

AMERICAN AIRLINES, INC., AND FRONTIER AIRLINES, INC.

Route Exchange Agreement; Postponement of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the oral argument in this proceeding, heretofore assigned to be held before the Board on October 23, 1974 (39 FR 34599, September 26, 1974), is postponed to October 24, 1974, at 10:00 a.m. (local time), in Room 1027, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C.

Dated at Washington, D.C., September 30, 1974.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.74-23050 Filed 10-2-74;8:45 am]

[Docket No. 27030; Order 74-9-110]

IBERIA, LINEAS AEREAS de ESPANA, S.A.

Order Regarding Use of a Trade Name

SEPTEMBER 30, 1974.

By application filed September 17, 1974, Iberia Lineas Aereas de Espana, S.A. has applied, pursuant to the provisions of Part 215 of the Board's Economic Regulations, for permission to use "Iberia Air Lines of Spain" as a trade name in the conduct of its business in the United States. In support of its application, the carrier states, inter alia, that it is a foreign air carrier and the holder of a foreign air carrier permit;[1] that "Iberia Air Lines of Spain" is the direct English translation of the name in which the carrier's foreign air carrier permit is issued; that it intends to use primarily this English version of its name in its dealings with the public but desires to retain authority to use its formal Spanish name; that the direct English translation of its name is a readily identifiable minor variation of the name in which its operating authority is issued and as such, under Part 215, could be used without specific authority, but that the application is being submitted in an abundance of caution; that use of the trade name will entail no risk of public confusion; and that, to the carrier's knowledge, neither version of its name is similar to the name of any other air carrier or foreign air carrier.

No answers in response to the carrier's application have been received.

Section 215 of the Board's Economic Regulations provides that the Board will grant a carrier permission to use a trade name upon a finding that its use is not contrary to the public interest. The proposed trade name does not appear to conflict with that of any existing air carrier or foreign air carrier and there has been no suggestion by an interested party that the public may be confused by the use of the requested trade name. Therefore, it does not appear that the use of the proposed trade name would be incompatible with the public interest. Therefore, pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is found that the application meets the requirements of Part 215 of the Board's Economic Regulations and that it is not contrary to the public interest to so permit the use of the trade name in question.

Accordingly, it is ordered, That: 1. The application of Iberia, Lineas Aereas de Espana, S.A. for permission to use the trade name "Iberia Air Lines of Spain" be and it hereby is approved; and

2. Copies of this order will be served on all certificated air carriers and on all carriers holding foreign air carrier permits.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50 may file their petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-23049 Filed 10-2-74;8:45 am]

[Docket 25513; Order 74-9-97]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Increased Fuel Costs

SEPTEMBER 27, 1974.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA). The agreement, adopted by mail vote, has been assigned C.A.B. agreement number 24666, R-1 and R-2.

The agreement proposes increases, effective November 15, 1974, in fares within certain Western Hemisphere market areas as a consequence of increased fuel prices. With respect to air transportation as defined by the Act, U.S.-Caribbean fares would be increased by 4 percent.[1] U.S.-South/Central America (long haul) one-way and round-trip first class fares would be increased by seven percent; all other one-way fares would be increased by a dollar amount equal to eight percent of the applicable specified one-way economy fare from Miami and round-trip fares would be increased by twice the amount applicable to one-way fares.

The purpose of this order is to establish procedural dates for the receipt of justification, comments and replies in support of, or in opposition to, the agreement. All U.S. carrier members of IATA operating passenger service in the affected markets are required to submit complete and detailed justification in support of the agreement. The data presented in their justification should include by market area, but not be limited to, actual or contractual prices per gallon for fuel since September 1973; and financial forecasts, including traffic and capacity projections and estimated fuel consumption, for the year ending September 30, 1975, with and without the proposed increases, and the revenue gain anticipated from implementing the instant agreement as well as the revenue gain from previous fuel-related agreements.

Accordingly, *it is ordered that:* 1. All United States air carrier members of the International Air Transport Association shall file within ten calendar days after the date of service of this order, full documentation and economic justification (as described above) in support of the subject agreement;

2. Comments and/or objections from interested persons shall be submitted within twenty calendar days after the date of service of this order; and

3. Tariffs implementing the subject agreement shall not be filed in advance of Board action on the subject agreement.

This order will be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-23047 Filed 10-2-74;8:45 am]

[Docket No. 26907]

LONG-HAUL MOTOR/RAILROAD CARRIER

Air Freight Forwarder Authority Case; Reassignment of Proceeding

The prehearing conference in this proceeding, which commenced on September 25, 1974, pursuant to earlier notice (39 FR 29219, August 14, 1974), was in-

[1] See Order 73-6-21, effective June 5, 1973.

[1] The increase would not apply to travel between Baltimore/Boston/Hartford/New York/Philadelphia/Providence/Washington, D.C.-Bermuda/Bahamas and between New York-Port-au-Prince. Florida-Bahamas fares would be increased six percent, and the dollar increase for Miami-Jamaica/Venezuela fares would apply to Los Angeles/San Francisco-Jamaica/Venezuela fares.

terrupted and subsequently postponed due to the illness of Administrative Law Judge Henry Whitehouse.

This proceeding is hereby reassigned to Administrative Law Judge Hyman Goldberg. The further prehearing conference will be held on October 17, 1974, at 10 a.m. (local time) in Room 911, Universal Building, 1825 Connecticut Avenue, NW., Washington, DC.

All future communications should be addressed to Judge Goldberg.

Dated at Washington, DC., September 30, 1974.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.74-23051 Filed 10-2-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 270-4; OPP-32000/119]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of Section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before December 2, 1974, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted tc EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Application submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after December 2, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 8959-RO. Applied Biochemists, Inc., 5300 W. County Line Rd., Mequon WI 53092. BLACK ALGAETRINE-II ALGAECIDE. Active Ingredients: Copper as elemental 3.07%; n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 26.34%; n-Alkyl (68% C12, 32% C14) dimethyl ethyl benzyl ammonium chlorides 26.34%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 662-LL. BASF Wyandotte Corp., Chemical Specialties Div., 1609 Biddie Ave., Wyandotte MI 48192. WYANDOTTE INSTI-SOFT BACTERIOSTATIC FABRIC SOFTENER. Active Ingredients: Dialkyl (85% C18, 15% C16) dimethyl ammonium chloride 26.40%; Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 2.64%; 5-Chloro-2-(2,4-dichlorophenoxy) phenol 1.25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34782-R. Big Three Industries, Medical Div., 3602 W. 11th, Houston TX 77001. PROPYLENE OXIDE AND CARBON DIOXIDE MIXTURE. Active Ingredients: Propylene oxide 8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1448-LL. Buckman Laboratories, Inc., 1256 N. McLean Blvd., Memphis TN 38108. BL BUSAN 30 FOR WOOD PRESERVATION. Actvie Ingredients: 2-(Thiocyanomethylthio) benzothiazole 30%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 2553-GE. Buhl Chemical Co., PO Box 526 Weirsdale FL 32695. ZEE-TOX IMPROVED FLEA POWDER. Active Ingredients: 1-Naphthyl N-Methylcarbamate 5.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2553-GG. Buhl Chemical Co. ZEE-TOX SEVIN DUST 5%. Active Ingredients: Carbaryl (1-Naphthyl N-methylcarbamate) 5.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2553-GN. Buhl Chemical Co. D & B ROTENONE DUST 1%. Active Ingredients: Rotenone 1.00%; Other cube resins 2.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2553-GU. Buhl Chemical Co. BUHL'S NEW OUTDOOR FLEA DUST. Active Ingredients: Carbaryl (1-naphthyl N-methylcarbamate) 5.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 343-13. Castle Chemical Co., 301 Master Ave., Savage MN 55378. MALATHION 5-EC AN AGRICULTURAL INSECTICIDE EMULSIFIABLE CONCENTRATE. Active Ingredients: Malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) 57%; Xylene Range Aromatic Solvent. 30%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 23304-L. Crummett Chemical, Inc., 3987-C Forsyth Rd., Orlando FL 32807. HEPTACHLOR 2.5% GRANULAR. Active Ingredients: Heptachlor 2.50%; Related Compounds 0.97%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6338-U. Crystal Extract & Chemical Co., 8828 No. Port Washington Rd., Milwaukee WI 53217. CRYSTICIDE S 100 PRESERVATIVE. Active Ingredients: Aromatic Hydrocarbon Distillates, Pine Oil, Chlorophenyl phenol, Cresols, Trichlorophenol 97%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 848-A. A. W. Curtis Laboratories, 454 Farnsworth, Detroit MI 48202. CURTIS D D S DISINFECTANT DEODORIZER SANITIZER. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 848-L. A. W. Curtis Laboratories, 454 Farnsworth, Detroit MI 48202. CURTIS PINE SCENTED DETERGENT DISINFECTANT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%; Tetrasodium ethylenediamine tetraacetate 1.00%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 352-342. E. I. DuPont De Nemours & Co., Legal Dept., Biochemicals Dept., 7056 Dupont Bldg., Wilmington DE 19898. LANNATE METHOMYL INSECTICIDE (FOR USE ON DRY BEANS) and (FOR USE ON ONIONS WEST OF THE ROCKY MOUNTAINS). Active Ingredients: S - methyl-N-[(methylcarbamoyl)oxy]thioacetimidate 90%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 352-370. E. I. du Pont de Nemours & Co., LANNATE L METHOMYL INSECTICIDE (FOR USE ON DRY BEANS) and (FOR USE ON ONIONS WEST OF THE ROCKY MOUNTAINS). Active Ingredients: S-methyl-N-[(methylcarbamoyl) oxy]thioacetimidate 24%. Method of Support: Application proceds under 2(b) of interim policy.

EPA Reg. No. 352-375. E. I. du Pont de Nemours & Co. DUPONT LEXONE METRIBUZIN WEED KILLER. Active Ingredients: 4-Amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one 50%. Method of support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 278-LR. Eastern Pool & Equipment Co., 4953 Wooster Rd. W., Barberton OH 44203. EASTERN POOL CONCENTRATED SWIMMING POOL ALGAECIDE. Active Ingredients: Nialkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chloride 42%; N-dialkyl (60% C14, 30% C16, 5% C12, 5% C18) methyl benzyl ammonium chloride 8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8764-UG. FMC Corp., Citrus Machinery Div., PO Box 552, Riverside CA 92502. FRESHGARD 750. Active Ingredients: Menomyl [Methyl 1-(butylcarbamoyl) 2-benzimidazolecarbamate] 2.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8764-UE. FMC Corp., Citrus Machinery Div., PO Box 552, Riverside CA 92502. FRESHGARD 555. Active Ingredients: Thiabendazole 5.018%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10107–RE. Harris Serum & Supply Co., Inc., PO Box 410, McCook NE 69001. HARRIS M & M ALFALFA SPRAY. Active Ingredients: Methoxychlor, Technical 23.30%; Malathion 23.50%; Xylol 45.95%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 334–GOI. Hysan Corp., 919 W. 38th St., Chicago IL 60609. VIGATE 2 AIR SANITIZER DEODORIZER. Active Ingredients: Triethylene Glycol 3.50%; Propylene Glycol 3.00%; Methyldodecylbenzyl Trimethylammonium Chloride 0.16%; Methyldodecylxylyene Bis (Trimethylammonium Chloride) 0.04%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 334–GOO. Hysan Corp. VIGATE 5 AIR SANITIZER DEODORIZER. Active Ingredients; Triethylene Glycol 3.50% Propylene Glycol 3.00%; Methyldodecylbenzyl Trimethylammonium Chloride 0.16%; Methyldodecylxylylene Bis (Trimethylammonium Chloride) 0.04%. Method or Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 334–UNE. Hysan Corp. VIGATE 8 AIR SANITIZER DEODORIZER. Active Ingredients: Triethylene Glycol 3.50%; Propylene Glycol 3.00%; Methyldodecylbenzyl Trimethylammonium Chloride 0.16%; Methyldodecylxylylene Bis (Trimethylammonium Chloride) 0.04%; Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 334–UNG. Hysan Corp. VIGATE 9 AIR SANITIZER DEODORIZER. Active Ingredients: Triethylene Glycol 3.50%; Propylene Glycol 3.00%; Methyldodecylbenzyl Trimethylammonium Chloride 0.16%: Methyldodecylxylylene Bis (Trimethylammonium Chloride) 0.04%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 334–UNN. Hysan Corp. VIGATE 7 AIR SANITIZER DEODORIZER. Active Ingredients: Triethylene Glycol 3.50%; Propylene Glycol 3.00%; Methyldodecylbenzyl Trimethylammonium Chloride 0.16%; Methyldodecylxylylene Bis (Trimethylammonium Chloride) 0.04%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 334–UNR. Hysan Corp. VIGATE 6 AIR SANITIZER DEODORIZER. Active Ingredients: Triethylene Glycol 3.50%; Propylene Glycol 3.00% Methyldodecylbenzyl Trimethylammonium Chloride 0.16%; Methyldodecylxylylene Bis (Trimethylammonium Chloride) 0.04%. under 2(c) of interim policy.

EPA File Symbol 334–UNU. Hysan Corp. VIGATE ONE AIR SANITIZER DEODORIZER. Active Ingredients: Triethylene Glycol 3.50%; Propylene Gylcol 3.00%; Methylodecylbenzyl Trimethylammonium Chloride 0.16%; Methyldodecylxylylene Bis (Trimethylammonium Chloride) 0.04%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Simbol 5130–RU. Johnson Chemical Co., Inc., 231 Johnson Ave., Brooklyn, NY 11206. KINGSPRAY ROACH-ANT-SPIDER-FLY-MOSQUITO KILLER. Active Ingredients: Pyrethrins 0.050%; Piperonyl Butoxide, technical 0.100%; N-Octyl Bicycloheptene Dicarboximide 0.167%; O,O-diethyl o - (2-isopropyl-6-methyl-4-pyrimidinyl) phosophororthioate 0.500%; Petroleum distillate 99.183%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1471–35. Elanco Products Co., A Div. of Eli Lilly and Co., PO Box 1750, Indianapolis IN 46206. TREFLAN E.C. Active Ingredients: Trifluralin (a,a,a-trifluoro-2, 6-dinitro-N,N-dipropyl-p-toluidine) 44.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 25881-U. Lispar, Ltd., 3236 N. 11th St., Philadelphia PA 19140. LISPAR ALGAECIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chloride 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chloride 5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34891–R. Mitco Water Laboratories, Inc., PO Box 1435, Winter Haven FL 33880. CL–12L. Active Ingredients: Poly [oxyethylene(dimethyliminio) ethylene (dimethyliminio) ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11800–RU. Midwest Ag Warehouse Co., 150 S. Main St., Fremont NE 68025. CAPTAN-THIRAM 12.5–12.5 SEED PROTECTANT. Active Ingredients: Captan *N*-trichloromethylthio-4-cyclohexene-1,2-dicarboximide 12.5%; Thiram (tetramethylthiaram disulfide 12.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2831–GI. Napasco International, Inc., PO Drawer 1219, Thibodaux LA 70301. AQUALITE 40 SWIMMING POOL ALGICIDE. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2831–GO. Napasco International, Inc., PO Drawer 1219, Thibodaux LA 70301. AQUALITE 20 SWIMMING POOL ALGICIDE. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 20%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34896–E. Old South Sales Co., PO Box 33, Andalusia AL 36420. DEAD *READY* ROACH AND WATERBUG KILLER. Active Ingredients: Pyrethrins 0.350%: Ryanodine 0.055% Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34896–R. Old South Sales Co., PO Box 33, Andalusia AL 36420. DEAD READY PELLETED BAIT KILLS RATS AND MICE. Active Ingredients: Warfarin (3 - Alpha-Acetonylbenzyl) -4-Hydroxycoumarin 0.25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3008–GE. Osmose Wood Preserving Co. of America, Inc., 980 Ellicott St., Buffalo NY 14209. OSMOSE TIMBERFUME. Active Ingredients: Sodium methyl dithiocarbamate (anhydrous) 32.7%. Method of Support: Application proceeds under 2(c) if interim policy.

EPA File Symbol 3008–GG. Osmose Wood Preserving Co. of America, Inc., 980 Ellicott St., Buffalo NY 14209. OSMOSE WOODFUME. Active Ingredients: Sodium methyl dithiocarbamate (anhydrous) 32.7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3234—GT. Pax Co., 580 West 13th South, Salt Lake City UT 84115. PAX FUNGUS CONTROL. Active Ingredients: 4,6 - Dichloro - *N* -(2-chlorophenyl) -1,3,5-triazin-2-amine 4.45%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 335–ERG. Pennwalt Corp., Pennswim Dept., Three Parkway, Philadelphia PA 19103. PENNSWIM ALGAE BLAST CONCENTRATE 56. Active Ingredients: Sodium Dichloro-s-Triazinetrione Dihydrate 100%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 3095–EE. Pic Corp., Sylvan St., Linden NJ 07036. PIC MOSQUITO COILS MOSQUITO-REPELLENT. Active Ingredients: Allethrin (Allyl Homolog of Cinerin I) 0.35%; Vegetable Matter & Wood Fiber 68.05%; Pyrethrum Constituents 30.00%; Malachite Green 0.20%; Potassium Nitrate 0.90%; Sodium Benzoate 0.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3095–ER. Pic Corp., Sylvan St., Linden NJ 07036. PIC MOSQUITO COILS. Active Ingredients: D-Trans Allethrin (Allyl Homolog of Cinerin I) 0.25%; Vegetable Matter & Wood Fiber 65.00%; Pyrethrum Constituents 32.00%; Xylene-Green 0.35%; Potassium Nitrate 0.90%; Sodium Benzoate 0.50%; Polyethylene Glycol 1.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34779–R. "Repel Products", 38295 Pineridge, Mt. Clemens MI 48043. "REPEL" LIQUID FOR RE-SATURATING "REPEL" INSECT REPELLENT CLOTH. Active Ingredients: 2-Ethyl-1,3-Hexanediol 67%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 984–AL. Whitmoyer Laboratories, Inc., Subsidiary of Rohm and Haas Co., 19 N. Railroad St., Myerstown PA 17067. WHITMOYER CLEAN HATCH INCUBATOR DISINFECTANT, FOGGER, DEODORANT AND SANITIZER. Active Ingredients: Methyldodecyl trimethyl ammonium chloride 10.0%; Methyldodecylxylylene bis (trimethyl ammonium chloride) 2.5%; Tetrasodium ethylenediamine tetraacetate 0.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1159–ROG. Seacoast Laboratories, Inc., PO Box 157, East Brunswick NJ 08816. TWIN LIGHT TOMATO AND VEGETABLE DUST OR SPRAY INSECTICIDE-FUNGICIDE WITH M-45. Active Ingredients: Manganese 0.8%; Zinc 0.1%; Ethylene bisdithiocarbamate ion 3.1%. Carbaryl (1-naphthyl N-methylcarbamate) 5.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6651–ET. Sonford Products Corp., Southern Div., PO Box 5570, Jackson MS 39208. STA BRITE. Active Ingredients: 2-(thiocyanomethylthio) benzothiazole 30%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 3743–GUR. Southern Agricultural Chemicals, Inc., PO Drawer 527, Kingstree SC 29556. 10% CHLORDANE GRANULAR. Active Ingredients: Technical Chlordane 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34879–E. Southern Solvents & Chemicals Corp., PO Box 10642, New Orleans LA 70181. HERCULES HERCO PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34879–G. Southern Solvents & Chemical Corp. HERCULES YARMOR 302W PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34879–R. Southern Solvents & Chemical Corp. HERCULES YARMOR 302 PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34878–E. Southland Solvents & Chemicals Co., PO Box 451, Jamestown NC 27282. HERCULES HERCO PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34878–G. Southland Solvents & Chemicals Co. HERCULES YARMOR 302 PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34878–R. Southland Solvents & Chemicals Co. HERCULES YARMOR 302W PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 476–2153. Stauffer Chemical Co., 1200 S. 47th St., Richmond CA 94804. (STAUFFER SHIELD) FYBRFLUF G+. Active Ingredients: N-Alkyl (60% C12, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 3.0%; N-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 3.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34893–R. Sterimatic Systems, Inc., 114 East 32 St., New York NY 10016. STERIMATIC SYSTEMS DETERGENT/SANITIZING TABLETS. Active Ingredients: Didecyldimethyl ammonium bromide 10%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6735–ERL. Tide Products, Inc., PO Box 1020, Edinburg TX 78539. TIDE TRIFLURALIN E.C. Active Ingredients: trifluralin (a,a,a-trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine) 44.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6735–ERU. Tide Products, Inc., PO Box 1020, Edinburg TX 78539. TIDE PROMETRYNE 80 W. Active Ingredients: 2,4-bis (isopropylamino)-6-(methylthio)-s-triazine 80%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10367–E. N. I. Weinberg Co., 17th and Walnut Louisville KY 40203. RESIDUAL INSECT SPRAY. Active Ingredients: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 0.500%; Pyrethrins 0.040%; Technical Piperonyl Butoxide 0.100%; Petroleum Distillate 99.239%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2866–G. Wisconsin Solvents & Chemicals Co., 1719 S. 83rd St., Milwaukee WI 53214. HERCULES HERCO PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 9035–G. Wolverine Solvents & Chemicals Co., 2940 Stafford Ave., S.W., Grand Rapids, MI 49508. HERCULES HERCO PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 9035–L. Wolverine Solvents & Chemicals Co. HERCULES YARMOR, 302 PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 9035–U. Wolverine Solvents & Chemicals Co. HERCULES YARMOR 302W PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 9014–U. E. E. Zimmerman Co., 2010 Clark Bldg., Pittsburgh PA 15222. HERCULES HERCO PINE OIL. Active Ingredients: Pine Oil 99.4%. Method of Support: Application proceeds under 2(b) of interim policy.

Dated: September 23, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74–22437 Filed 10–2–74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20099]

AMERICAN TELEGRAPH & TELEPHONE CO. ET AL.

Memorandum Opinion and Order Extending Time

In the matter of American Telephone and Telegraph Company, et al.; offer of facilities for use by other common carriers. Docket No. 20099.

1. On September 11, 1974, the U.S. Court of Appeals for the Third Circuit issued its decision in *Bell Telephone Company of Pennsylvania* v. *FCC* (No. 74–1386) in which it affirmed the Commission's Decision and Order in Docket No. 19896, 46 F.C.C. 2d 413. In informal discussions with the Commission, AT&T has stated its intention to fully comply with this decision, and its desire to work informally with the parties herein and the Commission with the goal of expeditiously resolving as many of the issues in this proceeding as possible. Accordingly, AT&T has suggested that the proceedings herein be delayed pending informal meetings among all the parties under Commission aegis.

2. We believe that, to the extent it is possible to resolve the issues herein outside the context of formal procedures, it would be in the public interest to do so where such informal procedures will lead to an accelerated resolution of the issues.

3. Therefore, based on the AT&T representations noted above, *it is ordered*, Pursuant to the authority delegated under § 0.303(c) of the Commission's rules, that the date on which comments are due will be postponed six weeks from October 3, 1974 [39 FR 30544, August 23, 1974] to November 14, 1974. Response and reply dates will be postponed to December 16, 1974 and December 31, 1974, respectively.

4. *It is further ordered*, That informal meetings of all the parties will be held on October 3, 1974 at 1:30 p.m. and October 17, 1974 at 10 a.m. in room 847 of the Commission's offices.

Adopted: September 26, 1974.

Released: September 27, 1974.

[SEAL] WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc.74–23015 Filed 10–2–74;8:45 am]

RADIO TECHNICAL COMMISSION FOR MARINE SERVICES

Notice of Meetings

In accordance with Pub. L. 92–463, "Federal Advisory Committee Act," Radio Technical Commission for Marine Services (RTCM) meetings scheduled for the future are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

SPECIAL COMMITTEE No. 65: "SHIP RADAR"; NOTICE OF 32ND MEETING

Wednesday, October 16, 1974—1:30 p.m., Conference Room 8210, 2025 M Street, N.W., Washington, D.C.

Collision Avoidance Working Group: The Collision Avoidance Working Group will hold a meeting on Wednesday, October 16, beginning at 9:30 a.m., in Conference Room 8202, 2025 M Street, NW., Washington, D.C.

If other Working Group meetings are scheduled, Group members will be notified.

AGENDA

1. Call to Order; Introduction of Federal Government Public Interest Designate.
2. Adoption of Agenda; Appointment of Rapporteurs.
3. Acceptance of SC–65 Summary Record.
4. Progress Report of Collision Avoidance Working Group.
5. Status Reports on other Working Groups and associated Activities.
6. Reports on other meetings.
7. Approval of submitted Paper: Marine Radar Transponder System.
8. Discussion of Small Boat Radar Specifications.
9. Other business.
10. Establishment of next meeting date.

Irvin Hurwitz, Chairman, SC–65
Federal Communications Commission
Washington, DC 20554
Phone: (202) 632–7197

SPECIAL COMMITTEE No. 66: "RECEIVER STANDARDS FOR THE MARITIME MOBILE SERVICE"; NOTICE OF 25TH MEETING

Wednesday, October 23, 1974—9:00 a.m. (All-day meeting), Conference Room A205, 1229 20th Street, N.W., Washington, D.C.

AGENDA

1. Call to Order; Introduction of Federal Government Public Interest Designate.
2. Adoption of Agenda; Appointment of Rapporteurs.
3. Acceptance of SC–66 Summary Records.
4. Reports on Work Assignments.
   a. Report as to whether or not information was received from USCG on the fading of VHF signals due to the roll and pitch of small craft—H. R. Smith—ITT Mackay Marine
   b. Review of draft standard: ALL
5. Continued preparation of VHF antenna standard.
6. Discussion of problem areas.
7. Solicitation of Work Assignments.
8. Other business.
9. Establishment of next meeting date.

H. R. Smith, Chairman, SC–66
ITT Mackay Marine
441 U.S. Highway #1
Elizabeth, New Jersey 07202
Phone: (201) 527–0300

EXECUTIVE COMMITTEE

The next Executive Committee Meeting will be on Thursday, October 24, 1974, at 9:30 a.m. in Conference Room 847, 1919 M Street, NW., Washington, DC.

AGENDA

1. Call to Order; Introduction of Federal Government Public Interest Designate.
2. Introduction of Attendees; Adoption of Agenda.
3. Approval of the Minutes of Executive Committee Meetings.
4. Progress Reports on Currently Active Committees.
SC-65: "Ship Radar".
SC-66: "Receiver Standards for the Maritime Mobile Service".
5. Status Reports on Other Committees.
SC-67: "Vessel Traffic Systems".
SC-68: "Marine Radiotelephone Operator Education".
6. Reports of Standing Committees.
7. Report on RTCM—Propeller Club Panel Discussion, New York City, October 17.
8. Status report on "Federal Advisory Committee Act" PL 92-463.
9. Discussion on draft paper, "Special Committee Procedures and Reports".
10. Report on 1975 St. Louis Assembly Meeting.
11. Report of Budget Committee.
12. Summary Reports and Announcements.
13. New business.
14. Establishment of next meeting date.

Agendas, working papers, and other appropriate documentation for each committee meeting are available at that meeting. Those desiring more specific information may contact either the designated Committee Chairman or the RTCM Secretariat. (Phone: (202) 632-6490)

The RTCM has acted as a coordinator for maritime telecommunications since its establishment in 1947. Problems are studied by Special Committees and the final reports are approved by the RTCM Executive Committee. All RTCM meetings are open to the public.

[FR Doc.74-23016 Filed 10-2-74;8:45 am]

[Docket Nos. 20030; 20031; FCC 74R-349]

WAVV COMMUNICATIONS, INC., AND AVALON BROADCASTING CO.

Memorandum Opinion and Order Enlarging Issues

1. This proceeding involves the mutually exclusive applications of WAVV Communications, Inc. (WAVV) and Avalon Broadcasting Co. (Avalon) for authorizations to construct a new FM broadcast station on Channel 232A at Avalon, New Jersey. These applications were designated for a consolidated hearing on a standard comparative issue by Commission Order, 39 FR 17126, published May 13, 1974. Now before the Review Board is a motion to enlarge issues, filed May 28, 1974, by Avalon,[1] requesting that the following issues be added against WAVV:

(a) To determine if WAVV has sufficient financial availability to construct the FM broadcast station proposed in its application.

(b) To determine if WAVV has allocated sufficient funds to adequately operate the proposed facility for the first year.

(c) To determine whether in the light of the evidence adduced under issues "a" and "b," WAVV Communications, Inc. is financially qualified to be a licensee of the Commission.

(d) To determine if WAVV has prematurely constructed its broadcast facility in contravention of section 319(a) of the Communications Act.

(e) To determine if WAVV has failed to comply with § 1.65 of the Commission's rules and regulations with regard to disclosure of business and financial interests.

(f) To determine if WAVV has failed to comply with § 1.514 of the Commission's rules and regulations with regard to full disclosure of all information required by the application (FCC Form 301).

(g) To determine whether the applicant has displayed lack of candor and made affirmative misrepresentations to the Commission regarding its consultation with community leaders.

(h) To determine if the basic issue of character of Owen Hand and Robert Oberholtzer, the principal stockholders in WAVV, is sufficient to qualify them as broadcast licensees.

(i) To determine the efforts made by WAVV Communications, Inc., to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests. (*Suburban* Issue).

(j) To determine whether, in light of the evidence adduced under issues "d" through "i", WAVV Communications, Inc., is qualified to be a licensee of the Commission.

(k) To determine on a comparative basis the significant differences between Avalon and WAVV with regard to programming and if, in light of the proportionate deviation between respective public affairs program proposals, WAVV can competently deal with the significant problems and needs of the community.

FINANCIAL ISSUES

2. Avalon first alleges that WAVV's two financial contributors, Ronald Oberholtzer and Owen Hand, lack sufficient liquid assets to meet their obligations to the applicant.[2] In support, Avalon avers that a bank letter of commitment for $10,000, relied on by Mr. Oberholtzer, has expired. Consequently, according to his March 1, 1973 balance sheet, Avalon concludes that Mr. Oberholtzer has liquid assets of only $9,000, cash on hand, to meet commitments of $15,375. Avalon further alleges that while Mr. Hand relies on joint property to establish his ability to loan the corporation $37,500, nowhere in the application is there any evidence that his spouse has consented to liquidation of said joint property. Furthermore, Avalon asserts that there are substantial unexplained discrepancies between a balance sheet Hand submitted in support of a common carrier radio station application filed in October, 1972, which indicates cash availability of $12,500 and a net worth of $97,916, and the balance sheet filed with the instant application in March, 1973, in which Hand represents that he has cash availability of $38,500 and a net worth of $151,326.[3] Hand's financial capacity is further questioned by the allegation that he has decreased his cash on hand by $12,150, in order to purchase necessary equipment for his common carrier station. Avalon also argues that WAVV's estimate of $36,000 for first-year operating costs is insufficient. In substantiation, petitioner submits the affidavits of Robert S. Richter, who allegedly has 26 years experience as a professional broadcaster in the area and is now general manager of Station WSLT-FM, Ocean City, New Jersey, and Larry U. Keene, president of Avalon. Both aver that the cost of operation for one year of a station comparable to that proposed by WAVV would be at least $56,858. Avalon further alleges that WAVV's allocation of only $500 for attorneys' fees is inadequate. To support this allegation, Avalon cites *Community Broadcasters, Inc.*, 33 FCC 2d 714, 23 RR 2d 723 (1972), wherein the Board held that estimated legal expenses of $362 were clearly insufficient for a comparative hearing.

3. In opposition, WAVV submits a copy of an extended loan commitment Mr. Oberholtzer has obtained. WAVV asserts that the $8,500 net proceeds of this loan, together with the $6,000 cash on hand shown to be available from Mr. Oberholtzer's May, 1974 balance sheet (part

[1] Also before the Board are: (a) reply, filed July 2, 1974, by WAVV; (b) comments, filed July 2, 1974, by the Broadcast Bureau; (c) letter, filed July 5, 1974, by WAVV; (d) response to reply, filed July 15, 1974, by Avalon; (e) petition to accept late filed pleading and supplement to reply to motion to enlarge issues, filed September 5, 1974, by WAVV; (f) comments on late filed pleading, filed September 11, 1974, by the Broadcast Bureau; and (g) opposition to late filed pleading, filed September 11, 1974, by Avalon.

[2] WAVV's application indicates that a total of $52,906 will be required to construct and operate its station for one year, as follows:

Downpayment on equipment	$5,962
13 months of payments on equipment	6,461
13 months of interest charges on equipment	1,083
Miscellaneous	3,400
Operating capital	36,000
Total	52,906

To meet these costs the applicant claims $250.00 in existing capital; Oberholtzer's subscription for $2,875 worth of stock and his loan commitment of $12,500; and finally Owen Hand's commitment for $9,375 worth of stock and a loan of $37,500. Total available assets are thus stated as $62,500 to meet estimated first-year construction and operating costs.

[3] Pursuant to an amendment accepted by the Presiding Law Judge on July 15, 1974 (FCC 74M-839), Mr. Hand's cash on hand is $37,500 and his net worth is $180,430.

of the amendment of July 15, 1974), demonstrates that he has sufficient cash to fulfill commitments to the corporation. WAVV also submits an affidavit in which Mrs. Hand attests that she supports her husband "completely in this * * * endeavor * * *." In addition, WAVV notes that Mrs. Hand is both an officer and director of WAVV and is intimately connected with the affairs of the company. To clarify discrepancies in the previously submitted balance sheets, WAVV submits a new balance sheet for Mr. Hand, dated April 1, 1974, which is also part of the July 15, 1974 amendment. The increase in cash position, it is alleged, occurred because of two inheritances Mrs. Hand received. Official State of New Jersey documents suporting this claim are attached. Additionally, WAVV alleges, cash was received in the amount of $6,025 from Cape Christian Broadcasters, Inc. Moreover, WAVV asserts that Mr. Hand was advised that his earlier valuations of his real and personal property were too conservative. In reference to the statement in Mr. Hand's common carrier application that he intends to purchase radio equipment for $12,150 cash, WAVV responds that the equipment was leased, and the payments were made from the common carrier station's earnings. In addition, WAVV alleges that within six months Mr. Hand will receive at least $7,500 in cash from his ownership of a shopping center and from Cape Christian Broadcasters, Inc., which together with the $37,500 cash available, as reflected in the amendment of July 15, 1974, is ample liquidity to meet his commitments. Turning to the requested financial sufficiency issue, WAVV notes that both Messrs. Hand and Oberholtzer will work full time at the station, and asserts that its estimates of operating expenses are based on broadcast experience. In addition, Mr. Hand attests that he has been in contact with two other nearby stations in New Jersey, WLDB and WRNJ, and was informed by the operators of these stations that his cost proposals were in line with their own. Specifically, Mr. Hand states in an affidavit that WLDB is currently paying announcers $2.00 per hour, and a salesman he recently hired was paid $105.00 per week at another station. Regarding the payment of legal expenses, WAVV notes that counsel has agreed to allow WAVV to postpone payment of fees until after the conclusion of this proceeding.[4]

4. In reply, Avalon alleges that Mr. Hand has only $37,500 in liquid assets, because there is no showing that his fixed assets can be quickly converted into cash. Finally, Avalon notes that should WAVV be successful in this proceeding, it will have to include legal fees in first-year costs, as other provisions for such payment have not been made.

[4] The discrepancies pointed out by Avalon in the September 1972 and March 1973 balance sheets are adequately explained in WAVV's opposition. Therefore, to the extent that these discrepancies arise in conjunction with other requested issues, they will not be considered.

5. The Review Board will not add the requested issue to determine whether WAVV's principals can meet their commitments. Subsequent to the filing of Avalon's reply, WAVV tendered an amendment to the financial portion of its application. The amendment, which was accepted by the Presiding Law Judge (FCC 74M–1006, released August 15, 1974), discloses, *inter alia*, that Mr. Hand has reasonable assurance of $8,500 net proceeds of a new loan. We agree that this amendment answers the questions heretofore raised concerning whether the WAVV principals have sufficient liquid assets to meet their commitments. However, Avalon, through the affidavit[5] of Robert S. Richter, has raised serious questions concerning the reasonableness of WAVV's $36,000 estimate of operating costs. No satisfactory answer to these questions has been proffered by the applicant. See *James B. Francis*, 17 FCC 2d 596, 16 RR 2J 55 (1969); *State of Oregon Acting By and Through the State Board of Higher Education*, 11 FCC 2d 540, 11 RR 2d 1265 (1968). Nor did WAVV attempt to identify those experienced individuals in nearby stations with whom it allegedly consulted concerning similar cost estimates. *Lafourche Valley Enterprises, Inc.*, 30 FCC 2d 539, 22 RR 2d 228 (1971). The Board is therefore unable to determine if the $3,500 surplus which WAVV has available will be sufficient to cover the alleged deficit.[6]

PREMATURE CONSTRUCTION

6. Avalon argues that WAVV has violated section 319(a) of the Communications Act of 1934, as amended, by premature construction of a broadcast radio station.[7] In support, Avalon provides an affidavit of Mr. Vincent Franzeo, an experienced radio broadcaster, who visited the building located on WAVV's proposed transmitter site. Mr. Franzeo attests that the interior construction of the building resembled a radio studio and contained turntables, an audio console, equipment racks, a record library, and sound proofing construction. Avalon argues further that when the presence of this equipment is coupled with the fact that construction of the interior of the building was begun without application for, or issuance of, an occupancy or construction permit, there is evidence of an intent to conceal such construction. This latter allegation is allegedly supported by an affidavit of Mr. Larry Keene, who states that on April 30, 1974, the local building inspector told him that no building permit had been requested for "any interior alteration or construction, such as remodeling of rooms or construction of studio-type rooms."

7. WAVV, in opposition, disputes the allegation that it intended to conceal construction by asserting that a permit had been issued for roof construction. WAVV avers that the building houses common carrier station KUO–645. In addition, according to WAVV, when ready for business, Mr. Hand sought and was granted a Certificate of Occupancy. A copy of this certificate, as well as a copy of a township resolution granting a variance to permit the operation of a commercial radio station on the premises, are attached. Furthermore, WAVV supplies two affidavits which allegedly rebut the allegations of Mr. Keene and Mr. Franzeo. Mr. Hand attests that Messrs. Franzeo and Keene did not even enter the room they claim is a radio studio, and he challenges their description of the room and equipment. Mr. Oberholtzer states that the equipment was part of his his own record hobby operation, which was temporarily located in the RCC station as a convenience provided by Mr. Hand. The Oberholtzer affidavit also disputes the description of the equipment and soundproofing.

8. In our view petitioner has not raised a substantial question that a grant of the WAVV application would violate section 319(a) of the Communications Act. Initially, petitioner's allegations fail to comport with the support and sufficiency requirements of § 1.229(c) of the Commission's rules. Thus, Mr. Keene's assertion that local building construction permits have not been secured is not only irrelevant, but has been refuted by affidavits submitted by WAVV. Mr. Franzeo's affidavit is also an insufficient basis on which to add the requested issue since it involves speculation and raises no substantial and material question of fact.

[5] Prior to the amendment of August 15, 1974, Mr. Oberholtzer had liquid assets totaling $14,500. This included $6,000 cash on hand, and reasonable assurance of the availability of $8,500 by an extended loan commitment. Mr. Hand's liquid assets totaled only $37,500 in cash on hand, since absent a specific showing of marketability or liquidity, the notes receivable and fixed assets listed therein could not be relied on for the purpose of meeting his financial commitment. *Erwin O'Connor Broadcasting Co.*, 37 FCC 2d 983, 25 RR 2d 782 (1972); *Vista Broadcasting Co., Inc.*, 18 FCC 2d 636, 16 RR 2d 838 (1969). Thus, prior to the August amendment, WAVV had only $52,000 in liquid assets and $250.00 in existing capital to meet construction and operating costs of $52,906.

[6] On September 5, 1974, WAVV filed a supplement to its responsive pleading, including a request to accept the supplement. Although this pleading is not authorized and would ordinarily be dismissed, we have nonetheless examined it since it relates to recent chanegs in WAVV's financial proposal, and find that it reinforces our opinion that a financial issue is warranted. Thus, WAVV includes, for the first time, a breakdown of its estimated costs of operation. Its estimate is $44,918, which is $8,918 more than the amount it has estimated in its application and pleadings herein. If this figure is accurate, WAVV would have only $60,750 with which to meet revised construction and operating costs of at least $61,824. The Board also notes that this deficit may be further increased since "hearing and other related expenses" are not included in WAVV's estimate of first-year costs. Moreover, since this new figure has not been made the subject of an amendment, it cannot be relied on to answer petitioner's allegations regarding WAVV's cost estimates.

[7] Section 319(a) of the Communications Act 1934, as amended, provides: No license shall be issued under the authority of this Act for the operation of any station the construction of which is begun or is continued after this Act takes effect, unless a permit for its construction has been granted by the Commission.

In this regard, even assuming that the interior of the building could be used for a broadcast studio, this would not necessarily constitute "premature construction" within the meaning of section 319 of the Act. See *Brush Broadcasting Co.*, FCC 63R–352, 1 RR 2d 162 (1963); *Childress Broadcasting Corp.*, 24 RR 669 (1962); and *WSAV, Inc.*, 10 RR 402, 430 j–n (1955). Moreover, the Board concludes that WAVV has satisfactorily refuted all contentions regarding this matter.

FAILURE TO DISCLOSE

9. In support of its request for Rule 1.514 and Rule 1.65 issues against WAVV, petitioner alleges: that WAVV failed in response to Question 19, section II, page 5 of Form 301, to disclose the nature of another application which was pending before the Commission; that Mr. Hand failed to disclose a business interest in his application, *i.e.*, the "Page Boy Messenger Service"; that Messrs. Hand and/or Oberholtzer may have yet another unreported business interest, "Organ Records East"; and finally, that neither Messrs. Hand nor Oberholtzer have submitted a current statement of net annual income in support of their application as required by Section III, page 3, item 4(c) of Form 301.

10. In its opposition, WAVV noted that it provided a detailed statement regarding its then pending application for a radio common carrier station in the engineering exhibit of the instant application and also indicated in answer to section II, Question 19(b) of Form 301 that it had another application pending. Furthermore, WAVV emphasizes that by letter of counsel dated May 16, 1974, it informed the Commission that Mr. Hand had been granted a construction permit for a land mobile station. With respect to Organ Records East, WAVV submits the affidavit of Mr. Oberholtzer who attests that this operation is no more than a hobby, and that due to business delays, no profits or debts have been incurred to date. Finally, in his affidavit, Mr. Hand states that "Page Boy Messenger Service" is not a separate commercial business but is the business carried on by his public land mobile station KUO–645.

11. The Review Board does not believe that either a Rule 1.514 or 1.65 issue is warranted regarding WAVV's failure to disclose fully its pending common carrier application. Although WAVV did not supply all the data requested by Form 301, WAVV did indicate that it had an application pending. In addition, WAVV provided some of the missing data in the engineering portion of its broadcast application. Futhermore, on August 15, 1974, an amendment of section II, paragraph 19 of Mr. Hand's application was granted to reflect the filing of an application for consent to the assignment of the common carrier radio station. Consequently, we do not believe that any serious questions regarding this matter have been raised. In our view, WAVV's failure is "*de minimis* and not of sufficent magnitude to require an evidentiary inquiry." *Southland, Inc.*, 37 FCC 2d 125, 127, 25 RR 2d 186, 191 (1972). Nevertheless, the Board will add a Rule 1.514 issue to inquire into WAVV's failure to include in its application a statement of net income after federal income tax for the prior two years, for both Mr. Hand and Mr. Oberholtzer. However, since there is insufficient probative evidence of any intent to conceal or mislead the Commission, we shall add the issue on a comparative basis only. The remaining Avalon allegations of failure to disclose are without merit, because they do not meet the support and specificity requirements of § 1.229(c) of the Commission's rules and in any event have been satisfactorily answered in WAVV's reply.

MISREPRESENTATION

12. Avalon first argues that at least four of the 51 community leaders which Mr. Oberholtzer consulted were contacted more than 15 months prior to the filing of the WAVV application. Nevertheless, continues Avalon, WAVV implicitly represented to the Commission that these leaders were interviewed within six months prior to filing its application, in compliance with Question 15 of the *Primer on Ascertainment of Community Problems by Broadcast Applicants*, 27 FCC 2d 650, 21 RR 2d 1507 (1971) (*Primer*). In support, Avalon submits affidavits from the four community leaders. Each attests that he was personally interviewed by Mr. Oberholtzer on or before January 7, 1972 (WAVV's application was filed on March 16, 1973), and not reinterviewed at a later date. This time disparity, argues Avalon, when read in conjunction with a prior distortion of Mr. Oberholtzer, "suggests a plan of skullduggery designed to mislead the Commission." Specifically, Avalon argues that a disingenuous representation was also made in a petition for rulemaking, filed by Mr. Oberholtzer in January, 1972, when it was stated that Mr. Robert Patterson, the Executive Director of the Cape May County Chamber of Commerce, had been consulted. In support, Avalon supplies an affidavit from Mr. Patterson who attests that to the best of his memory he was not interviewed by Mr. Oberholtzer, "regarding the need for a new radio station to serve * * * Avalon * * *." Furthermore, Avalon alleges that Mr. Patterson stated that there is neither a person nor a position designated as Executive Director.

13. In opposition, WAVV alleges that it did timely contact the aforementioned individuals in its survey. In support, WAVV attaches signed letters from the four community leaders, each of whom states that he or she completed a community survey questionnaire in the presence of Mr. Hand and/or Mr. Oberholtzer. Copies of the actual community questionnaires are also attached. All of the questionnaires indicate that they were completed within six months prior to the filing of the instant application. WAVV also submits a letter from Mr. Patterson, who states that, although he does not know Mr. Oberholtzer, he knows Mr. Hand and did complete a questionnaire for the latter within six months prior to the filing of the instant application. A copy of this questionnaire is provided. Furthermore, in explanation of his previous affidavit, Mr. Patterson states that he "had forgotten about the questionnaire until [he] saw it again." Mr. Patterson also states that he is in fact the Executive Director of the Cape May County Chamber of Commerce, and this title is imprinted on the letterhead of Mr. Patterson's official stationery.

14. The Board will deny the requested misrepresentation issue. WAVV has submitted statements and documentary evidence which clearly indicate that the interviewees in question were in fact interviewed by WAVV principals within six months prior to filing of the WAVV application. Nor does a question of concealment arise from the affidavit of Mr. Robert Patterson which Avalon submitted. Patterson's later affidavit makes it clear that he was in fact interviewed, and that petitioner's hearsay allegation regarding the title of his position is erroneous. For these reasons, Avalon's request for a character qualifications issue against WAVV (Issue (h)) will be rejected.

SUBURBAN ISSUE

15. Avalon next alleges that WAVV has failed to comply with the *Primer* in three respects. First, Avalon challenges WAVV's community leader survey by asserting that WAVV failed to interview any agricultural or religious leaders and included only two leaders engaged in light industry. Petitioner also asserts that leaders of youth organizations and senior citizen groups were omitted, despite the fact that these two groups are highly significant elements of any resort area. Furthermore, Avalon questions whether several of those persons designated as leaders are in fact leaders. Second, Avalon alleges that the method used by WAVV to insure a random sampling of the general public is not stated. Third, as previously noted, Avalon avers that WAVV interviewed four community leaders before the six months period prior to the filing of its application. In addition, the survey of these leaders was allegedly done, not to ascertain community needs, but to determine the need for an additional broadcast facility in the area.

16. In opposition, WAVV first notes the small size of the community to be served and asserts that the 51 leaders whom it contacted reflect a cross-section of that community. Contrary to Avalon's allegation, WAVV asserts that youth leaders, retired persons and a Catholic priest were contacted. In support, copies of the questionnaires of four youth group representatives and twelve questionnaires from retired persons are included. In addition, WAVV notes that it has already shown (see para. 12, *supra*) that Avalon was incorrect in its allegations regarding the dates that some of the

community leader consultations were conducted.

17. The Board will add a limited *Suburban* issue. We conclude that a substantial question has been raised regarding WAVV's compliance with the unequivocal language of the *Primer* (Q. & A. 13(b)). It is clear that WAVV's survey fails to describe the method by which it selected the members of the general public which it interviewed. In its survey, WAVV merely states that all interviews were conducted "on a personal basis" by one of the applicant's principals. Thus, it is impossible to determine whether the general public survey was conducted on a random basis in accordance with Question 13(b) of the *Primer; cf. Robert Cowan Wagner*, 38 FCC 2d 403, 25 RR 2d 1095 (1972). The Board finds, however, that petitioner's remaining *Suburban* allegations either fail to raise substantial questions, or have been satisfactorily answered in WAVV's opposition or in an amendment accepted by the Presiding Law Judge (FCC 74M–1006, released August 15, 1974).[8]

COMPARATIVE PROGRAMMING ISSUE

18. Avalon asserts that a substantial difference exists between its public affairs program plans and those of WAVV. Petitioner states that it proposes 3 hours and 47 minutes of public affairs programs per week while WAVV proposes only one hour and 15 minutes or less than one-third as much as Avalon. In addition, Avalon notes that the WAVV application identifies 26 problems and needs, and plans to deal generally with the problems in only two 15-minute programs plus assorted public service announcements. On the other hand, Avalon argues that it plans at least five half-hour programs to deal with 18 identified problems and needs. In support of its request, Avalon cites *Risner Broadcasting, Inc.*, 32 FCC 2d 75, 23 RR 2d 61 (1971).

19. In opposition, WAVV first argues that it has proposed a schedule of public affairs programming which will enable it to meet all of the significant problems which it has uncovered. In addition, WAVV alleges that when determining whether there really is any significant difference in program proposals, the Board must consider the failure of certain Avalon principals to live up to past programming promises made in connection with applications for renewal of other stations. WAVV next asserts that the above-noted variance beeween promise and performance, as well as the actions and methods of Mr. John Scarpa and Mr. Larry Keene in gathering data for Avalon's application, indicate a pattern of carelessness and support the belief that Avalon is "indulging in the old option block practice in proposing programming."[9] Finally, WAVV argues that the program proposals of Avalon only vary slightly percentage-wise from its own and as such are "[m]inor differences in the proportions of time allocated to different types of programs [which] will not be considered * * *", citing the Commission's *Policy Statement on Comparative Broadcast Hearings*, 1 FCC 2d 393, 5 RR 2d 1901 (1965).

20. The requested issue will be denied. Petitioner has clearly failed to show that its claimed superiority in proposed public service programming is in any way related to its own ascertainment of needs and interests. In the absence of such a showing, a comparative programming issue is not warranted. *Voice of Dixie, Inc.*, 20 FCC 2d 867, 17 RR 2d 1199 (1969); *Chapman Radio and Television Company*, 7 FCC 2d 213, 9 RR 2d 635 (1967). Finally, the Board notes that merely pointing out alleged deficiencies in WAVV's ascertainment survey provides no basis for addition of the requested issue.

21. *Accordingly, it is ordered*: That the petition to accept late filed pleading and supplement to reply to motion to enlarge issues, filed September 5, 1974, by WAVV Communications, Inc., is granted; and

22. *It is further ordered*: That the motion to enlarge issues, filed May 28, 1974, by Avalon Broadcasting Co., is granted to the extent indicated below, and is denied in all other respects; and

23. *It is further ordered*: That the issues in this proceeding are enlarged by the addition of the following issues:

(a) To determine with respect to WAVV Communications, Inc., the basis of its estimated costs of operation during the first year; whether such estimates are reasonable; whether, in light of the evidence adduced, additional funds will be required; and whether such additional funds are available;

(b) To determine, in light of the foregoing issue, whether WAVV Communications, Inc., is financially qualified;

(c) To determine whether WAVV Communications, Inc. consulted a random sample of members of the general public in connection with its efforts to ascertain community problems, and to determine, in light of the evidence adduced whether its efforts are adequate;

(d) To determine whether the applicant has submitted complete and accurate information in response to the Comission's application form, section III, page 3, item 4(c), as required by Section 1.514 of the Commission's rules; and if not, to determine the effect thereof upon the applicant's comparative qualifications to be a Commission licensee.

24. *It is further ordered*: That the burden of proceeding with the introduction of evidence and the burden of proof under issues (a)–(c) added herein SHALL BE on WAVV Communications, Inc.

Adopted: September 23, 1974.

Released September 26, 1974.

FEDERAL COMMUNICATIONS COMMISSION,[10]
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74–23013 Filed 10–2–74;8:45 am]

[8] WAVV's amendment indicates, *inter alia*, that it has contacted ministers of various denominations and several agricultural leaders.

[9] By this phrase WAVV apparently means that Avalon waited until WAVV's application was filed so that it could file a slightly more ambitious programming proposal which it does not intend to fulfill, or cannot realistically effectuate.

[10] Board Member Berkemeyer absent.

FEDERAL MARITIME COMMISSION

[NO. 74–43]

SCOTT PAPER CO. AND PUERTO RICO MARITIME SHIPPING AUTHORITY

Filing of Complaint

SEPTEMBER 27, 1974.

Notice is hereby given that a complaint filed by Scott Paper Company against Puerto Rico Maritime Authority was served by the Commission on September 26, 1974. The complaint alleges violations of sections 16 and 18 of the Shipping Act, 1916, in connection with respondent's decision to exclude the Port of Mobile, Alabama from its common carrier service between the Commonwealth of Puerto Rico and the United States.

Hearing in this matter shall commence on or before April 1, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74–23052 Filed 10–2–74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CI67–248, *et al.*]

BEACON GASOLINE CO., ET AL.

Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates; Correction

SEPTEMBER 10, 1974.

In the Notice of Applications for Certificates, Abandonment of Service and Petitions to Amend Certificates, issued August 14, 1974 and Published in the FEDERAL REGISTER on August 22, 1974, 39 FR 30377, Page 30378, Purchaser and Location column, Docket No. CI75–59: Change "Blocks 268, 269 and 291" to read "Blocks 268, 269 and 281.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–23032 Filed 10–2–74;8:45 am]

[Docket No. E–9022]

BOSTON EDISON CO. AND NEW BEDFORD GAS AND EDISON LIGHT CO.

Application

SEPTEMBER 19, 1974.

Take notice that on September 16, 1974, Boston Edison Company (Boston

Edison) and New Bedford Gas and Edison Light Company (New Bedford) filed a joint application pursuant to section 203 of the Federal Power Act for approval of an authority for the purchase by New Bedford and the sale by Boston Edison of a 20% undivided interest in the latter's electric transmission facilities extending from a connection with the transmission lines of Blackstone Valley Electric Company at the Rhode Island/Massachusetts state line (Burrillville, Rhode Island-Uxbridge, Massachusetts) to Boston Edison's West Medway substation #446 in the Town of Medway, Massachusetts.

The Applicants are incorporated under the laws of the Commonwealth of Massachusetts, Boston Edison being engaged in the electric utility business and New Bedford being engaged in the electric utility business and the gas utility business.

Boston Edison serves 40 cities and towns in the greater Boston area. New Bedford serves 41 communities in southeastern Massachusetts.

Boston Edison and New Bedford have entered into a Joint Ownership Agreement approved by their respective stockholders and directors, under which Boston Edison will sell and New Bedford will purchase 20% undivided interest in the said transmission line segment, its land rights and associated facilities.

The purchase price will be 20% of the cost of constructing said line segment, plus 20% of the cost of its land rights and associated facilities, or approximately $900,000. Boston Edison will operate and maintain said assets for the benefit of both Applicants and New Bedford will pay 20% of the cost thereof.

Applicants have received approval of the proposed purchase and sale from the Massachusetts Department of Public Utilities in accordance with the laws of the Commonwealth of Massachusetts.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 11, 1974, file with the Federal Power Commission, Washington, DC 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. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23043 Filed 10-2-74;8:45 am]

[Docket No. G-15912, etc.]

CERTIFICATES, ABANDONMENT OF SERVICE AND PETITIONS TO AMEND CERTIFICATES

Notice of Applications; Correction

SEPTEMBER 13, 1974.

In the notice of Applications for Certificates, Abandonment of Service and Petitions to Amend Certificates issued September 6, 1974 and published in the FEDERAL REGISTER on September 13, 1974, 39 FR 33035, page 33036, Purchaser and Location column, Docket No. CI75-123: Change "United Gas Pipe Line Company" to read "Southern Natural Gas Company."

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23029 Filed 10-2-74;8:45 am]

[Docket No. CP73-329]

CHATTANOOGA GAS CO.

Proposed Changes in FPC Gas Tariff

SEPTEMBER 19, 1974.

Take notice that on August 22, 1974, Chattanooga Gas Company (Chattanooga) tendered for filing a completely revised Volume No. 2 of its FPC Gas Tariff to be effective on September 23, 1974.

Chattanooga states that the primary purpose of this First Revised Volume No. 2 is to give effect to a new storage service contract executed as of the 17th day of July, 1974, by and between East Tennessee Natural Gas Company and Chattanooga Gas Company.

Chattanooga states that other than changes in dates, the primary tariff revisions are:

(1) Storage service volumes for East Tennessee have been increased from 285,125 MCF for 1973-74 to 469,212 MCF for 1974-75.

(2) The terms of the contract as originally set forth on Sheet No. 8 have been revised so that: "East Tennessee may, upon notice given thirty (30) days prior to the termination hereof, request a twelve (12) month extension of the term of this contract. Within thirty (30) days of the receipt of said request * * *."

Chattanooga requests that its First Revised Volume No. 2 be made effective on September 23, 1974.

Chattanooga states that copies of the filing have been mailed to all of its jurisdictional customers.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., 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 September 30, 1974. 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. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23036 Filed 10-2-74;8:45 am]

[Docket No. CP73-329]

CHATTANOOGA GAS CO.

Proposed PGA Rate Adjustment

SEPTEMBER 19, 1974.

Take notice that on August 30, 1974, Chattanooga Gas Company, (Chattanooga) tendered for filing proposed changes to Original Volume No. 1 of its FPC Gas Tariff to be effective on August 26, 1974, consisting of the following revised tariff sheets:

Sixth Revised Sheet No. 5 and Sixth Revised Sheet No. 6.

Chattanooga states that the sole purpose of these Revised Tariff Sheets is to adjust Chattanooga's LNG rates pursuant to the PGA provision in Section 5 of the General Terms and Conditions of its FPC Tariff to reflect increased purchased gas costs resulting from a further revised R&D rate increase filed by Tennessee Gas Pipeline Company on July 23, 1974, pursuant to the Federal Power Commission's order of July 9, 1974, in Docket No. RP74-73. East Tennessee Natural Gas Company states that the proposed effective date of the underlying increase of Tennessee is July 8, 1974.

Chattanooga requests that its Sixth Revised Sheet No. 5 and Sixth Revised Sheet No. 6 be made effective on August 26, 1974, the same effective date of a proposed increase by Southern Natural Gas Company upon which Chattanooga based a PGA Rate Filing previously made with the Commission on July 18, 1974.

Chattanooga states that copies of the filing have been mailed to all of its jurisdictional customers.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., 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 September 27, 1974. 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. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23044 Filed 10-2-74;8:45 am]

[Docket Nos. CP73-334; CP74-289]

EL PASO NATURAL GAS CO.

Supplement to Petition To Amend and Amendment to Application

SEPTEMBER 19, 1974.

Take notice that on August 30, 1974, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP73-334 a third supplement to a petition to amend the order of the Commission heretofore issued in said docket, pursuant to section 7(c) of the Natural Gas Act, on October 10, 1973 (50 FPC ——), so as to provide additional data necessary to support Applicant's request for authorization to permit the withdrawal of gas and utilization of Rhodes Reservoir as necessary for the protection of Applicant's east-of-California customers' Priority 1 and 2 requirements (Priority Customers) commencing with the 1974-75 heating season. Take further notice that, concurrently, Applicant filed in Docket No. CP74-289 an amendment to its application filed in said docket pursuant to section 7(c) of the Natural Gas Act, so as to reflect certain changes in the proposed special operating arrangements among Applicant, Pacific Gas and Electric Company (PGandE) and Southern California Gas Company (SoCal) necessary to enable Applicant to protect said Priority Customers. Applicant's proposals are fully set forth in the supplement and amendment which are on file with the Commission and open to public inspection.

Applicant states that by order issued in Docket No. CP74-289,[1] it was granted a temporary certificate so as to permit implementation of special operation arrangements with PGandE and SoCal designed to assist Applicant in maintaining reliable service to its Priority Customers during the 1974-75 heating season. Generally, the special operating arrangements provided that Applicant, by reducing daily deliveries of gas to its low priority of service east-of-California customers, could obtain and deliver up to 25,000 Mcf of gas (advance sale gas) to PGandE, above those quantities of gas which PGandE would otherwise receive from Applicant. Applicant then had the right, subject to PGandE's consent, to reduce, by a maximum of 300,000 Mcf, daily deliveries to PGandE below the volumes PGandE would otherwise receive. In addition, SoCal had agreed to an operating arrangement whereby in the event the special operating arrangements were not possible with PGandE, Applicant would divert a portion of deliveries to SoCal by a maximum of 300,000 Mcf per day, below the quantities of gas which SoCal would otherwise receive, during the period November 1, 1974, through April 30, 1975, provided that the outstanding accumulative total reduction in deliveries at any one time did not exceed 1,500,000 Mcf.

[1] By letter from the Commission dated June 21, 1974.

Applicant states that, subsequent to the execution of such special operating arrangements, it has been informed by PGandE that certain unforeseen operational restraints exist on PGandE's system which reduce the forecasted storage capacity available for use in conjunction with said special operating arrangements and, consequently, PGandE can now only accept a quantity of advance sale gas of up to 14,800,000 Mcf. Applicant states that in consideration of the restraints on PGandE's system, Applicant has entered into letter agreements with PGandE and SoCal dated August 16, 1974, and August 20, 1974, respectively, to provide for the modification of the special operating arrangements to reflect the required reduction in deliveries of advance sale gas to PGandE and to change the operational requirement of SoCal's diverted deliveries for utilization as needed for the protection of Applicant's Priority Customers' requirements. Accordingly, Applicant amends its application in Docket No. CP74-289 to provide for modification of the special operating arrangements.

To augment the reduced deliveries of advance sale gas to PGandE, Applicant requests the Commission, by petition filed June 11, 1974, to amend the order issued October 10, 1973, in Docket No. CP73-334 so as to extend the authorizations thereby granted to permit Applicant to extend the withdrawal period and to withdraw gas stored in Rhodes Reservoir as may be required during the 1974-75 heating season to protect its Priority Customers. Pursuant to Applicant's first and second supplements to said petition to amend, Applicant was granted a temporary certificate to increase the authorized maximum inventory of gas in the Rhodes Reservoir to 25,866,000 Mcf and to increase its present maximum daily deliverability from 63,000 Mcf to 123,000 Mcf. Applicant points out, however, that such temporary certificate did not authorize the withdrawal of gas from Rhodes Reservoir or the delivery and sale of such gas in interstate commerce. Accordingly, Applicant requests that the Commission permit Applicant to withdraw gas from and to use the Rhodes Reservoir as necessary for the protection of Applicant's Priority Customers during the 1974-75 heating season.

Applicant now estimates that withdrawal operations of the Rhodes Reservoir, together with peaking service to be provided by SoCal, will be sufficient to protect Applicant's Priority Customers. Applicant proposes to apply a surcharge amount of 0.66 cent per Mcf to the Priority 1 and 2 scheduled requirements of its east-of-California distributor and direct sale customers to recover the costs associated with making the storage supply available for the 1974-75 heating season.

Any person desiring to be heard or to make any protest with reference to said supplement to petition to amend or amendment to application should on or before October 10, 1974 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. Any person who has heretofore filed a protest or petition to intervene need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23034 Filed 10-2-74;8:45 am]

[Docket No. RP74-50-5]

FLORIDA HYDROCARBONS CO. AND FLORIDA GAS TRANSMISSION CO.

Joint Petition for Interim and Permanent Extraordinary Relief and for Declaratory Order

SEPTEMBER 19, 1974.

Take notice that on September 9, 1974, a joint petition, pursuant to § 1.7 of the Commission's rules of practice and procedure, was filed by Florida Hydrocarbons Company (Hydrocarbons) for interim and permanent extraordinary relief from the curtailment provisions of Florida Gas Transmission Company's FPC Gas Tariff, Original Volume No. 1, and by Florida Gas Transmission Company (Florida Gas) for a declaratory order confirming its administration of its curtailment program with regard to Hydrocarbons' extraction operations. Both petitioners are wholly owned subsidiaries of Florida Gas Company, a Florida corporation located in Winter Park, Florida.

In support of its petition for interim and permanent extraordinary relief, containing supporting affidavits, Hydrocarbons states that it owns and operates a liquefiable hydrocarbons extraction and processing plant adjacent to Florida Gas' main pipeline system near Brooker, Florida. It takes into that plant the gas stream flowing through Florida Gas' pipeline, processes that gas stream and extracts propane, butane, natural gasoline and raw liquid products therefrom, and then returns the processed and purified gas stream to the pipeline. Under the terms of the hydrocarbons extraction agreement with Florida Gas, it has the right to extract all of the liquefiable hydrocarbons in the Florida Gas mainline stream subject only to the limitation that the processed gas returned to the pipeline will not be reduce below 1,010 Btu per cubic foot.

Although Hydrocarbons is classified as a direct customer of Florida Gas, the processing operation does not actually consume natural gas except for approximately 10 percent of the total Btu's removed from the gas stream during the processing operation which is consumed as fuel by the plant. According to the petition, fuels other than natural gas

for the aforesaid 10 percent of total Btu's could be utilized only after securing an alternate fuel supply, storage for such a supply and a major refitting of the fuel system itself. The volume of products currently extracted by Hydrocarbons has increased recently with the flow of gas supply from the Jay Field in Santa Rosa County, Florida, into the Florida Gas pipeline since Jay Field producers have experienced unexpected delays in bringing their extraction plant into service.

Florida Gas claims that Hydrocarbons does not basically consume natural gas but instead processes the gas and converts Btu's to alternate energy forms which are in short supply. However, it believes that it will be required under its curtailment program to direct Hydrocarbons to suspend its operations during periods of curtailment when the anticipated curtailment of resale interruptible customers commences during the 1974–75 winter season. If Hydrocarbons is permitted to continue its extraction of critical liquids without suspension during 1975, Florida Gas estimates that the curtailments to its resale interruptible customers would be extended 16 days. Hydrocarbons asserts that its operations utilize (but do not consume) the liquefiable hydrocarbons in the natural gas stream as the indispensable feedstock in its extraction plant and that there is no alternative to the Btu's of energy so utilized.

Hydrocarbons requests that the Commission grant its interim and permanent relief from any interruption of its processing and extraction operations when Florida Gas is required to commence curtailment of its resale interruptible customers. Florida Gas requests that the Commission issue a declaratory order confirming the manner in which it has been administering its curtailment program in regard to the extraction operations conducted by Hydrocarbons.

It appears reasonable and consistent with the public interest in this proceeding 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 protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., 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) on or before September 27, 1974. 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 in accordance with the Commission's rules. This filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23037 Filed 10-2-74;8:45 am]

[Docket No. E-8121]

GULF STATES UTILITIES CO.

Filing of Fuel Clause

SEPTEMBER 19, 1974.

Take notice that on September 9, 1974, Gulf States Utilities Company (GSU) tendered for filing a revised fuel clause pursuant to orders of the Federal Power Commission. The filing consisted of a Revised Alternate Statement O to replace the prior filings of Statement O in this docket.

Applicant states that the fuel clause is consistent with Opinion No. 633 of the Commission. Applicant further states that the changes therein relative to the prior filings are (1) losses based upon the losses for the wholesale class versus system losses (2) the fuel cost of the generating party for both sales and purchases would be used in computing the fuel adjustment and (3) fuel costs would be only those in Account 151 plus natural gas expense charged directly to Account 501.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., 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 September 26, 1974. 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. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23028 Filed 10-2-74;8:45 am]

[Docket No. CP73-191]

HIGH PLAINS NATURAL GAS CO.

Petition To Amend

SEPTEMBER 20, 1974.

Take notice that on September 12, 1974, High Plains Natural Gas Company (Petitioner), P.O. Box 2263, Santa Fe, New Mexico 87501, filed in Docket No. CP73-191 a petition to amend the order issued in said docket on April 13, 1973 (49 FPC 1000), pursuant to section 7(c) of the Natural Gas Act by authorizing Petitioner to exchange natural gas with Transwestern Pipeline Company (Transwestern) during the 1974–75 and 1975–76 winter heating seasons, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the order of April 13, 1973, Petitioner was authorized to exchange natural gas with Transwestern pursuant to an exchange agreement dated January 15, 1973. Under this agreement, Transwestern delivered up to 1,000 Mcf of gas per day to Petitioner at a point near Spearman, Texas, and Petitioner redelivered within 30 days 105 percent of the amount actually received to Transwestern at a point near Magic City, Texas. Petitioner relates that this agreement was intended to meet emergency winter peaking demands and covered only the 1972–73 and 1973–74 winter heating seasons as Petitioner planned to meet its future emergency needs by constructing a butane peak shaving plant. Petitioner states that plans for such a plant are no longer practical in light of the radically altered supply of butane. Petitioner, therefore, proposes to renew its winter season gas exchange with Transwestern pursuant to an amendment dated August 1, 1974, to the exchange agreement, which amendment provides for the exchange of up to 1,500 Mcf of gas per day on a best efforts basis for a term from November 1, 1974, to April 1, 1975, and from November 1, 1975, to April 1, 1976.

Petitioner submits that this proposal will not require construction of new pipeline facilities. Petitioner requests that the authority sought herein be conditioned consistent with the April 13, 1974, order except: (1) the proposed exchange will terminate April 1, 1976, and (2) the certificateshall not apply to the facilities used in receiving the deliveries from Transwestern.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before October 15, 1974, file with the Federal Power Commission, Washington, DC 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.74-23041 Filed 10-2-74;8:45 am]

[Docket No. RP70-6, etc.]

LAWRENCEBURG GAS TRANSMISSION CORP.

Refunds

SEPTEMBER 20, 1974.

Take notice that on August 30, 1974, Lawrenceburg Gas Transmission Corporation (Lawrenceburg) tendered for filing a report of refunds made to its two jurisdictional wholesale customers, Lawrenceburg Gas Company and The Cincinnati Gas & Electric Company for the period November 15, 1971 through July 31, 1972.

Lawrenceburg states that the $180.63 refund to Lawrenceburg Gas Company and the $146.76 refund to Cincinnati Gas & Electric Company are the result of a refund received by Lawrenceburg from its sole supplier Texas Gas Transmission Corporation. Lawrenceburg further states that the refunds are being made in compliance with the Commission Order issued July 31, 1972 in the above-referenced docket.

Lawrenceburg states it has mailed copies of the refund report to its two jurisdictional wholesale customers, the Public Service Commission of Indiana, and the Public Utilities Commission of Ohio.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure. All such petitions or protests should be filed on or before October 3, 1974. 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. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23042 Filed 10-2-74;8:45 am]

[Docket Nos. CP75-44, CP75-45, CP75-46]

LOWELL GAS CO. AND NEW ENGLAND LNG CO., INC.

Notice of Application; Correction

SEPTEMBER 10, 1974.

In the Notice of Application issued September 3, 1974 and published in the FEDERAL REGISTER on September 10, 1974, 39 FR 32658. Please change the following to read as follows:

Page 32659, First Column:

Line 2: Change "620,000,000" to "620 billion".

Line 7: Change "350,000,000" to "350 billion".

Line 8: Change "150,000,000" to "150 billion".

Line 10: Change "270,000,000" to "270 billion".

Line 15: Change "250,000,000" to "250 billion".

Line 18: Change "150,000,000" to "150 billion".

Line 19: Change "250,000,000" to "250 billion".

Line 24: Change "250,000,000" to "250 billion".

Line 3, Paragraph 3: Change "500,000,000" to "500 billion".

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23031 Filed 10-2-74;8:45 am]

[Docket No. ID-1742]

M. H. LEWIS

Initial Application

SEPTEMBER 19, 1974.

Take notice that on August 29, 1974, M. H. Lewis (Applicant) filed an initial application with the Federal Power Commission. Pursuant to section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Vice President, Kentucky Utilities Co., Public Utility.

Vice President and Director, Old Dominion Power Co., Public Utility.

Kentucky Utilities Company ("Kentucky") has its principal place of business at 120 South Limestone Street, Lexington, Kentucky.

It is an operating public utility company supplying electric service in 78 counties located in central, southeastern and western Kentucky and one adjoining county in northwestern Tennessee.

Old Dominion Power Company ("Dominion") has its principal place of business in Norton, Virginia.

It is an operating public utility company supplying electric service in five counties located in southwestern Virginia.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 8, 1974 file with the Federal Power Commission, Washington, DC 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. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23027 Filed 10-2-74;8:45 am]

[Docket No. ID-1743]

ARTHUR EUGENE LUNDVALL, JR.

Initial Application

SEPTEMBER, 19, 1974.

Take notice that on September 9, 1974, Arthur Eugene Lundvall, Jr. (Applicant) filed an initial application with the Federal Power Commission. Pursuant to section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Vice President, Baltimore Gas and Electric Company, Public Utility.

Director, Safe Harbor Water Power Corporation, Public Utility.

Baltimore Gas and Electric Company. This Company was incorporated on June 20, 1906, under the laws of the State of Maryland. It has its principal places of business at Gas and Electric Building, Charles Center, Baltimore, Maryland 21203. The Company is primarily engaged in the business of producing, purchasing and selling electricity, and purchasing and selling natural gas within the State of Maryland where all its properties are located, except that the Company is an owner as a tenant in common with other utilities of the Keystone and Conemaugh minemouth electric generating stations located in the coalfields of western Pennsylvania together with related facilities. The Company also interchanges electric energy with utilities in other states. Other business of the Company includes sale of gas and electric appliances and the production and sale of steam in downtown Baltimore City.

Safe Harbor Water Power Corporation. This Company was incorporated on January 6, 1930, under the laws of the Commonwealth of Pennsylvania. It has its principal place of business at R.D. 2—Conestoga, Lancaster County, Pennsylvania 17516. Safe Harbor owns and operates a hydroelectric power plant located in the Susquehanna River in Pennsylvania. The output of the plant is sold to Baltimore Gas and Electric Company and Pennsylvania Power & Light Company in the proportions of ⅔ and ⅓, respectively.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 8, 1974 file with the Federal Power Commission, Washington, DC 20426, petitions to intervene or 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. 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. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23026 Filed 10-2-74;8:45 am]

[Docket No. CP75-59]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Application

SEPTEMBER 20, 1974.

Take notice that on August 28, 1974, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in

Docket No. CP75–59 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to construct and operate facilities for the receipt into its system of natural gas to be produced from reserves located in the Big Eddy Area, Eddy County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct approximately 31 miles of pipeline (23.5 miles of 10-inch line and 7.6 miles of 8-inch line), measuring facilities and a tap connection to receive the gas committed to it under two gas purchase contracts with Perry R. Bass and Bass Enterprises Company in the Big Eddy Area. Although Applicant estimates the proved natural gas reserves committed to it by these two contracts to be approximately 22,000,000 Mcf with a deliverability of 11,000 Mcf per day, Applicant has designed the proposed line with sufficient capacity (46,000 Mcf per day) to allow for the anticipated acquisition of reserves in the corridor of the pipeline.

Applicant states that the construction and operation of the proposed line will place Applicant in a position to compete favorably with the intrastate market for new gas reserves and will enable Applicant expeditiously to connect newly acquired reserves directly to its system. Applicant estimates the total cost of constructing the facilities to be $1,903,200 which is to be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 15, 1974, file with the Federal Power Commission, Washington, DC 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.

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 Commssion 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.74–23040 Filed 10–2–74;8:45 am]

[Docket No. CP73–332]

NORTHWEST PIPELINE CORP.

Petition To Amend; Correction

SEPTEMBER 18, 1974.

In the notice of petition to amend issued September 11, 1974, and published in the FEDERAL REGISTER on September 18, 1974, 39 FR 33603: Page 33603, last paragraph, line 4, change "October 7" to "October 1."

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–23023 Filed 10–2–74;8:45 am]

[Docket No. E–9000]

ORANGE & ROCKLAND UTILITIES, INC.

New Power Supply Contract; Correction

SEPTEMBER 17, 1974.

In the notice of New Power Supply Contract issued September 11, 1974 and published in the FEDERAL REGISTER on September 18, 1974, 39 FR 33603, please change the requested effective date in the above notice from October 1, 1974, to November 1, 1974.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–23024 Filed 10–2–74;8:45 am]

[Docket No. E–8931]

PACIFIC POWER & LIGHT CO.

Application

SEPTEMBER 20, 1974.

Take notice that on September 16, 1974, Pacific Power & Light Company (Applicant), a corporation organized under the laws of the State of Maine and qualified to transact business in the States of Oregon, Wyoming, Washington, California, Montana and Idaho, with its principal business office at Portland, Oregon, filed an application with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, seeking an order authorizing the issuance of $70,000,000 in principal amount of its First Mortgage Bonds (New Bonds) and exemption from the competitive bidding requirements of § 34.1a of the Commission's regulations.

The New Bonds are to be issued under and pursuant to Applicant's presently existing Mortgage and Deed of Trust dated as of July 1, 1947, to Morgan Guaranty Trust Company of New York and R. E. Sparrow, as Trustees, as supplemented and as proposed to be supplemented by a Twenty-seventh Supplemental Indenture. The New Bonds will bear interest from October 1, 1974, at a rate per annum to be fixed and will mature on such date or dates as may be determined after discussions with underwriters.

Applicant has applied to the Commission for exemption from the competitive bidding requirements of § 34.1a of the Commission's regulations under the Federal Power Act. If such exemption is granted, Applicant proposes to sell the New Bonds to one or more underwriters upon terms and conditions, including the underwriting spread, to be arrived at subject to Commission approval. If the application for exemption is denied, Applicant proposes to sell the New Bonds at competitive bidding in accordance with the applicable requirements of § 34.1a of the Commission's regulations.

Proceeds from the issuance and sale of the New Bonds will be used to refund $11.43 million of First Mortgage Bonds, 3⅝% Series due November 1, 1974, and to retire short-term notes prior to or as they mature.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 16, 1974, file with the Federal Power Commission, Washington, DC 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. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–23039 Filed 10–2–74;8:45 am]

[Docket No. CI74–244]

PENNZOIL PRODUCING CO.

Petition to Amend Application

SEPTEMBER 20, 1974.

Take notice that on September 3, 1974, Pennzoil Producing Company, 900 Southwest Tower, Houston, Texas 77002, filed pursuant to § 1.11 of the Rules of Practice and Procedure in Docket No. CI74–244 for permission to amend its application which was filed on October 12, 1973, pursuant to section 7(c) of the Natural Gas Act and § 2.75 of the Commission's General Policy Interpretations (18 CFR 2.75). The amendment to its application Pennzoil seeks to make, is to reflect a contract amendment which provides, (*inter alia*) for a rate of 80 cents per Mcf for the sale and delivery to United Gas Pipe Line Company (United) for gas produced and delivered offshore Louisiana.

The original application proposed, under the optional gas pricing procedure, to sell natural gas to United from Block 186 in the Ship Shoal Area, offshore Louisiana, at an initial rate of 47.0 cents per Mcf at 15.025 psia, subject to upward and downward Btu adjustment, pursuant to the terms of a 20-year contract dated August 28, 1973. Said contract provided for fixed escalations of 2.0 cents per Mcf each year. Estimated sales are 110,000 Mcf of gas per month. Additionally, Applicant requested pregranted abandonment authorization for said sale.

On December 26, 1973, the Commission issued an order in Docket No. CI74–244 granting interventions to United, the American Public Gas Association, Associated Gas Distributors, and the Public Service Commission of the State of New York and set the proceeding for hearing. On January 29, 1974, the Commission issued an order consolidating Docket No. CI74–244 with similar applications filed by Tenneco Oil Company in Docket No. CI74–132 and Texaco Inc. in Docket No. CI74–82. Hearing was held in this consolidated proceeding February 20 and 21, 1974, and an initial decision was rendered by the Presiding Judge April 5, 1974. On July 3, 1974, the Commission remanded the consolidated proceeding for further hearing which is to commence on October 9, 1974.

In its proposed amendment Pennzoil states that on May 25, 1974, it began charging and collecting the initial contract rate of 47 cents per Mcf pursuant to § 2.75(o) of the Commission's regulations.

All parties heretofore permitted to intervene in Docket No. CI74–244 are, of course, parties for all further proceedings in this docket for the purpose of the disposition of this contract amendment. Any other person desiring to be heard or to make any protest with reference to said application should on or before October 4, 1974, 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 C.F.R. 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.74–23038 Filed 10–2–74;8:45 am]

[Project No. 135]

PORTLAND GENERAL ELECTRIC CO.

Issuance of Annual License; Correction

SEPTEMBER 18, 1974.

In the notice of Issuance of Annual License issued September 5, 1974, and published in the FEDERAL REGISTER on September 11, 1974, 39 FR 32788: In the last paragraph of the notice issued September 5, 1974, the dates should read, "* * * for the period September 27, 1974, to September 26, 1975, or until * * *"

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–23022 Filed 10–2–74;8:45 am]

[Docket No. E–8741]

POTOMAC ELECTRIC POWER CO.

Order Establishing Procedural Dates; Correction

SEPTEMBER 11, 1974.

In the order establishing section 206 Proceeding and Establishing Procedural Dates, issued August 6, 1974 and published in the FEDERAL REGISTER on August 12, 1974, 39 FR 28944, page 28944, bottom of page, please add: "energy shortage or the wasteful use of energy and the question of the impact of the SMECO sale on PEPCO's overall earnings."

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–23030 Filed 10–2–74;8:45 am]

[Docket No. CP73–117; Phase I]

UNITED GAS PIPE LINE CO. ET AL.

Certification and Establishing Procedures

SEPTEMBER 17, 1974.

In the matter of: United Gas Pipe Line Company, Mississippi River Transmission Corporation, Natural Gas Pipeline Company of America, Southern Natural Gas Company, Texas Eastern Transmission Corporation, Texas Gas Transmission Corporation, Docket Nos. CP73–117, CP73–168, CP73–169, CP73–170, CP73–171, CP73–179, CP73–180, CP 73–189 (Phase I).

On August 8, 1974, the Presiding Administrative Law Judge certified to this Commission the question of whether the Staff should be ordered to file an environmental impact statement pursuant to the National Environmental Policy Act of 1969 (NEPA), section 102(2)(c), 42 USC 4321. In certifying the question, the Presiding Judge states that he has entered the finding that the instant abandonment proceeding under section 7(b) of the Natural Gas Act is a major Federal action significantly affecting the quality of the human environment and that NEPA applies.

At the outset, we must state that absent specific findings by the Judge on this point, and not having the entire record before us, we are unable to determine whether the ultimate finding is supported by the evidence. However, it does appear on the basis of the pleadings, and the Presiding Judge has so found (Tr. 9920), that further evidence on the environmental effect of abandonment, if ordered, is necessary.

In this regard, we believe that the respondent parties, United Gas Pipe Line Company (United) and its interstate pipeline purchasers, Mississippi River Transmission Corporation, Natural Gas Pipeline Company of America, Southern Natural Gas Company, Texas Eastern Transmission Corporation, and Texas Gas Transmission Corporation (hereinafter referred to as Pipelines), should provide additional environmental evidence. In order to provide this evidence, in a consistent and hopefully meaningful presentation, United shall be obligated to prepare a report based upon its own efforts as well as that of the Pipelines, within the framework of the procedure, set forth in Order No. 415–C (issued December 18, 1972), and Appendix B thereto providing guidelines for the preparation of such reports. Given the formal hearing status of these proceedings, it is appropriate that United and the Pipelines should provide for the record, and review of all parties, their factual reports on the environmental aspects of the instant proposed abandonment, with sponsoring witnesses who, of course, will be subject to cross-examination. Inasmuch as many of these matters involve facts primarily within the knowledge of the private parties, the individual parties also should be afforded the additional opportunity to present what evidence they possess. Upon the availability of such evidence, we believe that the Staff will be in a position to determine whether or not compliance with NEPA section 102(2)(c) procedures is possible here, in an abandonment proceeding of this type.

While we have said that the NEPA requirement of a detailed environmental impact statement is inapplicable to cases involving curtailment programs, and that Congress did not intend to exalt form over substance, where it would result only in delay and futility, we maintain here, as we have consistently, "that NEPA requires us to consider environmental issues * * * to the fullest extent possible."[1] It is for this reason, we now order that further evidence of the environmental aspects of abandonment be submitted.

The procedure we contemplate for the staff review of this evidence is that required by the nature of these proceedings. Upon the presentation of the evidence, hereinabove directed, staff shall initiate its independent analysis and review of the data then available to determine (1) that a NEPA impact statement is appropriate, or (2) that NEPA is not applicable (i.e., that a NEPA statement is unnecessary) either because there is not involved a significant environmental impact, or because of impossibility as in the curtailment cases. Thereafter, the staff shall present its written findings, either in the form of a proposal to prepare a final environmental impact statement, or a statement that a section 102(2)(c) environmental impact statement under NEPA is inapplicable. In the case

[1] *El Paso Natural Gas Company*, Order Denying Motion to Terminate Proceedings and To Require Staff to Prepare and Circulate Environmental Impact Statement, issued August 22, 1972, Docket No. RP72–6, 48 F.P.C. 371, 375.

of the former, the staff shall undertake to prepare a draft and final impact statement in accordance with the procedures outlined in Order No. 415–C as expeditiously as possible. Upon the resumption of the hearings, as later herein specified, a staff witness should appear in connection with the staff's written findings, which along with the underlying evidence presented by all parties will be subject to cross-examination.

Accordingly, the question and supporting record certified to us is returned to the Presiding Judge, with the direction that further environmental evidence shall be collected and reviewed, as hereinafter ordered.

The Commission orders: (1) That United and the Pipelines shall file on or before October 25, 1974, a factual environmental report and testimony utilizing the guidelines set out in Order No. 415–C.

(2) All other parties that may be affected by the grant of the proposed abandonment shall file their direct testimony and exhibits relating to the environmental aspects of abandonment on November 15, 1974.

(3) Staff's findings and conclusions on its review, of the evidence, as delineated above, shall be filed on December 9, 1974.

(4) Hearings in these proceedings shall reconvene on December 16, 1974, at 10 a.m., e.d.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, DC 20426.

By the Commission.[1]

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74–23021 Filed 10–2–74;8:45 am]

[Docket No. RP73–94, etc.]

VALLEY GAS TRANSMISSION, INC. AND TENNESSEE GAS PIPELINE CO.

Motion To Consolidate Proceedings

SEPTEMBER 19, 1974.

In the matter of Valley Gas Transmission, Inc. and Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. Docket Nos. RP73–94, G–19618, CP63–270, CP65–123, CP63–247, CP65–93, CP75–53.

Take notice that on August 27, 1974, Valley Gas Transmission, Inc. (Valley) filed a motion to consolidate the above proceeding.

Valley states that in Docket No. RP73–94, a Commission order issued January 11, 1974 set for hearing a reserve dedication issue. The motion further states that the parties to the proceeding reached a Stipulation and Agreement of Settlement (Settlement) which settles the reserve dedication issue. Valley states that the Settlement was certified to the Commission by the Administrative Law Judge.

[1] Commissioner Moody and Commissioner Smith, concurring in part and dissenting in part, filed a separate statement filed as part of the original document.

Valley states that by article 10 of the Settlement, Valley and Tennessee Gas Pipeline Company (Tennessee) are required to file certain certificate and abandonment applications. Valley must file:

Docket No. G–19618 "Petition of Valley Gas Transmission, Inc. for an Order Amending Existing Certificate of Public Convenience and Necessity"

Docket Nos. CP63–270 and CP65–123, "Application of Valley Gas Transmission, Inc. for Authority To Abandon Service"

Tennessee must file:

Docket Nos. CP63–247 and CP65–93, "Application of Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. for Authority to Abandon the Transportation of Natural Gas".

Docket No. CP75–53, "Application of Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. for a Certificate of Public Convenience and Necessity".

The motion states that the above-listed filings were filed by Valley on August 13, 1974, and by Tennessee on August 28, 1974.

Finally, the motion states that since the certificate and abandonment applications are "inextricably related" to implementation of the Settlement, it is appropriate that all relevant dockets be considered together.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., 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 October 3, 1974. 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. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–23025 Filed 10–2–74;8:45 am]

[Docket No. E–9005]

VIRGINIA ELECTRIC AND POWER CO.

Supplemental Contract Filing

SEPTEMBER 19, 1974.

Take notice that on September 3, 1974, Virginia Electric and Power Company (Applicant) tendered for filing a contract supplement, dated July 1, 1974, to the Agreement designated as Applicant's Rate Schedule FPC No. 83–27 between Applicant and Halifax Electric Membership Corporation. Said supplement requests Commission authorization for connection of a new Delivery Point (Sam's Head) located west of Route 903 and east of Sectland Neck in Halifax County, North Carolina.

Applicant requests an effective date as that of the date of connection of facilities which is expected to occur sometime in November, 1974.

Applicant also requests a waiver of the billing data requirement, since it is alleged that there will be no significant increase in the unit cost of electricity to the Halifax Electric Membership Corporation as a result of the planned connection of facilities.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., 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 September 26, 1974. 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. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–23033 Filed 10–2–74;8:45 am]

[Docket No. CP73–27]

STINGRAY PIPELINE CO.

Notice of Filing of Initial Tariff

OCTOBER 1, 1974.

Take notice that on September 16, 1974, Stingray Pipeline Company (Stingray) tendered for filing its FPC Gas Tariff, Original Volume No. 1. Stingray states that the filing is to provide rate schedules necessary to render transportation service for its customers. Stingray states that the tariff consists of two rate schedules: Rate Schedule T–1 represents a transportation contract between Stingray and the Natural Gas Pipeline Company of America and the Trunkline Gas Company; Rate Schedule T–2 represents a transportation contract between Stingray and the United Pipeline Company. Stingray states that such contracts were filed in Docket No. CP73–27, et al. and that a certificate of public convenience and necessity was issued to Stingray in Opinion No. 693, Docket No. CP73–27, 54 FPC —— (1974).

Stingray requests that the tariff be permitted to become effective on October 15, 1974, or upon date of initial deliveries, whichever occurs first.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 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 October 11, 1974. 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. Copies of this

application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23189 Filed 10-2-74;11:33 am]

[Docket Nos. RP73-94, etc.]

VALLEY GAS TRANSMISSION, INC. AND TENNESSEE GAS PIPELINE CO.

Notice of Motion To Consolidate Proceedings

SEPTEMBER 19, 1974.

Take notice that on August 27, 1974, Valley Gas Transmission, Inc. (Valley) filed a motion to consolidate the above-captioned proceeding.

Valley states that in Docket No. RP73-94, a Commission order issued January 11, 1974 set for hearing a reserve dedication issue. The motion further states that the parties to the proceeding reached a Stipulation and Agreement of Settlement (Settlement) which settles the reserve dedication issue. Valley states that the Settlement was certified to the Commission by the Administrative Law Judge.

Valley states that by Article 10 of the Settlement, Valley and Tennessee Gas Pipeline Company (Tennessee) are required to file certain certificate and abandonment applications. Valley must file:

Docket No. G-19618 "Petition of Valley Gas Transmission, Inc. for an Order Amending Existing Certificate of Public Convenience and Necessity".

Docket Nos. CP63-270 and CP65-123, "Application of Valley Gas Transmission, Inc. for Authority To Abandon Service".

Tennessee must file:

Docket Nos. CP63-247 and CP65-93, "Application of Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. for Authority to Abandon the Transportation of Natural Gas."

Docket No. CP75-53, "Application of Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. for a Certificate of Public Convenience and Necessity."

The motion states that the above-listed filings were filed by Valley on August 13, 1974, and by Tennessee on August 28, 1974.

Finally, the motion states that since the certificate and abandonment applications are "inextricably related" to implementation of the Settlement, it is appropriate that all relevant dockets be considered together.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 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 October 3, 1974. 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. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-23188 Filed 10-2-74;11:33 am]

FEDERAL TRADE COMMISSION

CORPORATE MERGERS OR ACQUISITIONS

Notification and Special Reports

1. INTRODUCTION

In order to more effectively carry out its statutory duties, the Commission has established a notification program for corporate mergers or acquisitions. This program requires both the acquiring and acquired companies of the requisite size, in most instances, to file notification prior to any merger or acquisition and to file answers to a set of specific questions referred to as a "Special Report."

Therefore, notice is hereby given that the Federal Trade Commission in the exercise of the powers vested in it by sections 3, 6, 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 43, 46, 49 and 50) and with the aid of all powers conferred upon it by law and all compulsory processes available to it, henceforth requires notification and Special Reports as prescribed below for mergers or acquisitions involving companies of the prescribed size and subject to the jurisdiction of the Federal Trade Commission. Upon publication in the FEDERAL REGISTER (October 3, 1974), this notice will supersede prior published notice relating to the Commission's premerger notification program (37 FR 7951, April 21, 1972 and 38 FR 5513, March 1, 1973).

Although the Commission, to the extent practicable, will contact many companies covered by this notice, the publication of this notice in the FEDERAL REGISTER will constitute notice to all covered companies that they must comply herewith.

2. IDENTIFICATION OF RESPONSIBILITY FOR REPORTING

A. COMPANY

The responsibility for filing notification and Special Report is upon a company which exercises, or could in principle exercise, control over any party to a covered merger or acquisition. Hence, the term "company" in the case of either the acquiring or acquired entity refers to the pre-transaction ultimate parent company of a party to the transaction together with all its wholly or party owned subsidiaries or divisions, whether consolidated or unconsolidated, where the parent company has an ownership interest through either (1) holding a majority of the outstanding voting stock, or (2) holding the power to formulate, determine, or veto basic business decisions through the use of dominant stockholding rights, proxy voting, contractual voting arrangements, agents, or other means.

The dollar criteria established below will be met if the total of the sales or assets of the acquiring company and the sales or assets of the entity to be acquired meet or exceed the criteria.

B. DOLLAR CRITERIA

The dollar criteria is met if: (1) a company acquires a manufacturing company with sales or assets of $10 million or more and the combined sales or assets exceed $250 million; or (2) a company acquires a non-manufacturing company with assets of $10 million or more and the combined assets exceed $250 million.

3. NOTIFICATION

A. COVERAGE

Notice is hereby given that the Federal Trade Commission henceforth requires that for each merger or acquisition within its jurisdiction involving companies meeting the dollar criteria stated in paragraph 2(b) above, prior notification of the transaction, providing the information set forth in paragraph 3(b) below, must be filed with the Commission:

1. *Assets.* By all companies within 10 days after any agreement or understanding in principle to merge or acquire assets is reached;

2. *Stock.* By all companies within 10 days after any agreement or understanding in principle is reached to effect a stock acquisition which will result in the acquiring company holding 50 percent or more of the voting stock of another company;

3. *Tender Offer.* By the offeror company within 10 days after the company makes a tender offer for 10 percent or more of the stock of another company; and

4. *Foreign.* If the companies involved meet the above criteria for their total (domestic and foreign) sales or assets, notification must be filed by any company with domestic operations.

B. CONTENT OF NOTIFICATION

Proper notification will consist of a letter by all companies indicating:

(1) The names and mailing addresses of the companies involved in the transaction;

(2) If the notifying entity is in a subsidiary or other affiliate relationship with another company, the name and mailing addresses of the company and the relationship; and

(3) The type of (proposed) transaction, including the terms of the transaction—description of the assets and/or stock being acquired, estimated dollar value of the transaction, date of the agreement, and consummation date of the (proposed) merger or acquisition. In the event that the transaction is not completed, a separate notification of termination of the agreement is required.

This notification will be made part of the public record.

4. SPECIAL REPORTS FOR CORPORATE MERGERS AND ACQUISITIONS

Notice is hereby given that the Federal Trade Commission henceforth requires

that for each merger or acquisition within its jurisdiction involving companies which meet the dollar criteria stated in paragraph 2(b), the current Pre-Merger Special Report forms as adopted by the Commission must be filed with the Commission, as follows:

1. *Assets.* By all companies within 10 days after any agreement or understanding in principle to merge or acquire assets is reached;

2. *Stock.* By all companies within 10 days after any agreement or understanding in principle is reached to effect a stock acquisition which will result in the acquiring corporation holding 50 percent or more of the voting stock of another company;

3. *Tender offer.* By an offeror company within 10 days after the company makes a tender offer for 10 percent or more of the stock of another company; and by the subject of the offer within 10 days after more than 50 percent of the stock of such company has been acquired; and

4. *Foreign.* If the companies involved meet the above criteria for their total (domestic and foreign) sales or assets, a Special Report must be filed by any company on any domestic operation it may have.

5. NO APPROVAL OF TRANSACTION REQUIRED

The establishment of this notification procedure should not be interpretated to mean that companies must request Commission approval prior to the consummation of any transaction or that consummation subsequent to notification constitutes Commission approval of the legality of transaction. However, the Commission will continue to provide advisory opinions as provided by its Rules of Practice and Procedure regarding the legality of particular mergers and acquisitions and invites those contemplating mergers to avail themselves of the program in any situation in which they are uncertain as to the legality of proposed transaction.

Issued: August 15, 1974.

By direction of the Commission.

[SEAL] VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.74-22937 Filed 10-2-74;8:45 am]

FOREIGN-TRADE ZONES BOARD

[Order 100]

HAWAII

Approval for Expansion of Foreign-Trade Subzone and Establishment of Subzone Terminal Annex

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), and the Foreign-Trade Zones Board Regulations (15 CFR Part 400), the Foreign-Trade Zones Board (the Board) adopts the following order:

Whereas, the State of Hawaii, grantee of Foreign-Trade Zone No. 9 and Foreign-Trade Subzone 9A, has applied to the Foreign-Trade Zones Board for authority to expand the area of Foreign-Trade Subzone 9A and to establish a subzone annex in the Honolulu Harbor area for terminal storage facilities;

Whereas, the application was accepted for filing on February 14, 1974, and notice inviting public comments was given in the FEDERAL REGISTER on March 11, 1974 (39 FR 9504);

Whereas, an examiners committee has investigated the application in accordance with the Board's regulations and recommends approval;

Whereas, the additional space is needed to permit the expansion of existing refinery operations and the establishment of a storage terminal in the Honolulu Harbor area; and

Whereas, the Board has found that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied and that approval of the application is in the public interest;

Now, therefore, the Board hereby orders:

That the grantee is authorized to contiguously expand the existing subzone area and establish a subzone annex in the Honolulu Harbor area for terminal storage activities in conformity with the application filed February 14, 1974. The authority given in this order is subject to local approval of the District Director of Customs and the District Army Engineer regarding compliance with their requirements relating to foreign-trade zones.

Signed at Washington, D.C. this 27th day of September 1974.

[SEAL] FREDERICK B. DENT,
Secretary of Commerce, Chairman and Executive Officer, Foreign-Trade Zones Board.

Attest:
JOHN J. DAPONTE, JR.,
Executive Secretary.

[FR Doc.74-22961 Filed 10-2-74;8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

EDDIE COAL CO., INC.

Applications for Renewal Permits, Electric Face Equipment Standard; Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

ICP Docket No. 4323–000, Eddie Coal Company, Inc., Mine No. 14, Mine ID No. 15 01554 0, Elkhorn City, Kentucky,
ICP Permit No. 4323–001–R–1 (Joy 14BU7 Loader, I.D. No. 1),
ICP Permit No. 4323–003 (Mescher 4-Wheel Tractor, I.D. No. 2).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed within 15 days after publication of this notice. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

C. DONALD NAGLE,
Vice Chairman,
Interim Compliance Panel.

SEPTEMBER 30, 1974.

[FR Doc.74-22930 Filed 10-2-74;8:45 am]

INTERNATIONAL JOINT COMMISSION UNITED STATES AND CANADA

FURTHER REGULATION OF GREAT LAKES WATER LEVELS

Notice of Public Hearings

The International Joint Commission announces that in addition to those hearings announced in the FEDERAL REGISTER on September 11, 1974, that arrangements have now been completed to conduct two (2) additional public hearings on the further regulation of Great Lakes Water Levels as follows:

TIMES AND PLACES OF HEARINGS

Tuesday, October 22, 1974, 9:30 a.m., City Council Chambers, City Hall, 100 N. Jefferson Street, Green Bay, Wisconsin.
Tuesday, November 19, 1974, 10 a.m., O'Hare International Tower Hotel, O'Hare International Airport, Chicago, Illinois.

WILLIAM A. BULLARD,
Secretary, U.S. Section, International Joint Commission, 1717 H Street, N.W., Room 203, Washington, D.C. 20440, Phone: (202) 296–2142.

DAVID G. CHANCE,
Secretary, Canadian Section, International Joint Commission, 151 Slater Street, Suite 850, Ottawa, Ontario, Canada K1P 5H3, Phone: (613) 992–2945.

SEPTEMBER 24, 1974.

[FR Doc.74-22945 Filed 10-2-74;8:45 am]

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

Open Meeting

SEPTEMBER 30, 1974.

The National Advisory Committee on Oceans and Atmosphere (NACOA) will hold a 2-day meeting, November 11 and 12, 1974. The meeting will be held at the Woods Hole Oceanographic Institution, Woods Hole, Massachusetts. Both sessions will begin at 9:00 a.m. in the Clark Laboratory, Quisset Campus and are open to the public.

The Committee, consisting of 25 non-Federal members appointed by the President from State and local governments,

industry, science, and other appropriate areas, was established by Congress by Public Law 92–125, on August 16, 1971. Its duties are to: (1) undertake a continuing review of the progress of the marine and atmospheric science and service programs of the United States, (2) submit a comprehensive annual report to the President and to the Congress setting forth an overall assessment of the status of the Nation's marine and atmospheric activities on or before June 30 of each year, and (3) advise the Secretary of Commerce with respect to the carrying out of the purposes of the National Oceanic and Atmospheric Administration.

The purpose of the meeting is to observe the programs and facilities of a major oceanographic research institution, with special attention to its participation in the International Decade of Oceanographic Exploration (IDOE).

The tentative agenda is as follows:

MONDAY, NOVEMBER 11

Clark Laboratory, Quisset Campus:

9:00 a.m. to noon—Presentations on the history and program background of WHOI and on its participation in the IDOE.

Redfield Laboratory, Woods Hole Campus:

1:30 p.m. to 3:00 p.m.—Tours of WHOI ships and facilities.

3:00 p.m. to 5:00 p.m.—Visits to other marine laboratories.

TUESDAY, NOVEMBER 12

Clark Laboratory, Quisset Campus:

9:00 a.m. to 11:00 a.m.—Briefings on WHOI programs in pollution, waste management and aquaculture.

11:00 a.m. to 1:00 p.m.—Reports on NACOA work in progress.

The public is welcome and will be admitted to the limit to the seating available. Persons wishing to make formal statements should notify the Chairman in advance of the meeting. The Chairman retains the prerogative to place limits on the duration of oral statements and discussion. Written statements may be submitted at any time.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Dr. Douglas L. Brooks whose mailing address is: National Advisory Committee on Oceans and Atmosphere, Department of Commerce Building, Room 5225, Washington, D.C. 20230. Telephone: (202) 967–3343.

DOUGLAS L. BROOKS,
Executive Director.

[FR Doc.74–23008 Filed 10–2–74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on September 30, 1974 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–395–4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service: Buyer's Transmittal of Sales Memoranda and Marketing Penalty—Peanuts, Form MQ–80, Occasional, Lowry (395–3772), Business firms.

DEPARTMENT OF THE INTERIOR

Bureau of Mines: Survey of Current Surface Coal Mining Overburden Handling Techniques and Reclamation Practices, Form 6–P12, Single time, Weiner (395–4890), National Coal producers.

REVISIONS

DEPARTMENT OF DEFENSE

Department of the Army: Application for Walter Reed Army Institute of Nursing, Form DA 3494, Occasional, Lowry (395–3772), Individuals.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control: National Communicable Disease Surveillance Program—I Case Reports, Form CDC 4.439, Occasional, Caywood (395–3443), Local animal control agencies.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service: Livestock Mail Survey, Form —, Semiannual, Evinger (395–3648), Livestock farmers.

FEDERAL RESERVE BOARD

Survey of Time and Savings Deposits: Form FR 296, Occasional, Hulett (395–4730).

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74–23113 Filed 10–2–74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500–1]

BBI, INC.

Suspension of Trading

SEPTEMBER 25, 1974.

The common stock of BBI, Inc., being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from September 26, 1974 through October 5, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–23060 Filed 10–2–74;8:45 am]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Proposed Amendments to Option Plan

Notice is hereby given that the Chicago Board Options Exchange, Inc. (CBOE) has filed proposed amendments to its Option Plan pursuant to Rule 9b–1 under the Securities Exchange Act of 1934 (17 CFR 240.9b–1). The CBOE proposes an amendment to Interpretation 6.2.01(b) under CBOE's Rule 6.2 and a new Interpretation to Rule 6.1.

CBOE's proposed Rule 6.1 provides that the Board shall determine by resolution the hours during which transactions may be made on the Exchange. The CBOE's Board has previously established the hours of 9 a.m. to 2:30 p.m. (Chicago Time) as the hours for such trading. These hours correspond to the present hours of the New York Stock Exchange, Inc., the primary exchange listing the stock underlying CBOE options, and were adopted because of the close connection of the value of options traded on the CBOE with the underlying stocks listed and traded on the primary exchange. The New York Stock Exchange has determined to extend its hours-of-trading, effective October 1, 1974. In order to conform CBOE trading hours to the extended hours of the New York Stock Exchange, the CBOE's Board at its meeting on September 13, 1974, resolved to extend CBOE hours by one-half hour. This would extend the present hours of 9 a.m. to 2:30 p.m. (Chicago Time) to the hours of 9 a.m. to 3 p.m. (Chicago Time).

Proposed Interpretation 6.1 would state the Board's determination that CBOE trading hours would in the future conform to those of the primary exchange listing the stocks underlying CBOE options. And, in this connection, Interpretation 6.2.01(b), which provides for a closing rotation to commence at 2:30 p.m. (Chicago Time), would be amended to provide such rotation at the close of trading.

The proposed amendments will become effective November 4, 1974, or upon such earlier date as the Commission may allow unless the Commission shall disapprove the change in whole or in part as being inconsistent with the public interest or the protection of investors.

All interested persons are invited to submit their views and comments on the proposed amendments to CBOE's plan either before or after it has become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to file number 10–54. The proposed amendments are, and all such comments will be, available for public inspection at the Public Reference Room of the Securites and Exchange Commission at 1100 L Street, NW., Washington, D.C.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

SEPTEMBER 25, 1974.

[FR Doc.74–23065 Filed 10–2–74;8:45 am]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Amendment Delaying Effectiveness of Proposed Amendments to Option Plan

Notice is hereby given that the Chicago Board Options Exchange, Inc. (CBOE) has filed an amendment to certain of its proposed changes to its Option Plan filed pursuant to Rule 9b–1 (17 CFR 240.9b–1) delaying their effectiveness. CBOE's amendment delays the effectiveness of these proposed amendments until the Commission may allow their effectiveness or shall disapprove the changes in whole or in part as being inconsistent with the public interest or the protection of investors.

The following proposed changes were originally published at 39 FR 28995 on August 13, 1974.

The proposed amendment to Rule 6.20 would authorize any two members of the Floor Procedure Committee to impose fines up to $1000 for conduct on the floor of the Exchange which impairs the maintenance of a fair and orderly market or impairs public confidence in the operation of the Exchange. Since floor officials are located on the floor of the Exchange, they are often in the best position to be aware of and to evaluate misconduct on the floor; accordingly CBOE believes that such officials should have the authority to impose fines in those cases where such action is warranted.

The proposed amendments to Rules 6.71, 7.2 and 8.2 are all intended to strengthen the role of the Floor Procedure Committee in the process of reviewing applications to act in one of the Exchange's floor functions (Floor Brokers, Board Brokers and Market-Makers.) Since the members of this Committee are so intimately involved in the operations of the Exchange floor, it is felt that they should have a more direct role in the review of applications of persons desiring to perform one or more floor functions.

In addition, the proposed new policy under Rule 7.2 provides that, in connection with the application of a member organization for registration as a Board Broker, the officers, directors, shareholders and partners of the organization are subject to the approval of the Floor Procedure Committee. Further, in order to prevent any conflict of interest in connection with the Board Broker's knowledge of the book of limit orders in his assigned class of options, persons who are affiliated with a Board Broker organization may not be affiliated with any other organization in the securities business unless specifically approved by the Floor Procedure Committee. The adoption of this new policy is proposed at this time because the Exchange is now receiving for the first time Board Broker applications from member organizations, and the Exchange believes that this policy should be in effect before any of such applications are approved.

All interested persons are invited to submit their views and comments on the proposed amendments to CBOE's plan either before or after it has become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to file number 10–54. The proposed amendments are, and all such comments will be, available for public inspection at the Public Reference Room of the Securities and Exchange Commission at 1100 L Street, N.W., Washington, D.C.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

SEPTEMBER 26, 1974.

[FR Doc74–23063 Filed 10–2–74;8:45 am]

[70–5530]

INDIANA & MICHIGAN ELECTRIC CO.

Proposed Acquisition of Note of Unaffiliated Company

SEPTEMBER 26, 1974.

Notice is hereby given that Indiana & Michigan Electric Company ("I&M"), 2101 Spy Run Avenue, Fort Wayne, Indiana, 46801, an electric utility subsidiary company of American Electric Power Company ("AEP"), a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 9(a) and 10 of the Act as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

On June 19, 1974, I&M entered into a coal supply contract ("contract") with McCulloch Oil Corporation ("McCulloch") and Braztah Corporation ("Braztah"), a McCulloch subsidiary. The contract generally relates to the sale by Braztah of low sulfur coal to AEP System companies from certain mines located in Carbon County, Utah ("Carbon County mines"). The contract also concerns I&M participation in the financing of expansion and operation of the Carbon County mines.

As the initial step in the performance of the contract, I&M proposes to acquire notes issued by Braztah ("Braztah notes") in an aggregate amount not to exceed $10,000,000. The Braztah notes will bear interest at 120 percent of the prime rate charged from time to time by Manufacturers Hanover Trust Company, will mature on the 270th day following the date of the first such acquisition of a Braztah note by I&M and will be secured by a security interest in the Carbon County mines and other assets of Braztah.

The contract further contemplates financing (by debt or lease obligation) of the Carbon County mines and possible guarantees of such financing by I&M. Such further financing will be the subject of further filings with this Commission.

Braztah will use the proceeds of the $10,000,000 loan from I&M to develop the Carbon County mines. It is provided in the contract that all of the coal produced from the Carbon County mines will be sold to I&M or to another member of the AEP system. Braztah warrants that the coal will meet certain standards including certain sulfur, moisture, ash and BTU content. The price of the coal to I&M shall be Braztah's total cost of production (as specified in the contract) plus a pre-tax profit of $1.34 per ton of coal delivered to I&M during the first 78 months of the contract term. Following the first 78 months, the price of coal to I&M shall be Braztah's cost of production plus a pre-tax profit per ton of coal delivered to I&M ranging between $.57 and $1.68, depending upon the productivity per man-day of the mines.

Fees and expenses to be incurred in connection with the proposed transaction are to be supplied by amendment. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given, that any interested person may, not later than October 18, 1974, 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 (air mail 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 any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulations, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-23062 Filed 10-2-74;8:45 am]

[File No. 500-1]

NICOA CORP.

Suspension of Trading

SEPTEMBER 25, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Nicoa Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from September 26, 1974 through October 5, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-23061 Filed 10-2-74;8:45 am]

TARIFF COMMISSION

[TEA-W247]

BOBI WOOD HEEL CO.

Investigation Regarding Workers' Petition for Determination

On the basis of a petition filed under Section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the former workers of the Cara Mia Shoe Corp. and its wholly owned subsidiary, Bobi Wood Heel Corp., Hialeah, Florida, the United States Tariff Commission, on September 27, 1974, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for women, misses and children and wood heels for footwear (of the types provided for in items 700.55 and 207.00 of the Tariff Schedules of the United States) produced by said firms are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firms or appropriate subdivisions thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed on or before October 15, 1974.

The petition filed in this case is available for inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, N.W., Washington, D.C., and at the New York City office of the Tariff Commission located at 6 World Trade Center.

Issued: September 30, 1974.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.74-22998 Filed 10-2-74;8:45 am]

[337-L-63]

PRESET VARIABLE RESISTANCE CONTROLS

Dismissal of Complaint and Termination of Preliminary Inquiry

The United States Tariff Commission on September 18, 1974, dismissed the complaint filed under section 337 of the Tariff Act of 1930 by CTS Corporation of Elkhart, Indiana. The complaint alleged unfair methods of competition and unfair acts in the importation and sale of preset variable resistance controls embraced within the claims of United States Letters Patents No. 3,375,478, No. 3,518,604, and No. 3,670,285. In addition, the complaint alleged unfair methods of competition with respects to taxes allegedly rebated by the Spanish government upon exportation of the subject articles.

After preliminary inquiry in accordance with § 203.3 of its rules of practice and procedure (19 CFR 203.3), the Commission determined (Commissioner Leonard dissenting) that good and sufficient reason does not exist for the initiation of a full investigation.

Notice of the institution of the preliminary inquiry was published in the FEDERAL REGISTER of June 19, 1973. A public hearing was held on July 25, 1974, and notice of the hearing was published in the FEDERAL REGISTER of June 19, 1974 (39 FR 21197-21198).

Issued: September 30, 1974.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.74-22999 Filed 10-2-74;8:45 am]

UNITED STATES RAILWAY ASSOCIATION

[USRA Docket No. 75-33]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon operation over a segment of the Northern Branch in Jackson, Lenawee and Hillsdale Counties, Michigan; and in Williams County, Ohio, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State of local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the Northern Branch sought to be abandoned extends from milepost 4.6 near Ackerson Lake, Michigan, in a southerly direction to milepost 58.7 near Bryan, Ohio, a distance of 54.1 miles in Jackson, Lenawee and Hillsdale Counties, Michigan, and in Williams County, Ohio. The line includes the stations of Cement City, Addison Jct., Manitou Beach, Rollin, Hudson, Prattville, Waldron, Alvordton, West Unity, and Pulaski.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The line is not operated as part of a larger operating system.

(5) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(6) The line is not operated as a joint facility.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) Alternative service in the future will be provided by Penn Central Trail-Van Service, PCTC team track facilities, or by other railroads.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments

in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portion of the Northern Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Cleveland, Cincinnati, Chicago, and St. Louis R.R. (the secondary debtor), the Governors of Michigan and Ohio, the Public Service Commission of Michigan, the Public Utilities Commission, the Ohio Department of Transportation, the Board of Supervisors of Jackson, Lenawee and Hillsdale Counties, Michigan; the County Commissioners of Williams County, Ohio; the President and Council of Cement City, Addison and Waldron, Michigan; the Mayor and Council of Hudson and Manitou Beach, Michigan; the Township Supervisor of Rollin, Michigan; the Board of Trustees of Mill Creek, Brady and Pulaski Townships, Ohio; the Mayors of Alvordton, West Unity, Pulaski and Bryan, Ohio, the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22962 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–34]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon operation over a segment of the Northern Branch in Williams, Defiance and Paulding Counties, Ohio, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transporation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the Northern Branch sought to be abandoned extends from milepost 60.0 near Bryan, Ohio, in a southerly direction to milepost 79.5 near North Paulding, a distance of 19.5 miles in Williams, Defiance and Paulding Counties, Ohio. The line includes the stations of Ney, Sherwood, and Cecil.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accomodate any demand for freight service in the area.

(3) No pasenger service is provided on the line involved.

(4) The line is not operated as part of a larger operating system.

(5) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(6) The line is not operated as a joint facility.

(7) Expenditures for the line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) Alternative service in the future will be provided by Penn Central Trail-Van Service, PCTC team track facilities, or by other railroads.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions to known shippers on the portion of the Northern Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Cleveland, Cinncinnati, Chicago and St. Louis R.R. (the secondary debtor), the Governor of Ohio, the Public Utilities Commission of Ohio, the Ohio Department of Transportation, the County Commissioners of Williams, Defiance and Paulding Counties, Ohio; the Board of Trustees of Pulaski, Washington, Delaware, Crane, and Paulding Townships, Ohio; the Mayors of Bryan, Ney, Sherwood, Cecil and Paulding, Ohio, the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22963 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–35]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Parts of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon part of the Morrow Secondary Track, a line of railroad in Clinton and Fayette Counties, Ohio, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

One part of the Morrow Secondary Track sought to be abandoned physically, extends from Wilmington, Ohio to Clarksville, Ohio, a distance of 10.4 miles in Clinton County, Ohio.

A second part of the Morrow Secondary Track, over which the applicant has trackage rights, extends from Washington Court House, Ohio (milepost 109.0) to Wilmington, Ohio (milepost 128.3), a distance of 19.3 miles in Fayette and Clinton Counties, Ohio. The Applicant seeks approval to discontinue operations over this segment. The line segment include the stations of Sabina, Melvin and Wilmington, Ohio.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(5) Expenditures for the line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(6) The line is not operated as part of a larger operating system.

(7) The area will continue to be served by the Baltimore & Ohio Railroad Company.

(8) The section between Wilmington and Clarksville, Ohio is not operated as a joint facility.

(9) Operation of the line has been conducted at deficits of $28,595 for 1970, $55,997 for 1971 and $14,000 for the first three months of 1972.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the part of the Morrow Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Connecting Railroad Co. (the secondary debtor), the Governor of Ohio, the Public Utilities Commission of Ohio, the Ohio Department of Transportation; the County Commissioners of Clinton and Fayette Counties, Ohio; the Board of Trustees of Union, Adams, Vernon and Richland Townships, Ohio; the Mayors of Wilmington, Clarksville and Sabina, Ohio; the City Manager of Washington Court House, Ohio, the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22964 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–36]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon a portion of the Culver Secondary Track, a line of railroad in Marshall, Fulton and Cass Counties, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the Culver Secondary Track sought to be abandoned extends from milepost 115.9 near Logansport in a northerly direction to milepost 148.6 near Culver, a distance of 32.7 miles in Marshall, Fulton and Cass Counties, Indiana. The line includes the stations of Lucerne, Grass Creek, DeLong, Kewanna and Culver.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(5) The line is not operated as a joint facility.

(6) Operation of the line has been conducted at deficits of $35,805 for 1970, $25,324 for 1971 and $4,673 for the first three months of 1972.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) The line is not operated as part of a larger operating system.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonments as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portion of the Culver Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the P.B.W. Railroad (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Marshall, Fulton and Cass Counties, Indiana and the Mayor of Logansport, Ind., the Town Trustee of Lucerne, Ind., the Town Clerk of Kewanna, Ind., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22965 Filed 10-2-74;8:45 am]

[USRA Docket No. 75–37]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon operations only over a portion of the Ft. Wayne Branch, a line of railroad in Randolph County, Indiana and over a portion of the Ridgeville Secondary Track in Jay and Adams Counties, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the Ft. Wayne Branch sought to be abandoned extends from milepost 15.6 near Lynn in a northerly direction to milepost 33.0 near Ridgeville, a distance of 17.4 miles in Randolph County, Indiana. The line includes the station of Stone, Indiana.

The portion of the Ft. Wayne Branch between milepost 24.2 and milepost 25.0 will be retained as an industrial spur to serve existing industries at Winchester, Ind., via applicant's alternate east-west route.

The portion of the Ridgeville Secondary Track sought to be abandoned extends from milepost 44.6 near Portland in a northerly direction to milepost 64.0 near Monroe, a distance of 19.4 miles in Jay and Adams Counties, Indiana. The line includes the stations of Briant, Geneva, and Berne, Indiana.

In support of its request, Penn Central asserts that:

(1) The lines are generally in poor condition. Continued use of the lines would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the lines involved.

(4) The volume of freight traffic on the lines has decreased in recent years because of the improvements in highway facilities and the concurrently increased use in highway carriers.

(5) The lines are not operated as joint facilities.

(6) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(7) The lines are not operated as part of a larger operating system.

(8) Operation of the Ft. Wayne Branch has been conducted at deficits of $24,964 for 1970, $25,468 for 1971 and $12,886 for the first six months of 1972.

(9) Operation of the Ridgeville Secondary Track has been conducted at deficits of $4,676 for 1970, $5,555 for 1971 and $4,555 for the first six months of 1972.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debotor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portions of the Ft. Wayne Branch and Ridgeville Secondary Track sought to be abandoned, to each credtor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the P.B.W. Railroad (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Randolph, Joy and Adams Counties, Indiana, the Mayors of Winchester, Portland ,and Beren, Ind., the Town Clerks of Ridgeville, Geneva and Monroe, Ind., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22966 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-38]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon a portion of the Chautauqua Branch, a line of railroad in Chautauqua County, New York, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act") Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State Court, agency, or authority.

The portion of the Chautauqua Branch sought to be abandoned extends from milepost 51.0 near Brocton in a southerly direction to milepost 65.0 near Mayville, a distance of 14 miles in Chautauqua County, New York. The line includes the stations of Brocton, Brocton (South St.) and Brainard, New York.

In support of its request, Penn Central asserts that:

(1) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(2) No passenger service is provided on the line involved.

(3) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(4) The line is not operated as a joint facility.

(5) Operation of the line has been conducted at deficits of $28,246 for 1970 and $17,924 for 1971.

(6) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(7) The line is not operated as part of a larger operating system.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portion of the Chautauqua Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3-November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to the Pendell Co. (the secondary debtor), to the Governor of New York, the Public Service Commission of New York, the New York Department of Transportation, the County Legislature of Chautauqua County, N.Y., the Town Supervisors of Portland and Chautauqua, N.Y., the Mayors of Brocton and Mayville, N.Y., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22967 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-39]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Parts of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon operation of two segments of the Richmond Branch in Wayne, Henry, Madison, Tipton and Howard Counties, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The first segment of the Richmond Branch sought to be abandoned extends from milepost 77.5 near Richmond to milepost 100.5 near New Castle, a distance of 23.0 miles in Wayne and Henry Countries, Indiana. The line includes the stations of Greens Fork, Hagerstown and Millville.

The second segment of the Richmond Branch sought to be abandoned extends from milepost 139.0 near Elwood to milepost 156.5 near Kokono, a distance of 17.5 miles in Madison, Tipton and Howard Counties, Indiana. The line includes the stations of Curtisville, Windfall, Nevada and Hemlock.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The line is not operated as part of a larger operating system.

(5) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(6) The line is not operated as a joint facility.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) Operation of the line has been conducted at deficits of $62,241 for 1970, $79,174 for 1971 and $28,237 for the first three months of 1972.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the two segments of the Richmond Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the P.B.W. Railroad (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Wayne, Henry, Madison, Tipton and Howard Counties, Indiana, the Mayor and City Council of Richmond, New Castle, Elwood and Kokomo, Ind., the Board of Trustees of Greens Fork, Hagerstown, and Windfall, Ind., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22968 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-41]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon part of the Vincennes Secondary Track, a line of railroad in Knox County, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The part of the Vincennes Secondary Track sought to be abandoned extends from milepost 99.8 near Edwardsport in a southerly direction to milepost 118.26 near Vincennes, a distance of 18.46 miles in Knox County, Indiana. The line includes the stations of Bicknell, Bruceville and Vincennes, Indiana.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The line is not operated as part of a larger operating system.

(5) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(6) The line is not operated as a joint facility.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) Operation of the line has been conducted at deficits of $32,462 for 1969, $79,439 for 1970, and $41,862 (Jan.–June, 1972).

(9) Applicant seeks approval only to abandon operations of the line; the line will not be physically abandoned.

(10) Years ago the principal industry in the tributary territory was coal-mining. These mines have now been closed for some years due to depletion of marketable coal reserves in the area.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as of discontinuance of service.

Any such submission must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the part of the Vincennes Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236

Copies of this notice have been sent by USRA to the P.B.W. Railroad (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Knox County, Indiana, the Mayor and City Council of Bicknell and Vincennes, Ind., the Board of Trustees of Edwardsport and Bruceville, Ind., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22969 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-42]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon operation of a portion of the Evansville Secondary Track, a line of railroad in Gibson, Posey and Vanderburg Counties, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the Evansville Secondary Track sought to be abandoned extends from milepost 132.0 near Johnson, Indiana, in a southerly direction to milepost 154.1 near Evansville, Indiana, a distance of 22.1 miles in Gibson, Posey and Vanderburg Counties, Indiana. The line includes the stations of Johnson and Nisbet, Indiana.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(5) The line is not operated as a joint facility.

(6) Operation of the line has been conducted at deficits of $71,941 for 1970, $74,517 for 1971 and $19,175 for the first six months of 1972.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portion of the Evansville Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3-November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to the Cleveland, Cincinnati, Chicago and St. Louis R.R. (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Gibson, Posey and Vanderburg Counties, Indiana, the Mayor and City Council of Evansville, Indiana, the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22970 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-43]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon the Elmira Secondary Track, a line of railroad in the Counties of Lycoming, Tioga, and Bradford, Pa., and the County of Chemung, New York, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The Elmira Secondary Track sought to be abandoned extends from milepost 4.5 near Williamsport, Pa., in a northerly direction to milepost 74 near Southport, N.Y., a distance of 67.5 miles in the Counties of Lycoming, Tioga, and Bradford, Pa., and the County of Chemung, N.Y. The line includes the stations of Cedar Ledge, Canton, Troy and Columbia Cross Roads.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) The line is not operated as part of a larger operating system.

(4) The line is not operated as a joint facility.

(5) Operation of the line has been conducted at deficits of $209,586 for 1969, $189,131 for 1970, and $149,182 for the first three months of 1971.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the Elmira Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Penndel Company (secondary debtor), the Governors of Pennsylvania and New York, the Public Utility Commission of Pennsylvania, the Public Service Commission of New York, the Pennsylvania and New York Departments of Transportation, the County Commissioners of Lycoming, Tioga, and Bradford Counties, Pa., the County Legislature of Chemung County, N.Y., the Mayor and Council of Williamsport, Pa., and Elmira, N.Y., the Board of Supervisors of Loyalsock Township, Pa., Lycoming Township, Pa., Hepburn Township, Pa., Lewis Township, Pa., McIntyre Township, Pa., McNette Township, Pa., Union Township, Pa., Canton Township, Pa., Troy Township, Pa., Granville Township, Pa., Columbia Township, Pa., the Town Supervisor of Southport, N.Y., the Borough Council of Canton, Pa., Troy, Pa., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22971 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–44]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon operations over the E&P Branch between Girard Junction and Jamestown in the Counties of Mercer, Crawford and Erie, Pennsylvania, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The E&P Branch, over which operations are sought to be abandoned, extends from milepost 129.2 near Girard Junction in a southerly direction to milepost 90.5 near Jamestown, a distance of 38.7 miles in Mercer, Crawford and Erie Counties, Pa. The line includes the stations of Albion, Springboro, Conneautville, Linesville, Espyville and Westford, Pa.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) It is not proposed to physically abandon the line.

(3) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(4) No passenger service is provided on the line involved.

(5) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(6) The line is not operated as a joint facility.

(7) Operation of the line has been conducted at deficits of $48,308 for 1969, $40,997 for 1970 and $24,019 for the first nine months of 1971.

(8) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(9) The line is not operated as part of a larger operating system.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the E&P Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Erie and Pittsburgh (secondary debtor), the Governor of Pennsylvania, the Public Utility Commission of Pennsylvania, the Pennsylvania Department of Transportation, the Board of County Commissioners of Mercer, Crawford and Erie Counties, Pa., the Board of Supervisors of Conneaut Township, Pa., Conneautville Township, Pa., Girard Township, Pa., Greene Township, Pa., North Shenango Township, Pa., Pine Township, Pa., South Shenango Township, Pa., Spring Township, Pa., the Borough Councils of Albion, Pa., Girard Junction, Pa., Linesville, Pa., Jamesship, Pa., Spring Township, Pa., the ices Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad

Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22972 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-45]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon a portion of the Mt. Vernon Secondary Track, a line of railroad in Knox and Holmes Counties, Ohio, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the Mt. Vernon Secondary Track sought to be abandoned extends from milepost 89.9 near Howard in a northeasterly direction to milepost 54.6 at Holmesville, a distance of 35.3 miles in Knox and Holmes Counties, Ohio. The line includes the stations of Danville, Brink Haven, Glenmont, Killbuck, Millersburg and Holmesville.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(5) The line is not operated as a joint facility.

(6) Operation of the line has been conducted at deficits of $72,331 for 1970, $67,830 for 1971 and $17,862 for the first three months of 1972.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) The line is not operated as part of a larger operating system.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portion of the Mt. Vernon Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3-November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to the Connecting Railroad Co. (the secondary debtor), the Governor of Ohio, the Public Utilities Commission of Ohio, the Ohio Department of Transportation, the County Commissioners of Knox and Holmes Counties, Ohio, the Board of Trustees of Howard, Union, Jefferson, Richland, Killbuck, Hardy, and Prairie Townships, Ohio, the Mayors of Glenmont, Howard, Danville, Killbuck, Millersburg and Holmesville, Ohio, and the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments, or comments either favoring or opposing the discontinuance proposal.

Date at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22973 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-46]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon a portion of the Harlem Branch in Dutchess and Columbia Counties, New York, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

"After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the Harlem Branch sought to be abandoned extends from milepost 94.8 near Millerton in a northerly direction to milepost 126.3 near Ghent, a distance of 31.5 miles, in Dutchess and Columbia Counties, New York. The line includes the stations of Copake Falls, Hillsdale, and Philmont.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) No passenger service is provided on the line involved.

(3) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(4) The line is not operated as part of a larger operating system.

(5) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(6) The line is not operated as a joint facility.

(7) Operation of the line has been conducted at deficits of $63,463 for 1970, $69,733 for 1971 and $17,433 for the first three months of 1972.

(8) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portion of the Harlem Branch sought to be abandoned, to each creditor holding an obligation secured on that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken in pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the New York and Harlem River R.R. (secondary debtor), the Governor of New York, the Public Service Commission of New York, the New York Department of Transportation, the Board of Representatives of Dutchess County, N.Y., the Board of Supervisors of Columbia County, N.Y., the Town Supervisors of Northeast, N.Y., Ancram, N.Y., Copake, N.Y., Hillsdale, N.Y., Claverack, N.Y., and Ghent, N.Y., the Mayor and Board of Trustees of Millerton, N.Y., and Philmont, N.Y., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22974 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-47]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon the Houston Secondary Track in Mercer and Lawrence Counties, Pa., and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or state court, agency, or authority.

The Houston Secondary Track sought to be abandoned extends from milepost 49.93 near New Castle in a northeasterly direction to milepost 72.55 near Houston Junction, a distance of 22.62 miles in Mercer and Lawrence Counties, Pa. The line includes the stations of Volant, Mercer and Houston Junction.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(5) The line is not operated as a joint facility.

(6) Operation of the line has been conducted at deficits of $8,483 for 1970 and $10,276 for the first nine months of 1971.

(7) Expenditures for the line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) The line is not operated as part of a larger operating system.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the Houston Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Pendell Co. (the secondary debtor), the Governor of Pennsylvania, the Public Utilities Commission of Pennsylvania, the Pennsylvania Department of Transportation, the County Commissioners of Mercer and Lawrence Counties, Pennsylvania, the Board of Supervisors of Findley, Hickory and Wilmington Townships, Pa., the Mayors of Mercer, New Castle and Eastbrook, Pa., the Borough Council of Neshannock Falls and Volant, Pa., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C., this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22975 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-48]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon the Oil City Secondary Track (Salamanca Branch) in Venango, Forest and Warren Counties, Pa., and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 (the Act), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

[After January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The Oil City Secondary Track sought to be abandoned extends from milepost 1.9 near Oil City to milepost 35.6 near Tidioute, a distance of 33.6 miles in Venango, Forest and Warren Counties. The line includes the stations of Rock, Tienesta, West Hickory, and Tidioute, Pennsylvania.

In support of its request, Penn Central asserts that:

(1) The line has not been used for over five years.

(2) Adequate alternative transportation is available to the area in which the line is located.

(3) Continued operation and maintenance of this line would result in a loss burdensome to the applicant.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers to the Oil City Secondary Track (Salamanca Branch) sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3-November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to the Pend—— Co. (the secondary debtor), the Governor of Pennsylvania, the Public Utilities Commission of Pennsylvania, the Pennsylvania Department of Transportation, the County Commissioners of Venango, Forest and Warren Counties, Pennsylvania, the Board of Supervisors of President, Tionesta, Harmony and Triumph Townships, Pa., the Borough Councilmen of Walnut Bend, Oleopolis, Eagle Rock, President, Tionesta and Hunter, Pa., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22976 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-49]

PENN CENTRAL TRANSPORTATION CO.

Proposed interim Abandonment of Parts of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon the two portions of the Columbia City Secondary Track in Whitley, Kosciusko, Wabash and Miami Counties, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The first portion of the Columbia City Secondary Track sought to be abandoned extends from milepost 14.3 near Mexico in a northeasterly direction to milepost 37.2 near North Manchester, a distance of 22.9 miles, in Miami and Wabash Counties, Indiana. The line includes the stations of Mexico, Denver, Chili and Roann, Indiana.

The second portion of the Columbia City Secondary Track sought to be abandoned extends from milepost 38.0 near North Manchester in a northeasterly direction to milepost 55.3 near Columbia City, a distance of 17.3 miles, in Wabash, Kosciusko, and Whitley Counties, Indiana. The line includes the stations of Liberty Mills and South Whitley.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The line is not operated as part of a larger operating system.

(5) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(6) The line is not operated as a joint facility.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) Operation of the line has been conducted at deficits of $55,912 for 1969, $74,194 for 1970 and $24,341 for the first nine months of 1971.

(9) Alternate rail service in the future will be provided by Norfolk and Western Railway Company at South Whitley and Denver and by applicant's team track facilities at North Manchester.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the two portions of the Columbia City Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the P.B.W. Railroad (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Miami, Wabash, Kosciusko and Whitley Counties, Indiana; the Township Trustee of Mexico and Chili, Ind., the Town Boards of Roann, Laketon, North Manchester and Liberty Mills, Ind., the Town Council of South Whitely, Ind., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22977 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–50]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon a portion of the Crawfordsville Secondary Track between Crawfordsville and Waveland in Montgomery County, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the Crawfordsville Secondary Track sought to be abandoned extends from milepost 52.0 near Crawfordsville to milepost 37.0 near Waveland, a distance of 15.0 miles in Montgomery County, Indiana. The line includes the stations of New Market, Browns Valley, and Waveland, Indiana.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) Operation of the line has been conducted at deficits of $62,000 for 1969, $37,500 for 1970 and $16,300 for the first five months of 1971.

(5) The line is not operated as part of a larger operating system.

(6) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(7) The line is not operated as a joint facility.

(8) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portion of the Crawfordsville Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of the line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the P.B.W. Railroad (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioner of Montgomery County, Indiana, the Mayor of Crawfordsville, Ind., the Town Clerks of New Market and Waveland, Ind., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22978 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–51]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon the Hillsboro Running Track, a line of railroad in Montgomery County, Illinois, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The Hillsboro Running Track to be abandoned extends from milepost 194.4 near Hillsboro in a westerly direction to milepost 208.0 near Litchfield, a distance of 13.6 miles in Montgomery County, Illinois. The line includes the stations of Butler and Litchfield, Illinois.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The line is not operated as part of a larger operating system.

(5) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(6) The line is not operated as a joint facility.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) Operation of the line has been conducted at deficits of $26,864 for 1970 and $31,711 for 1971.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comment in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions to known shippers on the Hillsboro Running Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Cleveland, Cinncinnati, Chicago and St. Louis R.R. (the secondary debtor), the Governor of Illinois, the Commerce Commission of Illinois, the Illinois Department of Transportation, the Commissioners of Montgomery County, the Mayor and Aldermen of Litchfield, Ill., the mayor of Hillsboro, Ill., the Village President of Butler, Ill., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C., this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22979 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–52]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon a portion of the Chautaugua Branch, a line of railroad in Crawford and Erie Counties, Pennsylvania, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any state, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the Chautaugua Branch sought to be abandoned extends from milepost 95.0 near Corry in a southerly direction to milepost 119.9 near Titusville, a distance of 24.9 miles in Crawford and Erie Counties, Pennsylvania. The line includes the stations of Hydetown, Centerville, and Spartansburg.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) No passenger service is provided on the line involved.

(3) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(4) The line is not operated as a joint facility.

(5) The line is not operated as part of a larger operating system.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish

a copy of this notice and invitation for written submissions, to known shippers on the portion of the Chautaugua Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Pendell Co. (the secondary debtor), to the Governor of Pennsylvania, the Public Utilities Commission of Pennsylvania, the Pennsylvania Department of Transportation, the County Commissioners of Crawford and Erie Counties, Pennsylvania, the Board of Supervisors of Wayne, Concord, Sparta, Rome and Oil Creek Townships, Pa., the Mayor and Council of Corry, Pa., the Mayors of Spartansburg, Centerville, Hydetown, and Titusville, Pa., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22980 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–53]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Parts of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon three segments of the Shelbyville Secondary Track, a line of railroad in Bartholomew, Shelby and Rush Counties, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The first part of the Shelbyville Secondary Track sought to be abandoned extends from milepost 3.80 near Columbus in a northerly direction to milepost 12.64 near Flat Rock, a distance of 8.84 miles in Bartholomew and Shelby Counties, Indiana. The line includes the stations of Clifford and Flat Rock, Indiana.

The second part extends from milepost 18.79 near Fenns, in a northerly direction to milepost 23.00 near Shelbyville, a distance of 4.21 miles in Shelby County, Indiana. The line includes the station of Fenns.

The third part extends from milepost 30.0 near Ray's Crossing in a northerly direction to milepost 44.3 near Rushville, a distance of 14.3 miles in Shelby and Rush Counties, Indiana. The line includes the stations of Manilla, Homer, and Rushville, Indiana.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) No passenger service is provided on the line involved.

(3) The line is not operated as part of a larger operating system.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(5) The line is not operated as a joint facility.

(6) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(7) Operation of the line has been conducted at deficits of $37,303 for 1970, and $51,638 for 1971.

(8) The line segments from Columbus to Flat Rock and from Fenns to Shelbyville are adequately served by good county, state, and interstate highways. No motor common carriers are presently listed as serving the area along these line segments. It is assumed that if sufficient demand for service were to develop, truckers would file for certificates to adequately accommodate such demand for freight service.

(9) The line segment from Ray's Crossing to Rushville is adequately served by state and interstate highways. Rushville is served by motor common carriers which will adequately accommodate any demand for freight service in this community.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments to the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the three segments of the Shelbyville Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the P.B.W. Railroad (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Bartholomew, Shelby and Rush Counties, Ind., the Town Board of Flat Rock, Ind., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22981 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–54]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company

("Penn Central") propose to abandon part of the Springfield Branch, a line of railroad in Henry County, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The part of the Springfield Branch sought to be abandoned extends from milepost 69.4 near Lynn, Ind., in a southwesterly direction to milepost 95.4 near New Castle, Indiana, a distance of 33.9 miles in Henry County Indiana. The line includes the stations of Carlos City, Madoc, Losantville and Mooreland.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(5) The line is not operated as a joint facility.

(6) Applicants will retain the trackage and continue to provide rail service to patrons on the line at Lynn and at New Castle.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the part of the Springfield Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3-November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to the Cleveland, Cincinnati, Chicago and St. Louis R.R. (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Randolph and Henry Counties, the Town Boards of Modoc and Losantville, Ind., the Town Clerks of Lynn and Mooreland, Ind., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22982 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-55]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon part of the Springfield Branch, a line of railroad in Darke County, Ohio, and Randolph, Henry, Hancock, and Marion Counties, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The part of the Springfield Branch sought to be abandoned extends from milepost 109.0 near Wilkinson, Ind., in a southwesterly direction to milepost 128.8 near Hunter, Indiana, a distance of 19.8 miles in Marion and Hancock Counties, Indiana. The line includes the stations of Willow Branch, Maxwell, Mohawk, and Mt. Comfort.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(5) The line is not operated as a joint facility.

(6) Applicants will retain the trackage and continue to provide rail service to patrons on the line segment between Shirley and Wilkinson.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on part of the Springfield Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Cleveland, Cincinnati, Chicago and St. Louis R.R. (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Hancock and Marion Counties, Indiana, the Town Trustee of Wilkinson, Indiana, the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statments, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C., this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22983 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–56]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon a line of railroad known as the Central Indiana Railway in Hamilton and Boone Counties, Indiana, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The line of railroad sought to be abandoned extends from milepost 25.9 just west of Westfield to milepost 42.7 east of Lebanon, Indiana, a distance of 16.8 miles in Hamilton and Boone Counties, Indiana. The line includes the stations of Gadsden, Rosston, and Joliet, Indiana.

In support of its request, Penn Central asserts that:

(1) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submission, to known shippers on the line of railroad known as the Central Indiana Railway in Hamilton and Boone Counties, Indiana, sought to be abandoned, to each creditor holding and obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Central Indiana Railway (secondary debtor), the Governor of Indiana, the Public Service Commission of Indiana, the County Commissioners of Boone and Hamilton Counties, Ind., the Town Clerk of Westfield, Ind., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to neswpapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22984 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–57]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon a portion of the GR&I Branch in Kent, Montcalm, Mecosta, Osceola, Wexford, Grand Traverse, Kalkaska, Antrim, Otsego, Charlevoix, Emmet and Cheboygan Counties, Michigan, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The portion of the GR&I Branch sought to be abandoned extends from milepost 257.9 near Cedar Springs, Michigan, in a northerly direction to milepost 459.8 at Mackinaw City, Michigan, a distance of 201.9 miles in Kent, Montcalm, Mecosta, Osceola, Wexford, Grand Traverse, Kalkaska, Antrim, Otsego, Charlevoix, Emmet and Cheboygan Counties, Michigan. The line includes the stations of Sand Lake, Pierson, Howard City, Morley, Standwood, Big Rapids, Reed City, LeRoy, Tustin, Cadillac, Missankee Jct., Manton, Walton Jct., Fife Lake, South Boardman, Kalkaska, Antrim, Mancelona, Alba, Elmira, Boyne Falls, Petosky, Kegomic, Alanson, Pellston, Levering.

In support of its request, Penn Central asserts that:

(1) The line is in fair condition. However, continued operation would require

extensive restoration and renewal work due to progressive wear and tear.

(2) No passenger service is provided on the line involved.

(3) The line is not operated as part of a larger operating system.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(5) The line is not operated as a joint facility.

(6) The area is served by motor common carriers, as well as by private carriers which will adequately accomodate any demand for freight service in the area.

(7) Alternative rail transportation in the future will be provided by the Applicant, the Ann Arbor Railroad Company, the Chesapeake and Ohio Railroad Company, the Detroit and Mackinaw Railroad or the Penn Central Transportation Company's TrailVan Service at nearby stations.

(8) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(9) Operation of the line has been conducted at deficits of $87,878 for 1970, $135,856 for 1971 and $94,909 for the first six months of 1972.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portion of the GR&I Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to the Pendell Co. (the secondary debtor), to the Governor of Michigan, the Public Service Commission of Michigan, the Board of Supervisors of Kent, Montcalm, Mecosta, Osceola, Wexford, Grand Traverse, Kalkaska, Antrim, Otsego, Charlevoix, Emmet and Cheboygan Counties, Michigan; the Mayor and Commissioners of Big Rapids, Cadillac and Manton, Michigan, the Mayor and Councils of Cedar Springs, Reed City and Petoskey, Michigan, the President and Councils of Sand Lake, LeRoy, Tustin, Fife Lake, Pellston and Mackinaw City, Michigan, the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22985 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-58]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon part of the GR&I Branch, a line of railroad in Noble and LaGrange Counties, Indiana and St. Joseph County, Michigan, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any state, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The part of the GR&I Branch sought to be abandoned extends from milepost 121.0 near Kendallville, Indiana to milepost 148.9 at Sturgis, Mich., and Milepost 150.5 at Sturgis, Mich. to milepost 159.6 near Wasepi, Mich., a distance of 37.0 miles in a northerly direction in Noble and LaGrange Counties, Indiana, and in St. Joseph County, Michigan. The line includes the stations of Wolcottville, LaGrange and Howe in Indiana and Mottawa in Michigan.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use in highway carriers.

(5) The line is not operated as a joint facility.

(6) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(7) The line is not operated as part of a larger operating system.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the part of the GR&I Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to the Pendell Co. (the secondary debtor), the Governors of Indiana and Michigan, the Public Service Commissions of Indiana and Michigan, the

County Commissioners of Noble and LaGrange Counties, Ind., the Board of Supervisors of St. Joseph County, Michigan, the Mayors of Kendallville, Indiana, and Sturgis, Michigan; the Presidents of the Town Boards of Wolcottville and LaGrange, Indiana, the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22986 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-59]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon the Octoraro Secondary Track, a line of railroad in Delaware and Chester Counties, Pa., and Cecil County, Md., and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any state, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The Octoraro Secondary Track sought to be abandoned extends from milepost 18.0 near Wawa, Pa., in a Southwesterly direction to milepost 59.7 near Colora, Maryland, a distance of 41.7 miles in Delaware and Chester Counties, Pa., and Cecil County, Md. The line includes the stations of Chester Heights, Concordville, Brandywine, Summit, Chadds Ford, Chadds Ford Junction, Mendenhall, Kenety Square, Toughkenamore, Avondale, West Grove, Kelton, Elkview, Lincoln University, Oxford and Nottingham, Pa.; Rising Sun and Colora, Maryland.

In support of its request, Penn Central asserts that:

(1) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(2) No passenger service is provided on the line involved.

(3) The line is not operated as a joint facility.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(5) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(6) As a result of heavy rains and flooding in the area during the early part of September 1971, extensive damage was caused between milepost 18.5 and milepost 60.2 (41.7 miles) to repair which would cost approximately $482,750 for flood damage alone.

(7) Local industries in the area utilize public highways and are not dependent upon the line for transportation.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonments as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to know shippers on part of the Octoraro Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93-236.

Copies of this notice have been sent by USRA to Philadelphia, Baltimore, Washington R.R. (the secondary debtor), the Governors of Pennsylvania and Maryland, the Public Utilities Commission of Pennsylvania, the Public Service Commission of Maryland, the Pennsylvania and Maryland Departments of Transportation, the County Commissioners of Delaware and Chester Counties, Pa., and Cecil County, Md., the Board of Supervisors of Middletown, Concord, Birmingham, Kennet, New Garden, London Grove, Penn, Lower Oxford, and West Nottingham Townships, Pa., the Mayors of Chester Heights, Kennet Square, Avondale and West Grove, Pa., and Rising Sun, Md., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22987 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-60]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon operation over a portion of the Kalamazoo Branch of the Kalamazoo, Allegan and Grand Rapids Railway Company, in the counties of Allegan and Kent, Michigan, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93-236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974] no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The part of the Kalamazoo Branch sought to be abandoned extends from Milepost 52.7 near Ostego in a Northerly direction to milepost 91.5 near Lamar, a distance of 38.8 miles in Allegan and

Kent Counties, Michigan. This line includes the stations of Allegan, Hopkins, Dorr, Byron Center and Wentworth.

In support of its request, Penn Central asserts that:

(1) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The line is not operated as part of a larger operating system.

(5) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(6) Operation of the line has been conducted at deficits of $48,124 for 1969, $67,128 for 1970 and $46,767 for the first nine months of 1971.

(7) The line is not operated as a joint facility.

(8) The applicant only seeks to abandon operation of the line. Alternative service will be provided in the future by the Chesapeake & Ohio Railway's Company's team track facilities and by motor carriers.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments to the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the portion of the Kalamazoo Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Kalamazoo, Alleghan, Grand Rapids R.R. (the secondary debtor), the Governor of Michigan, the Public Service Commission of Michigan, the Board of Supervisors of Alleghan and Kent Counties, Michigan; the Mayor and Commissioners of Ostego, Mich., the Mayor and Council of Alleghan, Mich., the President and Council of Hopkins, Mich., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74-22988 Filed 10-2-74;8:45 am]

[USRA Docket No. 75-61]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Part of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon a portion of the Peoria Secondary Track in the counties of Dewitt, Logan, Macon and Tazewell, Ill., and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The part of the Peoria Secondary Track sought to be abandoned extends from milepost 94.4 near Decatur in a westerly direction to milepost 176.3 near Peoria, a distance of 81.9 miles in Dewitt, Logan, Macon and Tazewell Counties, Illinois. The line includes the stations of Maroa, Rowell, Kenny, Midland City, Tabor, Waynesville, Atlanta, Mt. Joy, Armington, Hittle, Mimier, Tazewell, Mackinaw, Allentown and Morton.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(5) The portion of the Peoria Secondary Track proposed to be abandoned is not owned entirely by the applicants.

(6) Operation of the line has been conducted at deficits of $158,232 for 1970, $134,197 for 1971 and $75,319 for the first six months of 1972.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) The line is not operated as part of a larger operating system.

(9) The Illinois Division of Highways in construction of proposed Interstate Route 55 would have to construct bridges over the Applicant's line one-half mile east of present Route 66 at Atlanta, at an estimated cost of $350,000, which could be avoided if abandonment were approved.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of this notice and have been invited to file a statement with the Association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonment as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW., Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submissions, to known shippers on the part of the Peoria Secondary Track sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and

prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236.

Copies of this notice have been sent by USRA to the Pendell Co. (the secondary debtor), the Governor of Illinois, the Commerce Commission of Illinois, the Illinois Department of Transportation, the County Commissioners of Dewitt, Logan, Macon and Tazewell Counties, Illinois; the Mayor of East Peoria, Ill., the Mayor and Aldermen of Atlanta, and Peoria, Ill., the Mayor and Councilmen of Decatur, Ill., the Village Presidents of Forsyth, Waynesville, Armington and Mimier, Ill., the Village President and Trustees of Mackinaw and Morton, Ill., the Director of the Rail Services Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22989 Filed 10–2–74;8:45 am]

[USRA Docket No. 75–62]

PENN CENTRAL TRANSPORTATION CO.

Proposed Interim Abandonment of Branch

The Trustees in Bankruptcy of the Penn Central Transportation Company ("Penn Central") propose to abandon the Northern Central Branch in Baltimore County, Maryland and York County, Pennsylvania, and have made a request to the United States Railway Association ("USRA") for the authorization required for that purpose under section 304(f) of the Regional Rail Reorganization Act of 1973 ("the Act"), Pub. L. 93–236. The line of railroad under consideration in this notice is owned by a leased line of the Penn Central Transportation Company which is a secondary debtor in the Penn Central Reorganization proceeding.

Section 304(f) provides:

> After [January 2, 1974], no railroad in reorganization may discontinue service or abandon any line of a railroad other than in accordance with the provisions of [the Act], unless it is authorized to do so by the Association and unless no affected State or local or regional transportation authority reasonably opposes such action, notwithstanding any provision of any other Federal law, the constitution or law of any State, or decision or order of or the pendency of any proceeding before any Federal or State court, agency, or authority.

The Northern Central Branch sought to be abandoned extends from milepost 16.8 near Cockeysville, Md. in a westerly direction to milepost 54.6 near Hyde, Pa., a distance of 37.8 miles in Baltimore County, Md. and York County, Pa. The line includes the stations of New Freedom, Glen Rock and Smyser in Pennsylvania.

In support of its request, Penn Central asserts that:

(1) The line is generally in poor condition. Continued use of the line would require extensive restoration and renewal work due to progressive wear and tear.

(2) The area is served by motor common carriers, as well as by private carriers which will adequately accommodate any demand for freight service in the area.

(3) No passenger service is provided on the line involved.

(4) The volume of freight traffic on the line has decreased in recent years because of the improvement in highway facilities and the concurrently increased use of highway carriers.

(5) The line is not operated as a joint facility.

(6) Operation of the line has been conducted at deficits of $80,006 for 1970, $81,052 for 1971 and will incur a deficit of $163,177 projected into the foreseeable future.

(7) Expenditures for line improvements and maintenance would be prohibitive and could not be justified because of the small traffic volume.

(8) The line is not operated as part of a larger operating system.

The request is accompanied by exhibits providing more detailed information.

The Trustees of the secondary debtor have been served with a copy of the notice and have been invited to file a statement with the association indicating whether they desire the physical abandonment of the line in the event that discontinuance of service is authorized. Interested parties submitting comments in the proceeding should address themselves to the issue of abandonments as well as that of discontinuance of service.

Any such submissions must identify, by its Docket No., the request to which it relates, and must be filed with the Docket Clerk, United States Railway Association, Room 2216, Trans Point Building, 2100 Second Street, SW, Washington, D.C. 20595, by November 4, 1974, to enable timely consideration by USRA. The docket containing the original application and all submissions received shall be available for public inspection at that address.

In addition to this publication, Penn Central shall, by October 3, 1974, furnish a copy of this notice and invitation for written submission, to known shippers on the Northern Central Branch sought to be abandoned, to each creditor holding an obligation secured by that property, and to each labor union whose members are employed on that part of its line. It shall also post and prominently display a copy of this notice at each station along that part of the line, continually during the period from October 3–November 4, 1974.

This action is taken pursuant to section 304(f) of the Regional Rail Reorganization Act of 1973, Pub. L. 93–236

Copies of this notice have been sent to the Northern Central (Secondary Debtor Co.), the Governors of Maryland and Pennsylvania, the Public Service Commission of Maryland, the Public Utilities Commission of Pennsylvania, the Maryland and Pennsylvania Departments of Transportation, the County Council of Baltimore County, Md., the County Commissioners of York County, Pa., the Boards of Supervisors of Codorous and Springfield Townships, Pa., the Director of the Rail Service Planning Office, the Chairman of the Interstate Commerce Commission, the President of the National Railroad Passenger Corporation, and also to newspapers and radio and television broadcasting stations servicing the area involved.

All affected or interested parties are invited to submit written statements, views, arguments or comments either favoring or opposing the discontinuance proposal.

Dated at Washington, D.C. this 25th day of September, 1974.

EDWARD G. JORDAN,
President, United States Railway Association.

[FR Doc.74–22990 Filed 10–2–74;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

MARYLAND STATE STANDARDS

Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Assistant Regional Directors for Occupational Safety and Health (hereinafter called the Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18 (c) of the Act and 29 CFR Part 1902. On July 5, 1973, notice was published in the FEDERAL REGISTER (38 FR 17834) of the approval of the Maryland plan and the adoption of Subpart O to Part 1952 containing the decision.

The Maryland plan provides for the adoption of Federal standards as State standards after comments and public hearing. Section 1952.210 of Subpart O sets forth the State's schedule for the adoption of Federal standards. By letter dated May 23, 1974, from Harvey A. Epstein, Commissioner, Maryland Division of Labor and Industry to David H. Rhone, Assistant Regional Director, and incorporated as part of the plan, the State submitted State standards comparable to the revisions, amendments, and revocations to OSHA standards 29

CFR 1910.111, 1910.116, 1910.141, 1910.177, 1910.178, 1910.179, 1910.180, 1910.181, 1910.243, 1910.68, 1910.217, 1910.263, 1910.157, 1910.160, 1910.106, 1910.108, 1910.309, 1926.602 and 1926.400(h), and the Supplement to the Safety Code of Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI A17.1a–1972, for which OSHA does not have a comparable standard. These standards were promulgated after public comment requested on and about January 21, 1974 and March 5, 1974, hearings held on February 27, 1974 and March 29, 1974, and a resolution adopted by the Commissioner on May 23, 1974, pursuant to the Maryland Occupational Safety and Health Law of 1973.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards it has been determined that the State standards are identical to the Federal standards with the exception of the Supplement to the Safety Code for Elevators, ANSI A17.1a–1972, for which OSHA does not have a comparable standard.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Suite 15220, Gateway Bldg., 3535 Market St., Philadelphia, Pennsylvania 19104; Office of the Commissioner, Maryland Division of Labor & Industry, 203 East Baltimore St., Baltimore, Maryland 21202 and Office of the Associate Assistant Secretary for Regional Programs, Room 850, 1726 M Street NW., Washington, D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Maryland State plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reasons:

1. The standards are identical to the Federal standards and are therefore deemed to be at least as effective, with the exception of the standard, ANSI A17.1a–1972, for which OSHA does not have a comparable standard.

2. The standards were adopted in accordance with the procedural requirements of State law and further participation would be unnecessary.

This decision is effective October 3, 1974.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Philadelphia, Pennsylvania this 6th day of September 1974.

DAVID H. RHONE,
Assistant Regional Director.

[FR Doc.74–23020 Filed 10–2–74;8:45 am]

MARYLAND STATE STANDARDS

Approval of Emergency Standard

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Assistant Regional Directors for Occupational Safety and Health (hereinafter called the Assistant Regional Director), under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18 (c) of the Act and 29 CFR Part 1902. On July 5, 1973, notice was published in the FEDERAL REGISTER (38 FR 17834) of the approval of the Maryland plan and the adoption of Subpart O to Part 1952 containing the decision.

The Maryland plan provides for the adoption of State standards which are at least as effective as the comparable Federal standards. On April 5, 1974, the Occupational Safety and Health Administration (OSHA) adopted pursuant to section 6(c) of the Act, an emergency temporary standard for vinyl chloride (29 CFR 1910.93q). By letter dated May 23, 1974, from Harvey A. Epstein, Commissioner, Maryland Division of Labor and Industry, to David H. Rhone, Assistant Regional Director, and incorporated as part of the plan, the State submitted its emergency temporary standard. This standard was promulgated on May 2, 1974, in accordance with applicable State law.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standard it has been determined that the State standard is at least as effective as the comparable Federal standard.

3. *Location of supplement for inspection and copying.* A copy of the State emergency temporary standard, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Suite 15220, 3535 Market St., Philadelphia, Pa. 19104; Office of the Commissioner, Maryland Division of Labor and Industry, 203 East Baltimore Street, Baltimore, Maryland 21202; and Office of the Associate Assistant Secretary for Regional Programs, Room 850, 1726 M Street NW., Washington, DC. 20210.

4. *Public participation.* Section 1953.22 (b)(1) of this chapter provides that temporary emergency standards which are identical to or "at least as effective as" the comparable Federal standards may be approved effective upon publication under the Administrative Procedure Act requirements for good cause, 5 U.S.C. 553(b)(3)(B), for the following reasons:

1. The standard is identical to the Federal standard except that the State standard includes additional requirements for the posting and the specifications of a caution sign and is therefore deemed to be at least as effective.

2. The standard was adopted in accordance with the procedural requirements of State law which authorizes promulgation without public participation for emergency standards, and further participation would be impracticable.

3. The emergency nature of the standard requires that its approval be implemented immediately.

This decision is effective October 3, 1974.

(Sec. 18, Pub. L. 91–596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Philadelphia, Pennsylvania, this 6th day of September 1974.

DAVID H. RHONE,
Assistant Regional Director.

[FR Doc.74–23017 Filed 10–2–74;8:45 am]

STANDARDS ADVISORY COMMITTEE ON MARINE TERMINAL FACILITIES

Meeting

Notice is hereby given that a Standards Advisory Committee on Marine Terminal Facilities, established under secton 7(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 656), will meet on Tuesday, October 22, and Wednesday, October 23, 1974, starting at 9:00 a.m. in the Castillian Room, Howard Johnson's Motor Lodge, Route One and Haynes Avenue, Newark, New Jersey 07114. The meeting will be open to the public.

The Standards Advisory Committee on Marine Terminal Facilities will continue review of the proposed safety regulations for longshoring, with respect to marine terminal facilities, for the purpose of making recommendations to the Assistant Secretary of Labor for Occupational Safety and Health. As part of the first day's activities, a field trip has been scheduled to Sea-Land Service, Inc., Port Elizabeth, New Jersey, and Universal Marine Service Corporation, Port Newark, New Jersey.

Written data, views, or comments may be filed, together with 20 copies thereof, with the Committee Management Officer by close of business October 15, 1974. Any such submissions will be provided to the members of the committee and will be included in the record of the meeting.

Persons wishing to make an oral presentation to the committee should submit a written request to be heard, together with 20 copies thereof, to the Committee Management Officer no later than the close of business October 15, 1974. The request must contain the name of the person who wishes to make a presentation, who he represents, a short summary of the intended presentation, and an estimate of the amount of time that will be needed. Oral presentations will be scheduled at the discretion of the committee Chairman.

Communications should be addressed to:

A. W. Campbell
Committee Management Office
U.S. Department of Labor
Occupational Safety and Health Administration
1726 M Street, N.W. Room 200
Washington, D.C. 20210

Signed at Washington, DC this 30th day of Sept., 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74-23018 Filed 10-2-74;8:45 am]

NATIONAL ADVISORY COMMITTEE ON OCCUPATIONAL SAFETY AND HEALTH

Notice of Meeting

Notice is hereby given of a meeting of the National Advisory Committee on Occupational Safety and Health, established under section 7(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656).

The meeting will be held in the Carroll Room of the Baltimore Hilton Hotel, 101 West Fayette Street, Baltimore, Maryland. The meeting will begin at 9 a.m. on October 24, and will be open to the public.

The agenda will include presentations and discussions on the standards development process, a review of the activities of both the Occupational Safety and Health Administration and the National Institute for Occupational Safety and Health, State Plan monitoring, and a discussion of OSHA administration as proposed by the National Federation of Independent Business.

Any written data or views concerning the subjects to be considered which are received by the Committee's Executive Secretary by October 18, 1974, together with 25 duplicate copies, will be included in the official record of the meeting. Those persons desiring to make presentations at the meeting must also notify the Executive Secretary by October 18, 1974, of their intent to appear, stating the amount of time requested and the capacity in which they will appear as well as a brief outline of the content of their presentation.

Communications to the Executive Secretary should be addressed as follows:

Ms. J. Goodell, Executive Secretary, National Advisory Committee on Occupational Safety and Health, U.S. Department of Labor, 1726 M Street NW., Room 200, Washington, D.C. 20210.

Signed at Washington, D.C., this 2d day of October 1974.

J. GOODELL,
Executive Secretary.

[FR Doc.74-23187 Filed 10-2-74;9:58 am]

INTERSTATE COMMERCE COMMISSION

[Notice 602]

ASSIGNMENT OF HEARINGS

SEPTEMBER 30, 1974.

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. No amendments will be entertained after the date of this publication.

MC 76429 Sub 6, William A. Stewart, Dba Stewart Truck Line, now being assigned hearing December 2, 1974 (1 week), at Lexington, Ky., in a hearing room to be later designated.

MC 139650, Whitley County Concrete and Supply Co., Inc., now being assigned hearing December 17, 1974 (3 days), at Lexington, Ky., in a hearing room to be later designated.

MC 133975 Sub 4, Flamingo Transportation, Inc., now being assigned hearing December 17, 1974 (3 days), at Miami, Fla., in a hearing room to be later designated.

MC 108340 Sub 27, Haney Truck Line, now being assigned hearing December 9, 1974 (1 week), at Salem, Oreg., in a hearing room to be later designated.

MC 127834 Sub 99, Cherokee Hauling and Rigging, Inc., now assigned October 8, 1974, at Memphis, Tenn., is cancelled and the application is dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-23070 Filed 10-2-74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

SEPTEMBER 30, 1974.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before October 15, 1974. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 41635 (Sub-No. E1), filed June 3, 1974. Applicant: DEALERS TRANSPORT CO., Memphis, Tenn. Applicant's representative: Charles H. Hudson, Jr., 601 Stahlman Bldg., Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, bodies, caps, and chassis* (except trailer chassis), new, used, unfinished, or wrecked, in secondary movements in truckaway service, (1) from points in Alabama on and west of Interstate Highway 65 and north of U.S. Highway 64 to points in Kentucky west of U.S. Highway 51; (2) from points in Alabama west of Interstate Highway 65 and south of U.S. Highway 64 to points in Kentucky; (3) from points in Florida to points in Kentucky west of U.S. Highway 51; (4) from points in Louisiana to points in Illinois south of U.S. Highway 24, Chicago, Ill., points in Indiana, Kentucky, and Ohio, and Detroit and Dearborn, Mich.; (5) from points in Mississippi to points in Illinois south of U.S. Highway 24, Chicago, Ill., points in Indiana, Kentucky, and Ohio, and Detroit and Dearborn, Mich.; (6) from points in Florida to points in Tennessee on and west of U.S. Highway 31 and 31N; (7) from points in Louisiana to points in Tennessee; (8) from points in Louisiana on and north of U.S. Highway 84 to points in Georgia; (9) from Lake Charles, La., to Gainesville, Ga.; (10) from points in Mississippi to points in Tennessee; (11) from points in Missouri (except St. Louis), to points in Tennessee to points in Georgia; (12) from St. Louis, Mo., to points in Georgia; (13) between points in Alabama, on the one hand, and, on the other, points in Kentucky west of U.S. Highway 51; and (14) between points in Mississippi, Louisiana, Arkansas, Florida, and Missouri, on the one hand, and, on the other, points in Tennessee west of the Tennessee River and points in Kentucky west of U.S. Highway 51. The purpose of this filing is to eliminate the gateway of points in Mississippi and points in Tennessee west of the Tennessee River in parts 1–12, and points in Mississippi in parts 13 and 14.

No. MC 50069 (Sub-No. E2), filed May 15, 1974. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: (1) *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from East Liverpool, Ohio, to points in Illinois, points in Indiana north and west of a line from the Illinois-Indiana State line along U.S. Highway 30 to the junction of U.S. Highway 31, thence along U.S. Highway 31 to the Indiana-Michigan State line (Niles, Mich.) *, and points in Missouri within 135 airline miles of East St. Louis, Ill. (Niles, Mich., and East St. Louis, Ill.) *; (2) *Liquid petro-chemicals*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from East Liverpool, Ohio, to points in Iowa and points in Missouri in excess of 135 airline miles from East St. Louis, Ill. (Niles, Mich., and Peoria, Ill.) *. Restriction: Part (2) above is restricted against the transportation of acetone, ethyl acetate, alcohol, vodka, gin, proprietary anti-freeze preparations, and choline chloride. The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 61592 (Sub-No. E31), filed May 31, 1974. Applicant: JENKINS TRUCK LINE, INC., P.R. 3, P.O. Box 697, Jeffersonville, Ind. 47130. Applicant's representative: Bob Jenkins (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle bed frames, and fifth wheels), *agricultural implements, and attachments and parts*, for tractors and agricultural implements, from the plants, warehouses sites, and experimental farms of Deere and Company in Polk County, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Virginia. The purpose of this filing is to eliminate the gateway of Port Washington, Wis.

No. MC 95876 (Sub-No. E62), filed May 16, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles*, each weighing 15,000 pounds or more and *related machinery*, when moving as items requiring specialized handling or rigging because of size or weight, restricted to commodities which are transported on trailers, between points in Wisconsin on and north of U.S. Highway 18, on the one hand, and, on the other, points in Iowa on and west of U.S. Highway 69. The purpose of this filing is to eliminate the gateway of points in Minnesota.

No. MC 95876 (Sub-No. E63), filed May 16, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, when moving as contractors' and construction materials and supplies or as items requiring specialized handling or rigging because of size or weight, from Wheeling, Beechbottom, Follansbee, and Benwood, W. Va., Yorkville, Mingo, Martins Ferry, and Steubenville, Ohio, and Allenport, Pa., to points in Wisconsin on and west of U.S. Highway 16 beginning at La Crosse, thence east to the junction with Wisconsin Highway 173 then east on Wisconsin Highway 173 to Wisconsin Rapids, then east on Wisconsin Highway 54 to the junction with U.S. Highway 51, then north on U.S. Highway 51 to the Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateway of La Cresment, Minn.

No. MC 95876 (Sub-No. E64), filed May 16, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Arthur A. Budde (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, when moving as contractors' and construction materials and supplies or as items requiring specialized handling or rigging because of size or weight, from points in Porter and Lake Counties, Ind., and Cook and Du Page Counties, Ill., to points in Iowa on, north, and west of Iowa Highway 4 beginning at the Minnesota-Iowa State line near Esterville, thence south to U.S. Highway 18, thence west on U.S. Highway 18 to U.S. Highway 71, then south on U.S. Highway 71 to U.S. Highway 20, then west on U.S. Highway 20 to the Nebraska-Iowa State line. The purpose of this filing is to eliminate the gateway of Austin, Minn.

No. MC 100666 (Sub-No. E107), filed May 12, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Richard W. May (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic tubing, plastic conduit, valves, fittings, compounds, joint sealer, bonding cement, primer, coating, thinner, and accessories* used in the installation of such products from Oklahoma City, Okla., to points in Colorado, on, north, and west of a line from the Colorado-Kansas State line along U.S. Highway 50 to the junction of Colorado Highway 10, thence along Colorado Highway 10 to the junction of U.S. Highway 160, thence along U.S. Highway 160 to the junction of U.S. Highway 285, thence along U.S. Highway 285 to the Colorado-New Mexico State line. The purpose of this filing is to eliminate the gateway of McPherson, Kans.

No. MC 101186 (Sub-No. E1), filed June 4, 1974. Applicant: ARLEDGE TRANSFER, INC., P.O. Box 157, Burlington, Iowa 52601. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Burlington, Iowa, to points in Minnesota. The purpose of this filing is to eliminate the gateway of Columbus Junction, Iowa.

No. MC 106644 (Sub-No. E34), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 W. Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles* (except commodities requiring special equipment for the over-the-road movement) from points in Louisiana, Mississippi, and Alabama, points in Florida west of a line from Carabelle, Fla., along U.S. Highway 98 to the junction of U.S. Highway 319, thence along U.S. Highway 319 to the junction of U.S. Highway 27, thence along U.S. Highway 27 to the Florida-Georgia State line, and points in Georgia west of a line from the Florida-Georgia State line along U.S. Highway 27 to the junction of Georgia Highway 6, thence along Georgia Highway 6 to the Georgia-Alabama State line to points in West Virginia. The purpose of this filing is to eliminate the gateway of Anniston, Birmingham, or Gadsden, Ala.

No. MC 106644 (Sub-No. E39), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road, NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 W. Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers or equalizers* (except commodities requiring special vehicular equipment for the over-the-road movement), (2) *Heating, cooling, humidifying, and dehumidifying machinery and equipment* (except commodities requiring special vehicular equipment for the over-the-road movement), and (3) *Parts, attachments, and accessories* for use in the installation and operations of the above-named commodities in (1) and (2) above (except commodities requiring special vehicular equipment for the over-the-road movement), (a) from points in Arkansas south of a line from the Arkansas-Texas State line along U.S. Highway 67, including Texarkana, to the junction of U.S. Highway 70, thence along U.S. Highway 70 to the Arkansas-Tennessee State line at West Memphis, Ark., including West Memphis, and points in Alabama, Florida, Georgia, Louisiana, and Mississippi to points in Wisconsin, and (b) from points in Arkansas, Alabama, Florida, Georgia, Louisiana, and Mississippi to points in Michigan. The purpose of this filing is to eliminate the gateway of points in Montgomery County, Tenn.

No. MC 107002 (Sub-No. E6), filed May 7, 1974. Applicant: MILLER

TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals*, in bulk, in tank vehicles, from Hattiesburg, Miss., to points in Kentucky. The purpose of this filing is to eliminate the gateway of Fox, Ala. (2) *Liquid chemicals*, in bulk, in tank vehicles, from Hattiesburg, Miss., to points in Illinois, Indiana, Kansas, and Missouri. The purpose of this filing is to eliminate the gateway of Collierville, Tenn. (3) *Liquid chemicals* (except liquefied petroleum gases), in bulk, in tank vehicles, from Hattiesburg, Miss., to points in West Virginia. The purpose of this filing is to eliminate the gateway of the plant site of Monsanto Chemical Company in Anniston, Ala. (4) *Liquid chemicals* (except hydrogen peroxide), in bulk, in tank vehicles, from Hattiesburg, Miss., to points in Ohio. The purpose of this filing is to eliminate the gateway of Memphis, Tenn. (5) *Liquid chemicals* (except caustic soda), in bulk, in tank vehicles, from Hattiesburg, Miss., to points in Ohio. The purpose of this filing is to eliminate the gateway of McIntosh, Ala. (6) *Liquid chemicals*, in bulk, in tank vehicles, from Hattiesburg, Miss., to points in Iowa and Wisconsin. (7) *Liquid chemicals*, in bulk, in tank vehicles, from Hattiesburg, Miss., to points in Michigan. The purpose of this filing is to eliminate the gateway of Memphis, Tenn.

No. MC 107002 (Sub-No. E8), filed May 13, 1974. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals* (except sulphuric acid, liquid hydrogen, liquid oxygen, and liquid nitrogen) in bulk, in tank vehicles, from LeMoyne, Ala., to points in Minnesota. The purpose of this filing is to eliminate the gateway of Cedartown, Ga. (2) *Liquid chemicals* (except sulphuric acid), in bulk, in tank vehicles, from LeMoyne, Ala., to points in Texas. The purpose of this filing is to eliminate the gateway of Hattiesburg, Miss. (3) *Liquid chemicals* (except sulphuric acid), in bulk, in tank vehicles, from LeMoyne, Ala., to points in Texas. The purpose of this filing is to eliminate the gateway of points in Jackson County, Miss. (4) *Liquid chemicals* (except liquefied petroleum gases), in bulk, in tank vehicles, from LeMoyne, Ala., to points in West Virginia. The purpose of this filing is to eliminate the gateways of Hattiesburg, Miss., and the plant site of Monsanto Chemical Company in Anniston, Ala.

No. MC 107515 (Sub-No. E69), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 388, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in mechanically refrigerated vehicles, from the plant site or warehouse facilities of Pet Milk Co., at Allentown, Pa., to points in Nevada, that part of Idaho on and south of a line beginning at the Idaho-Wyoming State line, thence along Idaho Highway 47 to junction U.S. Highway 20/191, thence along U.S. Highway 20/191 to junction Idaho Highway 88, thence along Idaho Highway 88 to junction Idaho Highway 22/88, thence along Idaho Highway 22/88 to junction Alternate U.S. Highway 93, thence along Alternate U.S. Highway 92 to Challis, thence along U.S. Highway 93 to junction Idaho Highway 21, thence along Idaho Highway 21 to Lowman, thence along an unnamed highway to Smith's Fy, thence along Idaho Highway 55 to junction U.S. Highway 95, thence along U.S. Highway 95 to the Idaho-Washington State line, and that part of Colorado on and south of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 40 to junction Colorado Highway 94, thence along Colorado Highway 94 to junction Interstate Highway 25, thence along Interstate Highway 25 to junction U.S. Highway 6/24, thence along U.S. Highway 6/24 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Colorado-Utah State line. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC 107515 (Sub-No. E71), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 388, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, GA. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Harrisburg, Pa., to points in that part of Idaho on and south of Interstate Highway 80N, and that part of Utah on and south of a line beginning at the Utah-Colorado State line, thence along Utah Highway 46 to junction U.S. Highway 163, thence along U.S. Highway 163 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 6/50, thence along U.S. Highway 6/50 to junction U.S. Highway 89, thence along U.S. Highway 89 to Salt Lake City, thence along Interstate Highway 80N to the Utah-Idaho State line. The purpose of this filing is to eliminate the gateways of Richmond, Va., and Gainesville, Ga.

No. MC 107515 (Sub-No. E73), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT, CO., INC., P.O. Box 388, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), and *frozen foods*, from Philadelphia, Pa., to points in Missouri, and that part of Iowa on and south of a line beginning at the Iowa-Illinois State line, thence along the Des Moines River to Des Moines, thence along Interstate Highway 235 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 80N, thence along Interstate Highway 80N to junction Interstate Highway 29, thence along Interstate Highway 29 to the Iowa-Nebraska State line, restricted to transportation in vehicles equipped with mechanical refrigeration. The purpose of this filing is to eliminate the gateways of Richmond, Va., and the plant site of Food Specialties of Kentucky, Division of Oscar Ewing, Inc., in Jefferson County (Louisville), Ky.

No. MC 107515 (Sub-No. E74), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 388, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), in vehicles equipped with mechanical refrigeration, and frozen foods, from York, Pa., to points in that part of Mississippi on and south of a line beginning at the Mississippi River, thence along Missouri Highway 21A to junction Missouri Highway 21, thence along Missouri Highway 21 to junction Missouri Highway 47, thence along Missouri Highway 47 to junction Interstate Highway 44, thence along Interstate Highway 44 to junction Missouri Highway 19, thence along Missouri Highway 19 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Missouri Highway 13, thence along Missouri Highway 13 to junction Missouri Highway 10, thence along Missouri Highway 10 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Missouri-Kansas State line. The purpose of this filing is to eliminate the gateway of Richmond, Va., and the plant site of Food Specialties of Kentucky, Division of Oscar Ewing, Inc., in Jefferson County (Louisville, Ky.).

No. MC 107515 (Sub-No. E205), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 208, Elm Springs, Ark. 72728. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, fresh, frozen, salted, cooked, or cured*, in vehicles equipped with mechanical refrigeration, from Grenada, Miss., to the District of Columbia, and to points in Michigan, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island,

and Massachusetts, restricted to traffic originating at Grenada, Miss. The purpose of this filing is to eliminate the gateway of the plant site of Food Specialties, Inc., Division of Oscar Ewing, Inc., in Jefferson County, Ky.

No. MC 107515 (Sub-No. E206), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT, CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen, fresh, and cured meats*, from points in Mississippi to the District of Columbia and points in Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, that part of Maryland on and west of U.S. Highway 15, that part of Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 15 to Harrisburg, thence along Interstate Highway 81 to the Pennsylvania-New York State line, and that part of New York on and east of a line beginning at the Pennsylvania-New York State line, thence along Interstate Highway 81 to Binghamton, thence along New York Highway 12 to junction New York Highway 12B, thence along New York Highway 12B to Rome, thence along New York Highway 365 to junction New York Highway 28, thence along New York Highway 28 to junction New York Highway 30, thence along New York Highway 30 to the International Boundary line between the United States and Canada. The purpose of this filing is to eliminate the gateways of (1) Atlanta, Ga., and (2) Gatesville, N.C.

No. MC 107515 (Sub-No. E207), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tetlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, in packages, from Gulfport, Miss., to the District of Columbia, and points in Maryland, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, those parts of New York and Pennsylvania on and east of Interstate Highway 91, and that part of Virginia on and east of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 15 to junction U.S. Highway 17, thence along U.S. Highway 17 to junction Interstate Highway 81, thence along Interstate Highway 81 to the Virginia-West Virginia State line. The purpose of this filing is to eliminate the gateways of (1) Forest Park, Ga., and (2) Gatesville, N.C.

No. MC 107515 (Sub-No. E208), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Gulfport, Miss., to points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of Forest Park, Ga.

No. MC–107515 (Sub-No. E207), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 3305o. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, in packages, from Gulfport, Miss., to the District of Columbia, and points in Maryland, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, those parts of New York and Pennsylvania on and east of Interstate Highway 91, and that part of Virginia on and east of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 15 to junction U.S. Highway 17, thence along U.S. Highway 17 to junction Interstate Highway 81, thence along Interstate Highway 81 to the Virginia-West Virignia State line. The purpose of this filing is to eliminate the gateways of (1) Forest Park, Ga., and (2) Gatesville, N.C.

No. MC–107515 (Sub-No. E208), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC. INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd., NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Gulfport, Miss., to points in North Carolina, and South Carolina. The purpose of this filing is to eliminate the gateway of Forest Park, Ga.

No. MC 107515 (Sub-No. E210), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 38050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except commodities in bulk, in tank vehicles), from points in that part of Florida on and west of a line beginning at the Georgia-Florida State line, thence along U.S. Highway 319 to junction U.S. Highway 98, thence along U.S. Highway 98 to the Gulf of Mexico, to points in Arkansas, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC 107515 (Sub-No. E215), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats* and *such commodities* as are classified dairy products in the appendix to the report in *Modification of Permits—Packing House Products*, 46 M.C.C. 23, and 48 M.C.C. 628, between points in that part of Alabama on and south of Interstate Highway 10, on the one hand, and, on the other, points in North Carolina, South Carolina, that part of Tennessee on and east of a line beginning at the Kentucky-Tennessee State line, thence along Tennessee Highway 56 to junction Tennessee Highway 150, thence along Tennessee Highway 150 to junction U.S. Highway 11, thence along U.S. Highway 11 to the Tennessee-Georgia State line, and that part of Florida on and south of a line beginning at the Florida-Georgia State line, thence along U.S. Highway 17 to junction Interstate Highway 4, thence along Interstate Highway 4 to junction U.S. Highway 301, thence along U.S. Highway 301 to junction Florida Highway 64, thence along Florida Highway 64 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateways of any point both within 10 miles of Atlanta, Ga., and within the Atlanta commercial zone (except Atlanta), or any point both within 5 miles of Montezuma, Ga., and within the Montezuma commercial zone (except Montezuma).

No. MC 107515 (Sub-No. E217), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats*, and *such commodities* as are classified as dairy products in the appendix to the report in *Modification of Permits—Packing House Products*, 46 M.C.C. 23, and 48 M.C.C. 628, between points in Florida, on the one hand, and, on the other, points in South Carolina on and west of U.S. Highway 29 and that part of North Carolina on and west of a line beginning at the North Carolina-South Carolina State line, thence along Interstate Highway 85 to Greensboro, thence along U.S. Highway 29 to the North Carolina-Virginia State line. The purpose of this filing is to eliminate the gateways of any point both within 5 miles of Macon, Ga., and within the Macon commercial zone (except Macon).

No. MC 107515 (Sub-No. E218), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats*, and *such commodities* as are classified dairy products in the appendix to the report in *Modification of Permits—Packing House Products*, 46 M.C.C. 23, and 48 M.C.C. 628, between points in Tennessee (except Nashville and McMinnville), on

the one hand, and, on the other, points in Florida on and east of U.S. Highway 319. The purpose of this filing is to eliminate the gateways of any point both within 5 miles of Macon, Ga., and within the Macon commercial zone (except Macon).

No. MC 107515 (Sub-No. E219), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats* and *such commodities* as are classified as dairy products in the appendix to the report in *Modification of Permits—Packing House Products*, 46 M.C.C. 23, 48 M.C.C. 628, between points in South Carolina on and north of U.S. Highway 1, and that part of North Carolina on and west of a line beginning at the North Carolina-South Carolina State line, thence along U.S. Highway 1 to junction U.S. Highway 64, thence along U.S. Highway 64 to Rocky Mount, thence along Interstate Highway 95 to the North Carolina-Virginia State line, on the one hand, and, on the other, points in Florida (except points in that part of Florida north of a line beginning at the Atlantic Ocean, thence along Florida Highway 520 to Junction U.S. Highway 441, thence along U.S. Highway 441 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Florida Highway 53, thence along Florida Highway 53 to junction Florida Highway 145, thence along Florida Highway 145 to the Georgia-Florida State line. The purpose of this filing is to eliminate the gateway of any point both within 5 miles of Macon, Ga., and within the Macon commercial zone (except Macon).

No. MC 107515 (Sub-No. E340), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen edible meats and frozen edible meat products*, from Ft. Smith, Ark., to points in that part of Kentucky on and east of U.S. Highway 41, that part of Indiana on and east of a line beginning at the Indiana-Kentucky State line, thence along Indiana Highway 37 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Indiana Highway 3, thence along Indiana Highway 3 to junction Interstate Highway 74, thence along Interstate Highway 74 to the Indiana-Ohio State line, that part of Ohio on and east of a line beginning at the Ohio-Indiana State line, thence along Interstate Highway 74 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Ohio-Michigan State line, and that part of Michigan on and east of a line beginning at the Michigan-Ohio State line, thence along U.S. Highway 23 to junction Interstate Highway 75, thence along Interstate Highway 75 to the International Boundary line between the United States and Canada. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC 107515 (Sub-No. E341), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen meats and meat products*, from Ft. Smith, Ark., to New York, N.Y., the District of Columbia, points in Nassua, Suffolk, and Westchester Counties, N.Y., New Jersey, Delaware, Vermont, Rhode Island, Connecticut, New Hampshire, Massachusetts, Maine, that part of Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 15 to junction U.S. Highway 30, thence along U.S. Highway 30 to Lancaster, thence along Pennsylvania Highway 72 to junction Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-New York State line, and those parts of Virginia and Maryland on and east of U.S. Highway 15. The purpose of this filing is to eliminate the gateway of Gateville, N.C.

No. MC 107515 (Sub-No. E343), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO. INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products* as described in Section A 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 Fort Smith, Arkansas, to points in Pennsylvania, West Virginia, Virginia, and that part of Indiana on and east of a line beginning at the Indiana-Kentucky State line, thence along U.S. Highway 41 to junction Indiana Highway 57, thence along Indiana Highway 57 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Interstate Highway 70, thence along Interstate Highway 70 to Indianapolis, thence along U.S. Highway 31 to the Indiana-Michigan State line, and that part of Michigan on and east of a line beginning at the Michigan-Indiana State line, thence along U.S. Highway 31 to junction Interstate Highway 75 to the International Boundary line between the United States and Canada. The purpose of this filing is to eliminate the gateway of the plantsite of Odom's Sausage Co., at Madison, Tenn.

No. MC 107515 (Sub-No. E345), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen prepared dough*, from Little Rock, Ark., to points in North Carolina, South Carolina, and that part of Georgia on and south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 278 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Georgia-Tennessee State line. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC 107515 (Sub-No. E346), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except candy and confectionery, commodities in bulk, and canned foodstuffs), in vehicles equipped with mechanical refrigeration, from the plant site of Broughton Foods Company, at Charleston, W. Va., to points in Mississippi and Louisiana, restricted to traffic originating at the named plant site. The purpose of this filing is to eliminate the gateway of the plant site of Commercial Cold Storage, Inc., at Doraville, Ga.

No. MC 107515 (Sub-No. E348), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from South St. Paul, Minn., to points in Tennessee (except Memphis), and Florida. The purpose of this filing is to eliminate the gateway of Booneville, Miss.

No. MC 107515 (Sub-No. E349), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen vegetables*, from points in Minnesota to points in Oklahoma and Texas. The purpose of this filing is to eliminate the gateway of Kansas City, Mo.

No. MC 107515 (Sub-No. E350), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in that part of Minnesota on and south of a line beginning

at the Minnseota-North Dakota State line, thence along U.S. Highway 10 to junction Minnesota Highway 34, thence along Minnesota Highway 34 to junction Minnesota Highway 371, thence along Minnesota Highway 371 to junction Minnesota Highway 200, thence along Minnesota Highway 200 to junction U.S. Highway 2, thence along U.S. Highway 2 to Lake Superior, to points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC 107515 (Sub-No. E352), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except candy and confectionery destined to points in Florida), in vehicles equipped with mechanical refrigeration, from points in Minnesota, to points in Georgia and Florida. The purpose of this filing is to eliminate the gateways of (1) any point in Tennessee (except Nashville and McMinnville), and (2) the plant site of Commercial Cold Storage, Inc., at Doraville, Ga.

No. MC 107515 (Sub-No. E353), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Madison, Wis., to points in Florida. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC 107515 (Sub-No. E354), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from Monroe, Wis., to points in Florida. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC 107515 (Sub-No. E355), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Madison, Wis., to points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of Bristol, Tenn.

No. MC 108449 (Sub-No. E208), filed May 29, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Bettendorf, and Linwood, Iowa, to points in Green, Rock, Walworth, Racine, Kenosha, Sauk, Adams, Juneau, Marquette, Green Lake, Fond du Lac, Columbia, Dane, Dodge, Jefferson, Washington, Waukesha, Sheboygan, Ozaukee, and Milwaukee Counties, Wis. The purpose of this filing is to eliminate the gateway of Rockford, Ill.

No. MC 108449 (Sub-No. E209), filed May 18, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from the site of the pipeline terminal of American Oil Company at or near Spring Valley, Minn., to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of the Williams Bros. Pipe Line Company terminal located at or near St. Cloud, Minn.

No. MC 108449 (Sub-No. E210), filed May 18, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from the storage facilities utilized by American Oil Company in Dubuque, Iowa, to points in North Dakota. The purpose of this filing is to eliminate the gateway of Marshall, Minn.

No. MC 108449 (Sub-No. E211 & E212), filed May 18, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Fargo, N. Dak., and points in North Dakota within 10 miles thereof, to points in Wisconsin. The purpose of this filing is to eliminate the gateways of McGregor and St. Cloud, Minn.

No. MC 108449 (Sub-No. E213), filed May 18, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from West Fargo, N. Dak., and points in North Dakota within 5 miles thereof, to points in Wyoming. The purpose of this filing is to eliminate the gateway of the terminal facilities of the Kaneb Pipe Line Company located at or near Aberdeen, S. Dak.

No. MC 108449 (Sub-No. E214), filed May 18, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from the site of the pipeline terminal of American Oil Company at or near Spring Valley, Minn., to points in Illinois. The purpose of this filing is to eliminate the gateway of the storage facilities utilized by American Oil Company in Dubuque, Iowa.

No. MC 110420 (Sub-No. E61), filed June 4, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup blends and mixtures*, in bulk, in tank vehicles, from St. Louis, Mo., to points in (1) North Dakota (Cedar Rapids, Iowa) *; (2) Pennsylvania and that part of Indiana in and north of Benton, White, Carroll, Howard, Grant, Blackford, and Jay Counties (the plant sites of Tonza, Inc., at or near Mapleton, Ill.) *; (3) Minnesota and Wisconsin (the plant site of Union Starch and Refining Company, Inc., at Granite City Ill.) *; (4) New York and Ohio (Granite City, Ill.) *; (5) Texas and the District of Columbia (Granite City, Ill.) *; (6) that part of Maryland in, east and south of Washington County (the plant sites of Tonza, Inc., at or near Mapleton, Ill., and Hammond, Ind.) *; (7) that part of North Carolina in and east of Granville, Durham, Wake, Harnett, Cumberland Bladen, and Columbus Counties; that part of Virginia in, north, and east of Craig, Roanoke, Bedford, and Pittsylvania; that part of West Virginia in and east of Wetzel, Harrison, Lewis, Upshur, Randolph, and Pocahontas Counties (Pekin, Ill.) *; and (8) Utah (North Kansas City, Mo.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 110420 (Sub-No. E63), filed June 4, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup blends and mixtures*, in bulk, in tank vehicles, from North Kansas City, Mo., to points in (1) Maryland (Hammond, Ind.)*; (2) that part of North Dakota in and north of McKenzie, Mountrail, Ward, McHenry, Pierce, Benson, Ramsey, and Walsh Counties (Cedar Rapids, Iowa)*; (3) Georgia and that part of Louisiana in and east of West Feliciana, Pointe Coupee, Iberville, St. Martin, and Iberia Parishes (St. Louis, Mo.)*; (4) Mississippi (St. Louis, Mo.)*; (5) Alabama and the District of Columbia (Granite City, Ill.)*; (6) North Carolina, South Carolina, Virginia, and West Virginia (Pekin, Ill.)*; (7) New York (Granite City, Ill.)*; (8) Pennsylvania (the plant site of Lonza, Inc., at or near Mapleton, Ill.)*; (9) Tennessee (Granite City, Ill.)*; and (10) Oklahoma (Kansas City, Mo.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 110420 (Sub-No. E64), filed June 4, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrups and blends and mixtures* thereof, in bulk, in tank vehicles, from DuQuoin, Ill., to points in (1) South Dakota, Texas, District of Columbia, that part of Alabama in and south of Marion, Winston, Morgan, Cullman, Blount, Etowah, and Cherokee Counties (Granite City, Ill.)*; (2) New York (Granite City, Ill.)*; (3) that part of North Carolina in and east of Gates, Chowan, Washington, Tyrrell, and Dare Counties, that part of Virginia in and east of Stafford, Spotsylvania, Caroline, King William, New Kent, Charles City, James City, York, Isle of Wight, and Nansemond Counties (Pekin, Ill.)*; (4) that part of Pennsylvania in, north and east of Crawford, Venango, Clarion, Armstrong, Indiana, Cambria, Blair, Huntingdon, and Fulton Counties (the plantsites of Tonza, Inc., at or Near Mapleton, Ill.)*; (5) Maryland (Hammond, Ind.)*; (6) North Dakota (Cedar Rapids, Iowa)*; (7) Arkansas, Lousiana, Oklahoma, and Georgia (St. Louis, Mo.)*; (8) Kansas and that part of Mississippi in and south of Tunica, Tate, Lafayette, Union, Prentiss, and Tishomingo Counties (St. Louis, Mo.)*; (9) Nebraska and Utah (North Kansas City, Mo.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 110420 (Sub-No. E77) filed June 4, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wisconsin 53158. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid cocoa butter*, in bulk, in tank vehicles, from Milwaukee, Wisc., to Battle Creek and Detroit, Mich., St. Paul, Minn., St. Joseph and Joplin, Mo., Lincoln and Omaha, Nebr., Cincinnati and Cleveland, Ohio, Memphis, Tenn., and Waco, Tex. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 110525 (Sub-No. E502), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa., 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), (1) from points in that part of North Carolina on and east of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 29 to Greensboro, thence along U.S. Highway 220 to junction U.S. Highway 1, thence along U.S. Highway 1 to the North Carolina-South Carolina State line, to points in that part of Pennsylvania on and east of U.S. Highway 219 (Hopewell, Va.)*, and (2) from points in that part of North Carolina on and west of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 29 to Greensboro, thence along U.S. Highway 220 to junction U.S. Highway 1, thence along U.S. Highway 1 to the North Carolina-South Carolina State line, to points in that part of Pennsylvania on and west of U.S. Highway 219. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 110525 (Sub-No. E508) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER August 12, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, liquid hydrogen, liquid oxygen, and liquid nitrogen), in bulk, in tank vehicles, from points in North Carolina to points in Vermont. The purpose of this filing is to eliminate the gateways of Hopewell, Va., and Syracuse, N.Y. The purpose of this correction is to reflect liquid hydrogen in the exception.

No. MC 110525 (Sub-No. E525) (Correction), filed May 20, 1874, published in the FEDERAL REGISTER August 13, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677 (except bituminous products and materials), from points in that part of Ohio on and west of U.S. Highway 23 to points in Maryland. The purpose of this filing is to eliminate the gateways of Follansbee, W. Va., and the plant sites of the Aniline and Solvay Divisions of Allied Chemical Corporation, in Marshall County, W. Va. (approximately 4 miles south of Moundsville, W. Va.), The purpose of this correction is to reflect the citation for the Maxwell Case.

No. MC 110525 (Sub-No. E650) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER August 19, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677 (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of South Carolina on and west of U.S. Highway 21 to points in Minnesota. The purpose of this filing is to eliminate the gateways of Morgantown, W. Va., and Bridgeville, Pa. The purpose of this correction is to reflect the citation for the Maxwell case.

No. MC 110525 (Sub-No. E653) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER August 19, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in The Maxwell *Co., Extension—Addyston*, 63 M.C.C. 677, from points in South Carolina to points in Montana. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio. The purpose of this correction is to include the citation for the Maxwell case.

No. MC 110525 (Sub-No. E667) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER August 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, hydrofluosilic acid, such naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, and liquid alum), in bulk, in tank vehicles, from points in South Carolina to points in Texas. The purpose of this filing is to eliminate the gateway of Atlanta, Ga. The purpose of this correction is to substitute sulphate for phosphate in the exception.

No. MC 110525 (Sub-No. E769) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER August 27, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of West Virginia on and east of Interstate Highway 77 to points in Indiana. The purpose of this filing is to eliminate the gateway S. Charleston, W. Va. The purpose of this correction is to redescribe points in West Virginia.

No. MC 110525 (Sub-No. E772) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER August 27, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Dowingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of West Virginia on and east of Interstate Highway 77 to points in Kentucky. The purpose of this filing is to eliminate the gateway of S. Charleston, W. Va. The purpose of this correction is to redescribe the West Virginia territorial description.

No. MC 110525 (Sub-No. E774) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER August 27, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of West Virginia on and west of U.S. Highway 219 to points in Maine. The purpose of this filing is to eliminate the gateways of Morgantown, W. Va., and Syracuse, N.Y. The purpose of this correction is to redescribe the West Virginia territorial description.

No. MC 110525 (Sub-No. E775) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER August 27, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative; Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of West Virginia on and west of U.S. Highway 19 to points in that part of Maryland on and east of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Morgantown, W. Va. The purpose of this correction is to redescribe the Maryland territorial description.

No. MC 110525 (Sub-No. E798) Correction), filed May 20, 1974, published in the FEDERAL REGISTER August 19, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative; Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, hydrofluosilic acid, such naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, and liquid alum), in bulk, in tank vehicles, from points in West Virginia, to points in Texas. The purpose of this filing is to eliminate the gateway of Atlanta, Ga. The purpose of this correction is to correct the spelling of hydrofluosilic.

No. MC 111401 (Sub-No. E11) (Correction), filed May 12, 1974, published in the FEDERAL REGISTER on August 28, 1974. Applicant: GROENDYKE TRANSPORT, INC., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petro-chemicals*, in bulk, in tank vehicles, from points in that part of Texas on and north of U.S. Highway 66 to Demopolis, Ala., Chicago and Ringwood, Ill., and points in Missouri, Kentucky, Louisiana, Ohio, and Indiana. The purpose of this filing is to eliminate the gateway of Kingsmill, Tex. The purpose of this correction is to correct the Texas territorial description.

No. MC 113535 (Sub-No. E4) (Correction), filed May 3, 1974, republished in the FEDERAL REGISTER August 27, 1974. Applicant: A & W TRUCKING CORPORATION, Route 5, Box 900, Mosinee, Wis. 54455. Applicant's representative: John J. Altenburg (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products, dairy products, and articles* distributed by meat packinghouses, between points in Minnesota within 35 miles of Lanesboro, on the one hand, and, on the other, points in Wisconsin (except (1) between Winona and La Crosse, and (2) between such points, on the one hand, and, on the other, the following points in Wisconsin: Adams, Friendship, Bangor, junction Wisconsin Highway 13 and 21, junction U.S. Highway 16 and Wisconsin Highway 162, Stevens Point, and those on a line extending from Stevens Point to Plover, thence over Wisconsin Highway 54 to Wisconsin Rapids, thence over Wisconsin Highway 13 to junction Wisconsin Highway 21, thence over Wisconsin Highway 21 to Necedah, thence over Wisconsin Highway 80 to New Lisbon, thence over U.S. Highway 16 to the Wisconsin-Minnesota State line). The purpose of this filing is to eliminate the gateway of Winona, Minn. The purpose of this correction is to set forth the correct area description.

No. MC 114019 (Sub-No. E64) (Correction), filed May 9, 1974, published in the FEDERAL REGISTER June 13, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles* distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from points in Ohio, New York, Pennsylvania, West Virginia, and Baltimore, Md., Philadelphia, Pa., points within 30 miles of New York, N.Y., and points in that part of New Jersey, Delaware, and Maryland which are located within 30 miles of Philadelphia, Pa., to points in Nebraska, and points in that part of Kansas on, north, and west of a line beginning at the Missouri-Kansas State line thence west along U.S. Highway 54 to junction U.S. Highway 59, thence south along U.S. Highway 59 to the Missouri-Arkansas State line, that part of Missouri on, north, and west of a line beginning at Hannibal, at junction U.S. Highways 24 and 36, thence west along U.S. Highways 24 and 36 to junction U.S. Highway 24, thence west along U.S. Highway 24 to junction Missouri Highway 5, thence south along Missouri Highway 5 to junction Missouri Highway 52, thence west along Missouri Highway 52 to junction U.S. Highway 65, thence south along U.S. Highway 65 to junction Missouri Highway 83, thence south along Missouri Highway 83 to junction U.S. Highway 54, thence west along U.S. Highway 54 to the Missouri-Kansas State line, that part of Iowa, on, west, and south of a line beginning a Dubuque, Iowa, at U.S. Highway 52, thence north along U.S. Highway 52 to the Minnesota-Iowa State line. The purpose of this filing is to eliminate the gateway of the plant site of Wilson & Co., Inc., at Monmouth, Ill., or any point in Ohio. The purpose of this correction is to correctly describe the origin territories and to include the plant site in the gateway.

No. MC 114552 (Sub-No. E6), filed April 27, 1974. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer), (1) from points in Connecticut to points in Arkansas, Florida, Oklahoma, and Texas; (2) from points in Connecticut, to points in Kentucky on and south of a line beginning at the West Virginia-Kentucky State line and extending along Kentucky Highway 40 to its intersection with U.S. Highway 460, and thence along U.S. Highway 460 to the Kentucky-Indiana State line, and points in Tennessee; (3) from points in Connecticut to points

in Alabama; (4) from points in Connecticut to points in Virginia on and south of U.S. Highway 460; (5) from points in Connecticut to points in West Virginia on and south of a line beginning at the Virginia-West Virginia State line and extending along West Virginia Highway 12 to its intersection with West Virginia Highway 3, thence along West Virginia Highway 3 to its intersection with West Virginia Highway 99, thence along West Virginia Highway 99 to its intersection with West Virginia Highway 85, thence along West Virginia Highway 85 to its intersection with West Virginia Highway 10, thence along West Virginia Highway 10 to its intersection with West Virginia Highway 65, thence along West Virginia Highway 65 to its intersection with U.S. Highway 52, and thence along U.S. Highway 52 to the West Virginia-Kentucky State line.

(6) From points in Connecticut to points in Indiana on and south of Interstate Highway 74; (7) between points in Louisiana, on the one hand, and, on the other, points in Connecticut; (8) between points in Mississippi, on the one hand, and, on the other, points in Connecticut; and (9) from points in Connecticut to points in Illinois on and south of a line beginning at the Indiana-Illinois State line and extending along Illinois Highway 15 to its intersection with U.S. Highway 45, thence along U.S. Highway 45 to its intersection with U.S. Highway 50, and thence along U.S. Highway 50 to the Illinois-Missouri State line.

The purpose of this filing is to eliminate the following gateways; (a) points in Greenwood County, S.C., for (1) above; (b) points in Rockingham County, N.C., for (2) and (5) above; (c) points in South Carolina for (3) above; (d) points in Rockingham or Franklin Counties for (4) above; (e) points in Ashe County, N.C., for (6) above; (f) points in Cherokee County, N.C., and points in Georgia for (7) above; (g) points in Georgia for (8) above; and (h) points in Ashe County, N.C., and points in Tennessee for (9) above.

No. MC 114569 (Sub-No. E2) (Correction), filed May 24, 1974, published in the FEDERAL REGISTER September 10, 1974. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, Pa. 17072. Applicant's representative: Herbert R. Nurick, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese* from points in the Upper Peninsula of Michigan to points in New York on and east of a line from the junction of the Genesee River and Lake Ontario along the Genesee River to the junction of U.S. Highway 15, etc. * * * The purpose of this filing is to eliminate the gateway of Milton, Pa. The purpose of this partial correction is to correct the spelling of the Genesee River. The remainder of the letter-notice remains as previously published.

No. MC 114569 (Sub-No. E13) (Correction), filed May 24, 1974, published in the FEDERAL REGISTER September 11, 1974. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, Pa. 17072. Applicant's representative: Herbert R. Nurick, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products, by-products, and parts* of dead or slaughtered animals unfit for human consumption (except in bulk, in tank vehicles), (1) between points in Illinois, Indiana, Iowa, Minnesota, Wisconsin, Missouri, Nebraska, Georgia, Kentucky, North Carolina, South Carolina, and Virginia, on the one hand, and, on the other, points in Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, and Vermont; * * * The purpose of this filing is to eliminate the gateway of Elizabethville, Pa. The purpose of this partial correction is to include South Carolina in the territorial description. The remainder of the letter-notice remains as previously published.

No. MC 114569 (Sub-No. E17) (Correction), filed May 24, 1974, published in the FEDERAL REGISTER September 11, 1974. Applicant: SHAFFER TRUCKING INC., P.O. Box 418, New Kingstown, Pa. 17072. Applicant's representative: Herbert R. Nurick, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese* from Fredericksburg and Preston, Iowa, to points in Delaware, and points in Virginia on and east of a line from the North Carolina-Virginia State line along Interstate Highway 85 to the junction of Virginia Highway 46, thence along Virginia Highway 46 to Blackstone, thence along Virginia Highways 625 and 614 to the junction of Virginia Highway 609, thence along Virginia Highway 609 to the junction of U.S. Highway 522, thence along U.S. Highway 522 to the junction of U.S. Highway 250, thence along U.S. Highway 250 to Charlottesville, thence along U.S. Highway 29 to the junction of U.S. Highway 33, thence along U.S. Highway 33 to the junction of U.S. Highway 340, thence along U.S. Highway 340 to the junction of U.S. Highway 211, thence along U.S. Highway 211 to the junction of Interstate Highway 81, thence along Interstate Highway 81 to the Virginia-West Virginia State line. The purpose of this filing is to eliminate the gateway of Milton, Pa. The purpose of this correction is to clarify the route description.

No. MC 116063 (Sub-No. E9), filed May 17, 1974. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., P.O. Box 270, Fort Worth, Tex. 76101. Applicant's representative: W. H. Cole (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refined or processed animal fats and vegetable oils*, in bulk, in tank vehicles, (1) from points in Colorado, to points in Indiana, Kentucky, Michigan (except points in the Upper Peninsula), and Ohio; (2) from points in Illinois on and north of U.S. Highway 36, to points in Arkansas on and south of Interstate Highway 40 and on and west of U.S. Highway 65, those in Colorado on and south of U.S. Highway 40, those in Louisiana on and south of U.S. Highway 80, and those in Oklahoma on and south of Interstate Highway 40; from points in Illinois on and east of U.S. Highway 51 and on and north of U.S. Highway 36, to points in Kansas; (4) from points in Iowa to ponits in Kentucky and Tennessee; (5) from points in Iowa on, west, and south of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 63 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Iowa-Illinois State line, to points in Indiana on and south of Interstate Highway 70, and those in Ohio on and south of Interstate Highway 70; (6) from points in Iowa on and east of U.S. Highway 63 and on and north of Interstate Highway 80, to points in Arkansas on, south, and east of U.S. Highway 67, Louisiana, and Mississippi.

(7) From points in Iowa on and west of U.S. Highway 69, to points in Illinois on and south of U.S. Highway 40; (8) from points in Kansas to points in Illinois on and east of U.S. Highway 51 and on and north of U.S. Highway 36, those in Indiana on and north of U.S. Highway 50, those in Kentucky on and north of Interstate Highway 64, those in Michigan (except points in the Upper Peninsula), points in Ohio, and those in Wisconsin on and east of U.S. Highway 51 and on and south of Interstate Highway 94; (9) from points in Louisiana to points in Iowa on and east of U.S. Highway 63 and on and north of Interstate Highway 80, points in Michigan, points in Minnesota on and east of U.S. Highway 71, and those in Wisconsin; (10) from points in Louisiana on and south of U.S. Highway 80, to points in Illinois on and north of U.S. Highway 36, and points in Indiana on and north of U.S. Highway 36; (11) from points in Minnesota, to points in Illinois on and south of U.S. Highway 36 and on and east of U.S. Highway 67, points in Kentucky, those in Louisiana on and east of U.S. Highway 165 and on and north of U.S. Highway 90, and points in Mississippi and Tennessee; (12) from points in Minnesota on and west of U.S. Highway 63, to points in Ohio on and south of Interstate Highway 70; (13) from points in Missouri on and north of Interstate Highway 44 and west of U.S. Highway 63, to points in Indiana on and north of a line beginning at the Illinois-Indiana State line and extending along Interstate Highway 70 to Indianapolis, thence along Interstate Highway 74 to the Indiana-Ohio State line; (14) from points in Missouri on and north of Interstate Highway 44, to points in Michigan (except those in the Upper Peninsula), and points in Ohio.

(15) From points in Missouri on and north of U.S. Highway 40 and west of U.S. Highway 54, to points in Tennessee on and east of Interstate Highway 65; (16) from points in Missouri on and south of U.S. Highway 40, to points in Wisconsin on and east of U.S. Highway 51; (17) from points in Nebraska, to points in Illinois on and east of U.S.

Highway 66 and on and south of U.S. Highway 36, points in Indiana on and south of U.S. Highway 24, and points in Kentucky, Ohio, and Tennessee; (18) from points in Oklahoma, to points in Illinois on and east of U.S. Highway 67 and on and north of U.S. Highway 36, those in Indiana on and north of Interstate Highway 70, points in Michigan, and those in Wisconsin on and east of U.S. Highway 51 and on and south of U.S. Highway 8; (19) from points in Tennessee west of the Tennessee River (except Memphis), to points in Colorado on and north of U.S. Highway 24, those in Illinois on and north of a line beginning at the Mississippi River and extending along U.S. Highway 36 to Springfield, thence along U.S. Highway 66 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, and points in Iowa, Minnesota, Nebraska, and Wisconsin; (20) from Memphis, Tenn., to points in Michigan, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Wilmington, Delaware, and points in Pennsylvania on and east of Interstate Highway 81 and on and north of Interstate Highway 76; (21) from points in Texas, to points in Michigan, and those in Ohio on and north of U.S. Highway 50; and (22) from points in Wisconsin on and east of U.S. Highway 51 and on and south of Interstate Highway 94, to points in Arkansas, Kansas, Louisiana, Oklahoma, Mississippi, those in Missouri on and south of U.S. Highway 40, those in Tennessee west of the Tennessee River, and points in Texas. The purpose of this filing is to eliminate the gateway of Jacksonville, Ill., and the plant site of Anderson-Clayton Company at Jacksonville, Ill.

No. MC 116254 (Sub-No. E15), filed May 11, 1974. Applicant: CHEM-HAULER, INC., P.O. Drawer M, Sheffield, Ala. Applicant's representative: Douglas O. Logue (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid caustic potash*, in bulk, in tank vehicles, from Anniston, Ala., to (1) points in Tennessee on and west of U.S. Highway 51 and points in Shelby County east of U.S. Highway 51; (2) points in Texas on and west of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 75 to Dallas, thence along U.S. Highway 77 to junction Texas Highway 9, thence along Texas Highway 9 to Corpus Christi; (3) points in Illinois on, north, and west of a line beginning at the Illinois-Kentucky State line and extending along U.S. Highway 45 to Vienna, thence along Illinois Highway 146 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Illinois-Indiana State line; (4) points in Indiana on and north of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 40 to Terre Haute, thence along U.S. Highway 41 to junction Indiana Highway 28, thence along Indiana Highway 28 to junction Indiana Highway 3, thence along Indiana Highway 3 to Muncie, thence along Indiana Highway 67 to the Indiana-Ohio State line; (5) points in Ohio on and north of U.S. Highway 224; (6) points in Arkansas on and north of Interstate Highway 40; and (7) points in Missouri and Oklahoma. The purpose of this filing is to eliminate the gateways of Sheffield, Ala., and points within 10 miles of Waterloo, Ala.

No. MC 116325 (Sub-No. E10), filed May 31, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets, pallet dividers, pallet racks, pallet bins, pallet materials, boxes, crates, crating, lumber, skids, squares, posts, timber, logs, and cants*, from points in Missouri on and east of U.S. Highway 67 (except Morehouse, Mo., to (a) points in Ohio and Indiana, and to (b) points in Kansas on and east of U.S. Highway 183, restricted against the transportation of commodities which by reason of size or weight require special equipment. The purpose of this filing is to eliminate the gateway of (1) points in Bollinger and Wayne Counties, Mo., for (a) above, and (2) points in Cape Girardeau and Perry Counties, Mo., and that part of Madison County, Mo.

No. MC 116325 (Sub-No. E11), filed June 2, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets, Pallet dividers, pallet racks, pallet bins, pallet materials, boxes, crates, crating, lumber, skids, squares, posts, timber, logs, and cants*, from points in Missouri on and east of U.S. Highway 67 (except Morehouse, Mo.); to points in Nebraska and Kansas on and east of U.S. Highway 183, restricted against the transportation of commodities which by reason of size or weight require special equipment. The purpose of this filing is to eliminate the gateway of points in Bollinger and Wayne Counties, Mo.

No. MC 116325 (Sub-No. E13), filed June 2, 1974. Applicant: BOND ENTERPRISE, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sheet Steel* (except oilfield commodities as described in *Mercer Extension—Oilfield Commodities, 74 M.C.C. 459*, and except commodities which because of their size or weight, require the use of special equipment), from the plantsite of the Bethlehem Steel Corporation at Burns Harbor, Ind., points in Colorado, Louisiana, Mississippi, Alabama, Georgia, Texas, and New Mexico, restricted to the transportation of shipments originating at, or destined to the plantsite of the Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind. The purpose of this filing is to eliminate the gateway of Forrest, Illinois.

No. MC 116325 (Sub-No. E14), filed June 2, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from Chesterfield, Mo., to points in Kentucky, Tennessee, Ohio, and Indiana. The purpose of this filing is to eliminate the gateway of points in Bollinger County, Mo.

No. MC 116325 (Sub-No. E19), filed June 3, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel mill products*, from the plant site of the Bethlehem Steel Corporation at Burns Harbor, Ind., to points in Texas, restricted to the transportation of shipments originating at, or destined to the plant site of the Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC 116325 (Sub-No. E20), filed June 3, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden poles, posts, skids, square, crating, pallets, pallet bins, boxes, and pallet materials*, from points in Missouri on and east of U.S. Highway 67 (except Morehouse, Mo.), to points in Kansas and Nebraska, restricted against the transportation of commodities which by reason of size or weight require special equipment. The purpose of this filing is to eliminate the gateway of points in Bollinger or Wayne Counties, Mo.

No. MC 116325 (Sub-No. E21), filed June 3, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Sterling and Rock Falls, Ill., to points in Arkansas, restricted against the transportation of traffic originating in Alabama and Tennessee (except Memphis, Tenn.). The purpose of this filing is to eliminate the gateway of points in that part of Missouri on and east of Missouri Highway 51.

No. MC 116325 (Sub-No. E22), filed June 3, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Steel tubing, conduit, pipe, and sheet steel* (except oilfield commodities as described in *Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459, and except commodities which because of their size or weight, require the use of special equipment), from the plant site or storage facilities of Standard Iron and Steel Co., at Webb City, Mo., to points in Michigan, Wisconsin, and West Virginia, restricted to the transportation of traffic originating at, or destined to, the plant site or storage facilities of Standard Iron and Steel Co., at Webb City, Mo. The purpose of this filing is to eliminate the gateway of Fairbury, Ill.

No. MC 116325 (Sub-No. E24), filed May 31, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets, pallet dividers, pallet racks, pallet bins, pallet materials, boxes, crates, crating, lumber, skids, squares, posts, timber, logs, and cants*, from points in Missouri on and east of U.S. Highway 67 (except Morehouse, Mo.), to points in Kansas and Nebraska on and east of U.S. Highway 183, restricted against the transportation of commodities which by reason of size or weight, require special equipment. The purpose of this filing is to eliminate the gateway of points in Cape Girardeau and Perry Counties, Mo., and that part of Madison County, Mo., on and east of U.S. Highway 67.

No. MC 116325 (Sub-No. E25), filed May 31, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel tubing, conduit, pipe, and sheet steel* (except oilfield commodities as described in *Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459, and except commodities which, because of their size or weight require the use of special equipment), from the plant site of Tennessee Forging Steel Corporation near Harriman, Tenn., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Fairbury, Ill.

No. MC 116325 (Sub-No. E28), filed June 2, 1974. Applicant: BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden poles, posts, piling, blocking, skids, squares, crating, wooden pallets, pallet bins, boxes, and pallet materials*, from points in Illinois south of Illinois Highway 13, to points in Kansas, restricted against the transportation of commodities which by reason of size or weight require special equipment. The purpose of this filing is to eliminate the gateway of points in Bollinger and Wayne Counties, Mo.

No. MC 117119 (Sub-No. E57), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Maryland east of the Chesapeake Bay and south of the Chesapeake & Delaware Canal to points in Oklahoma and that part of Texas on and west of a line beginning at the Oklahoma-Texas State line and extending along Texas Highway 37 to Meneola, thence along U.S. Highway 69 to Tyler, thence along Texas Highway 155 to Palestine, thence along U.S. Highway 79 to Buffalo, thence along U.S. Highway 75 to Madisonville, thence along Texas Highway 90 to Brenham, thence along Texas Highway 36 to Wallis, thence along Texas Highway 60 to Matagorda, thence along Farm Road 2031 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateways of Cincinnati, Ohio, Springdale, Ark., and Westville, Okla.

No. MC 117119 (Sub-No. E61), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Maryland east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal to points in Colorado on and west of Interstate Highway 25. The purpose of this filing is to eliminate the gateways of Cincinnati, Ohio, and Ft. Smith, Ark.

No. MC 117119 (Sub-No. E63), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in the Lower Peninsula of Michigan to points in Oklahoma, Texas, and points in that part of Louisiana on and west of a line beginning at the Louisiana-Arkansas State line and extending along U.S. Highway 167 to Abbeville, thence along Louisiana Highway 82 to junction Louisiana Highway 333, thence along Louisiana Highway 333 to the Intracoastal Waterway. The purpose of this filing is to eliminate the gateways of Springdale, Ark., and Westville, Okla.

No. MC 117119 (Sub-No. E69), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except dairy products and commodities in bulk), from Cleveland, Ohio, to points in that part of Idaho on and west of U.S. Highway 93 and Salt Lake City, Ogden, and Logan, Utah. The purpose of this filing is to eliminate the gateway of Springdale, Ark. (a point within the Fayetteville, Ark., commercial zone).

No. MC 117119 (Sub-No. E78), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuffs*, (a) from points in Indiana, to points in Idaho, Kansas, Oregon, Utah, and Washington, and (b) from points in that part of Indiana on and south of U.S. Highway 40 to points in that part of Nebraska on and south of U.S. Highway 30. The purpose of this filing is to eliminate the gateway of California, MO.

No. MC 117119 (Sub-No. E81), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Louisville, Ky., to points in Arizona, California, Nevada, New Mexico, and Colorado (except points in Sedgwick, Logan, Phillips, Yuma, Washington, Kit Carson, Cheyenne, Kiowa, Bent, Prowers, and Baca Counties, Colo.). The purpose of this filing is to eliminate the gateway of Siloam Springs, Ark.,

No. MC 117119 (Sub-No. E92), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in that part of Illinois on and south of a line beginning at the Missouri-Illinois State line at Alton and extending along Illinois Highway 140 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Illinois-Indiana State line to points in that part of Oklahoma on and south of a line beginning at the Arkansas-Oklahoma State line and extending along Oklahoma Highway 33 to Tulsa, thence along Oklahoma Highway 51 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 64, thence along U.S. Highway 64 to Enid, thence along U.S. Highway 60 to the Oklahoma-Texas State line (except Tulsa), and to points in Texas (except points in Bowie, Cass, Harrison, Panola, Shelby, San Augustine, Sabine, Jasper, Newton, Orange, Hardin, Red River, Camp, Titus, Upshur, and Franklin Counties). The purpose of this filing is to eliminate the gateway of Van Buren, Ark.

No. MC 117119 (Sub-No. E97), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Lee, Des Moines, Louisa, Muscatine, Scott, and Clinton Counties, Iowa, to points in Arizona, and New Mexico (except points in Taos, Colfax, Union, Mora, Harding, Quay, and San Miguel Counties, Ariz.), and points in that part of California south of the northern boundaries of San Francisco, Alameda, Stanislaus, Mariposa, and Mono Counties. The purpose of this filing is to eliminate the gateway of Fort Smith, Ark.

No. MC 117119 (Sub-No. E100), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuffs*, from points in the Lower Peninsula of Michigan to points in Idaho, Kansas, Oregon, Utah, and Washington. The purpose of this filing is to eliminate the gateway of California, Mo.

No. MC 117119 (Sub-No. E118), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Peoria, Streator, Washington, Morton, and Eureka, Ill., to points in Texas and points in that part of Oklahoma on and south of a line beginning at the Arkansas-Oklahoma State line and extending along Oklahoma Highway 33 to Tulsa, thence along Oklahoma Highway 51 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 64, thence along U.S. Highway 64 to Enid, thence along U.S. Highway 60 to the Oklahoma-Texas State line. The purpose of this filing is to eliminate the gateway of Van Buren, Ark. (a point within the Fort Smith, Ark., commercial zone).

No. MC 117119 (Sub-No. E122), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in that part of Illinois north of a line beginning at the Missouri-Illinois State line at Alton and extending along Illinois Highway 140 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Illinois-Indiana State line to points in Oklahoma (except points in Cimarron, Texas, Beaver, Harper, and Ellis Counties), and Texas. The purpose of this filing is to eliminate the gateways of Springdale, Ark., and Westville, Okla.

No. MC 117119 (Sub-No. E132), filed May 8, 1974. Aplicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat, frozen edible packinghouse products, frozen canned goods, frozen butter, frozen eggs, and frozen dressed poultry*, from Chicago, Ill., to points in Arizona, California, Colorado, Idaho, Montana (except points in Blaine, Phillips, Valley, Daniels, Sheridan, Roosevelt, Richland, Dawson, Wibaux, Fallon, Carter, Powder River, Custer, Prairie, McCone, Garfield, Rosebud, Petroleum, and Treasure Counties, Mont.), Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of St. Joseph, Mo.

No. MC 117119 (Sub-No. E142), filed May 8, 1974. Applicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Beatrice, Lincoln, and Fremont, Nebr., to points in Arizona, California, and New Mexico (except points in Taos, Colfax, Union, Mora, Harding, San Miguel, Quay, Curry, and Guadalupe Counties, N. Mex.). The purpose of this filing is to eliminate the gateway of Elwood, Kans. (a point within the St. Joseph, Mo., commercial zone.)

No. MC 117119 (Sub-No. E149), filed May 8, 1974. Applicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Detroit, Mich., to points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, Washington, and Nebraska (except points in Boyd, Holt, Wheeler, Boone, Antelope, Knox, Cedar, Dixon, Dakota, Wayne, Pierce, Madison, Platte, Colfax, Dodge, Washington, Burt, Stanton, Thurston, and Cuming Counties, Nebr.). The purpose of this filing is to eliminate the gateway of St. Joseph, Mich.

No. MC 117119 (Sub-No. E151), filed May 8, 1974. Applicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Deerfield, Ill., to points in Arizona, California, New Mexico, and points in that part of Nevada on and west of U.S. Highway 95 (except points in Humboldt and Pershing Counties, Nev.). The purpose of this filing is to eliminate the gateway of Springdale, Ark.

No. MC 117119 (Sub-No. E152), filed May 8, 1974. Applicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chicago, Ill., to points in Arizona, California, New Mexico, and points in that part of Nevada on and west of U.S. Highway 95 (except points in Humboldt and Pershing Counties, Nev.). The purpose of this filing is to eliminate the gateway of Fayetteville, Ark.

No. MC 117119 (Sub-No. E153), filed May 8, 1974. Applicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Louisville, Ky., to points in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Washington, and Colorado (except points in Weld, Logan, Sedgwick, Phillips, Morgan, Washington, Yuma, Kit Carson, Lincoln, Cheyenne, Kiowa, Powers, and Baca Counties, Colo.). The purpose of this filing is to eliminate the gateway of Fayetteville, Ark.

No. MC 117119 (Sub-No. E156), filed May 8, 1974. Applicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Louisville, Ky., to points in Oklahoma, and Texas (except points in Bowie, Cass, Marion, Harrison, Panola, Shelby, Sabine, Newton, Jasper, Orange, and Jefferson Counties, Tex.). The purpose of this filing is to eliminate the gateway of Van Buren, Ark. (a point within the Fort Smith, Ark., commercial zone).

No. MC 117119 (Sub-No. E157), filed May 8, 1974. Applicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, (a) from points in Wisconsin (except points in Kenosha, Racine, Walworth, Waukesha, Milwaukee, Washington, Ozaukee, Sheboygan, Manitowoc, Kewaunee, and Door Counties, Wis.) to points in Florida, and (b) from points in Kenosha, Racine, Walworth, Waukesha, Milwaukee, Washington, Ozaukee, Sheboygan, Manitowoc, Kewaunee, and Door Counties, Wis., to points in Florida (except points in Baker, Nassau, DuVal, Clay, Johns, Putnam, and Flagler Counties). The purpose of this filing is to eliminate the gateway of Hoxie, Ark.

No. MC 117119 (Sub-No. E158), filed May 8, 1974. Applicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared and preserved foodstuffs*, from points in that part of Iowa on and west of U.S. Highway 65 to points in Florida and Georgia (except points in Dade, Walker, Chattooga, Catoosa, Whitfield, Murray, Gordon, Gilmer, Fannin, Union, Pickens,

Dawson, Lumpkin, Rabun, White, Habersham, Stephens, Hall, Banks, Franklin, and Hart Counties, Ga.). The purpose of this filing is to eliminate the gateway of Russellville, Ark.

No. MC 118130 (Sub-No. E2), filed June 6, 1974. Applicant: SOUTH EASTERN XPRESS, INC., P.O. Box 6985, Fort Worth, Tex. 76115. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Houston, Tex., to points in Alabama, Georgia, Idaho, Kentucky, Mississippi, Montana, North Dakota, Ohio, Oregon, South Dakota, Tennessee, Washington, West Virginia, and Wyoming. The purpose of this filing is to eliminate the gateway of Galveston, Tex.

No. MC 118130 (Sub-No. E5), filed June 6, 1974. Applicant: SOUTH EASTERN XPRESS, INC., P.O. Box 6985, Fort Worth, Tex. 76115. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Freeport, Tex., to points in Alabama, Georgia, Idaho, Kentucky, Mississippi, Montana, North Dakota, Ohio, Oregon, South Dakota, Tennessee, Washington, West Virginia, and Wyoming. The purpose of this filing is to eliminate the gateway of Galveston, Tex.

No. MC 118130 (Sub-No. E6), filed June 6, 1974. Applicant: SOUTH EASTERN XPRESS, INC., P.O. Box 6985, Fort Worth, Tex. 76115. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, to points in Idaho, Montana, North Dakota, South Dakota, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of Galveston, Tex.

No. MC 118130 (Sub-No. E8), filed June 6, 1974. Applicant: SOUTH EASTERN XPRESS, INC., P.O. Box 6985, Fort Worth, Tex. 76115. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and bottled foodstuffs* (except bananas), from the plant sites and warehouse facilities of Mississippi Rederated Cooperatives (AAL) at or near Jackson, Miss., to points in Arizona, California, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Cade, La.

No. MC 119531 (Sub-No. E262) (Correction), filed June 2, 1974, published in the FEDERAL REGISTER September 6, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Dolton, Ill., to points in West Virginia. The purpose of this filing is to eliminate the gateway of Zanesville, Ohio. The purpose of this correction is to reflect the correct E number previously published as E26.

No. MC 119774 (Sub-No. E4) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER September 11, 1974. Applicant: EAGLE TRUCKING COMPANY, P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Nolan Killingsworth, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies*, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, equipment, materials, and supplies*, used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, and (2) *Earth drilling machinery* and *equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in Florida on the one hand, and, on the other, points in Colorado. The purpose of this filing is to eliminate the gateways of points in Oklahoma and points in Arkansas. The purpose of this correction is to reflect part (2).

No. MC 119774 (Sub-No. E5) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER September 11, 1974. Applicant: EAGLE TRUCKING COMPANY, P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Nolan Killingsworth, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies*, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, equipment, materials, and supplies*, used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, and (2) *Earth drilling machinery* and *equipment*, and *machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with, (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in Florida on the one hand, and, on the other, points in Wyoming. The purpose of this filing is to eliminate the gateways of points in Arkansas and Oklahoma. The purpose of this correction is to set forth (2) above.

No. MC 119774 (Sub-No. E6) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER September 11, 1974. Applicant: EAGLE TRUCKING COMPANY, P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Nolan Killingsworth, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies*, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, equipment, materials, and supplies*, used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, (2) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in Florida, on the one hand, and, on the other, points in Montana. The purpose of this filing is to eliminate the gateway of points in Texas. The purpose of this correction is to reflect (2) above.

No. MC 119774 (Sub-No. E7) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER September 11, 1974. Applicant: EAGLE TRUCKING COMPANY, P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Nolan Killingsworth, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pipe* as described in *Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459, and (2) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with, (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes

or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, from points in New Mexico to points in West Virginia. The purpose of this filing is to eliminate the gateways of Van Buren, Ark., and Moffett, Okla. The purpose of this correction is to include part (2).

No. MC 119774 (Sub-No. E8) (Correction), filed May 20, 1974, published in the FEDERAL REGISTER September 11, 1974. Applicant: EAGLE TRUCKING COMPANY, P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Nolan Killingsworth, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pipe* as described in *Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459, and (2) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with, (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, from points in New Mexico to points in New Jersey. The purpose of this filing is to eliminate the gateways of Van Buren, Ark., and Moffett, Okla. The purpose of this correction is to reflect (2) above.

No. MC 119774 (Sub-No. E9) (correction), filed May 20, 1974, published in the FEDERAL REGISTER September 11, 1974. Applicant: EAGLE TRUCKING COMPANY, P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Nolan Killingsworth, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pipe* as described in *Mercer Extension—Oilfield Commodities*, 74 M.C.C. 459, and (2) *Earth drilling machinery and equipment* and *machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with, (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, from points in New Mexico to points in Maryland. The purpose of this filing is to eliminate the gateways of Van Buren, Ark., and Moffett, Okla. The purpose of this correction is to reflect (2) above.

No. MC 119789 (Sub-No. E2), filed June 4, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newhold, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned foodstuffs*, from Haddock, Ga., and Woodruff, S.C., to points in Arizona, California, Nevada, New Mexico, Texas, and Utah. The purpose of this filing is to eliminate the gateway of New Belledeau, La.

No. MC 120646 (Sub-No. E1) Correction), filed May 13, 1974, published in the FEDERAL REGISTER September 5, 1974. Applicant: BRADLEY FREIGHT LINES, INC., P.O. Box 5875, Ashville, N.C. 28803. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile products*, (2) between points in South Carolina on and north of a line beginning at the South Carolina-Georgia State line and extending along U.S. Highway 29 to Anderson, thence along U.S. Highway 76 to junction South Carolina Highway 72, thence along South Carolina Highway 72 to Whitmire, thence along U.S. Highway 176 to Union, thence along South Carolina Highway 49 to junction South Carolina Highway 322, thence along South Carolina Highway 322 to Rock Hill, thence along South Carolina Highway 5 to the South Carolina-North Carolina State line, on the one hand, and, on the other, points in Florida, on and south of Florida Highway 50; . . . The purpose of this filing is to eliminate the gateway of Oconee Mills at Westminster, S.C. The purpose of this partial correction is to reflect the correct Florida territorial description. The remainder of the letter-notice remains as previously published.

No. MC 127122 (Sub-No. E2), filed June 3, 1974. Applicant: SIMPSONVILLE GARAGE WRECKER SERVICE, P.O. Box 66, Simpsonville, Ky. 40067. Applicant's representative: John M. Nader, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, and repossessed motor vehicles, wrecked or disabled trailers* designated to be drawn by passenger vehicles, including trailers designed to be drawn by passenger automobiles, and replacement vehicles and parts therefore, by use of wrecker equipment only, between points in the United States, including Alaska (but excluding Hawaii) (except between points in Michigan), on the one hand, and, on the other, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Montana, Wyoming, and Iowa. The purpose of this filing is to eliminate the gateway of points in Montana, Wyoming, Colorado, New Mexico, Texas, Oklahoma, Missouri, Illinois, Kentucky, Virginia, and West Virginia.

No. MC 128383 (Sub-No. E76), filed June 4, 1974. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, Pa. 19079. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Pike County, Pa., on the one hand, and, on the other, Vandalia Airport, Dayton, Ohio, and Weir Cook Airport, Indianapolis, Ind., restricted to the transportation of traffic having an immediately prior or subsequent movement by air. The purpose of this filing is to eliminate the gateway of John F. Kennedy International Airport, New York, N.Y.

No. MC 128383 (Sub-No. E77), filed June 4, 1974. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, Pa. 19079. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, classes A and B explosives, and motor vehicles), between points in Cumberland County, N.J., on the one hand, and, on the other, Washington National Airport, Gravelly Point, Va., and Dulles International Airport, Fairfax, and Loudoun Counties, Va. The purpose of this filing is to eliminate the gateway of Philadelphia International Airport, Philadelphia, Pa.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-23071 Filed 10-2-74;8:45 am]

[Notice No. 78]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

SEPTEMBER 27, 1974.

The following applications (except as otherwise specifically note, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.247[1] 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, 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 (1) 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 2110 (Sub-No. 7), filed September 6, 1974. Applicant: BOWLUS TRUCKING CO., INC., 200 County Road 143, Fremont, Ohio 43420. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automotive brake parts and assemblies and materials, supplies and parts*, used in the maufacture thereof, between Mt. Vernon, Ohio, on the one hand, and, on the other, points in Illinois and the lower peninsula of Michigan, under a continuing contract or contracts with Kelsey Wheel, Drum and Brake Division of Kelsey Hayes Company of Romulus, Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

No. MC 2401 (Sub-No. 51), filed June 21, 1974. Applicant: MOTOR FREIGHT CORPORATION, 114 Fifth Avenue, New York, N.Y. 10011. Applicant's representative: Jack R. Turney, Jr., 2001 Massachusetts Avenue, NW., Washington, D.C. 20036. Authority sought to establish two *alternate gateways* in connection with applicant's authorized motor *common carrier* regular and irregular route operations as authorized in No. MC 2401 (Sub-No. 24). Applicant states that it seeks to tack its *general commodity* (with usual exceptions), irregular route authority in No. MC 2401 (Sub-No. 24) Part (E) at Dayton, Ohio and the junction of Interstate Highways 70 and 75 approximately 9 miles north of Dayton, Ohio, to provide continued service between points in Indiana, Kentucky and Ohio. Applicant's regular routes extend generally from Cleveland, Youngstown, and Steubenville, Ohio on the east to St. Louis, Mo., and Omaha, Nebr. on the west, with off-route authorization to serve all points in Ohio. Applicant further states it is presently serving the requested territory through a Harrison, Ohio-Ind. gateway by tacking its Sub 24 Part (E) authority with Sub 24 Parts (B), (C), and (D). Applicant states that the purpose of this application is to more economically, more flexibly, and with less fuel consumption serve the authorized territory in a coordinated system with its parent company extending throughout New England and Middle Atlantic Territories and the Carolinas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 4405 (Sub-No. 515), filed September 9, 1974. Applicant: DEALERS TRANSIT, INC., 2200 E. 170th Street, P.O. Box 361, Lansing, Ill. 60438. Applicant's representative: Robert E. Joyner, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical generating equipment*, the transportation of which, because of size and weight, require the use of special equipment or special handling and *materials and supplies* used in the installation thereof, between El Segundo, Calif.; East Hartford, Hartford, and Windsor, Conn.; Edgemoor and Wilmington, Del.; Intercession, Palm Beach, and West Palm Beach, Fla.; Louisville, Ky.; Baltimore, Md.; Ashland, Mass.; Minneapolis and St. Cloud, Minn.; Tenafly, N.J.; Holbrook (Long Island) and New York, N.Y.; Portland and Salem, Oreg.; Berwick, Philadephia, and Pittsburgh, Pa.; Brownsville, Houston, and Laredo, Tex.; and Beloit and Neillsville, Wis., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to traffic originating at or destined to the plantsites or other facilities of Turbo Power and Marine Systems, Inc., its affiliates and subcontractors.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 11207 (Sub-No. 351), filed September 12, 1974. Applicant: DEATON, INC., 317 Avenue W., P.O. Box 938, Birmingham, Ala. 35201. Applicant's representative: A. Alvis Layne, 915 Pennsylvania Bldg., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Iron and steel articles; aluminum and aluminum articles; copper and copper articles; brass and brass articles; zinc and zinc articles, pipe; valves; hydrants; and commodities consisting of a combination of any of the following metals; iron steel, copper, brass, aluminum of zinc; and (B) fittings couplings, connections, accessories, attachments, or parts* for the commodities named in (A) above, between point in Jefferson County, Ala., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 16961 (Sub-No. 6), filed August 23, 1974. Applicant: HUTCHINS TRUCKING COMPANY, P.O. Box 95, West End Station, 1000 Congress Street, Portland, Maine 04102. Applicant's representative: George M. Hutchins (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses (except commodities in bulk), from Northboro, Mass., to South Portland, Maine, under a continuing contract or contracts with Legion Square Supermarket, at South Portland, Maine.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Maine.

No. MC 19553 (Sub-No. 36), filed August 5, 1974. Applicant: KNOX MOTOR SERVICE, INC., 5680 11th Street, P.O. Box 5206, Rockford, Ill. 61125. Applicant's representative: Paul J. Maton, Suite 1620, Ten South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical transformers, and parts thereof*, between the plantsite and warehouses of RTE Corporation, located at or near Waukesha, and Pewaukee, Wis., on the one hand, and, on the other, points in Illinois, restricted to traffic originating at or destined to the plantsite and warehouse facilities of RTE Corporation at or near Waukesha and Pewaukee, Wis.

NOTE.—Common control was approved in MC-F-8094. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 19945 (Sub-No. 48), filed September 3, 1974. Applicant: BEHNKEN TRUCK SERVICE, INC., Route No. 13, New Athens, Ill. 62264. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: (1) *Expanded shale*, in bulk, in dump vehicles; and (2) *silico manganese ore*, in bulk, in dump vehicles, (A) from St. Louis, Mo., to points in Illinois on and south of U.S. Highway 40; and (B) from the plantsite and storage facilities of St. Louis Terminals Corporation located at St. Louis, Mo., to points in Atchison, Kans.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 20783 (Sub-No. 106), filed September 9, 1974. Applicant: TOMPKINS MOTOR LINES, INC., P.O. Box 1830, Gadsden, Ala. 35902. Applicant's representative: John P. Carlton, 903 Frank Nelson Bldg., Birmington, Ala. 35203. 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 I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Bartow, Fla., to points in Arizona, California and Colorado.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 21436 (Sub-No. 3), filed July 25, 1974. Applicant: THOMAS F. WELSH, doing business as RELIANCE VAN COMPANY, P.O. Box 166, Bala Cynwyd, Pa. 19004. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Used household goods and unaccompanied baggage*, and (2) *used automobiles*, between points in the United States east of the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, restricted in (2) above to the transportation of import and export traffic.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 23441 (Sub-No. 14), filed September 11, 1974. Applicant: LAY TRUCKING COMPANY, INC., 131 Lake Street, LaPorte, Ind. 46350. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements, wheels, rims, and bands*, from Walcott and Davenport, Iowa, to points in Detroit, Romeo, Romulus, Mich.; Carlisle, Pa. and South Bend, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill. or Washington, D.C.

No. MC 26396 (Sub-No. 124), filed September 3, 1974. Applicant: POPELKA TRUCKING CO., doing business as THE WAGGONERS, a corporation, P.O. Box 990, Livingston, Mont. 59047. Applicant's representative: Jacob P. Billig, 1126 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Soil conditioners and organic soil conditioners*, from the plantsite of Glacier Natural Products & Research, Inc. at or near Polson and Elliston, Mont., to points in North Dakota, South Dakota, Washington, Oregon, Idaho, Wyoming, and California; (2) *products* used in the manufacture of soil conditioners and organic soil conditioners, from points in North Dakota, South Dakota, Washington, Oregon, Idaho, Wyoming, and California, to the plantsite of Glacier Natural Products & Research, Inc. at or near Polson and Elliston, Mont.; and (3) *urea*, from Duluth, Minn., to the plantsite of Glacier Natural Products & Research, Inc. at or near Polson and Elliston, Mont.

NOTE.—Applicant holds motor contract carrier authority in No. MC 136777 (Sub-No. 3), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Missoula, Mont.

No. MC 29079 (Sub-No. 75), filed September 6, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 S. Union, P.O. Box 935, Kokomo, Ind. 46901. Applicant's representative: Benjamin W. Cotten, 704 Southern Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and iron steel articles and building and construction materials* between Kokomo and Fort Wayne, Ind.; Joliet and Blue Island, Ill.; Centerville, Iowa; Columbus and Toledo, Ohio and Detroit, and Grand Rapids and Lansing, Mich.; (2) *iron, iron and steel articles and building and construction materials*, from Kokomo, Ind. and Fort Wayne, Ind., Joliet and Blue Island, Ill.; Centerville, Iowa; Columbus, and Toledo, Ohio; Detroit, Grand Rapids, and Lansing, Mich., to points in Colorado, Connecticut, Illinois, Indiana, Iowa, Kentucky, Maine, Massachusetts, Michigan, Missouri, New Hampshire, New Mexico, New York, Ohio, Pennsylvania, Vermont, West Virginia, and Wisconsin; and (3) *materials, equipment and supplies* used in the manufacture and distribution of iron and iron and steel articles and building and construction materials from points in Colorado, Connecticut, Illinois, Indiana, Iowa, Kentucky, Maine, Massachusetts, Michigan, Missouri, New Hampshire, New Mexico, New York, Ohio, Pennsylvania, Vermont, West Virginia, and Wisconsin to points in Kokomo and Fort Wayne, Ind.; Joliet and Blue Island, Ill.; Centerville, Iowa; Columbus and Toledo, Ohio; Detroit, Grand Rapids, and Lansing, Mich., restricted to shipments either originating at or destined to the Continental Steel Corporation and/or its wholly-owned subsidiaries, Phoenix Manufacturing Co., Enterprise Wire Co., The Hausman Corporation and the private manufacturing company of Iowa Steel and Wire Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or Indianapolis, Ind.

No. MC 29592 (Sub-No. 16), filed September 3, 1974. Applicant: ARROW STAGE LINES, INC., 720 E. Norfolk Avenue, Norfolk, Nebr. 68701. Applicant's representative: C. D. Busskohl, 524 Chambers Street, Sioux City, Iowa 51101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Handicapped passengers, wheel chair patients and their attendants*, between the Chicago, Ill. Commercial Zone; St. Louis, Mo.; and Kansas City, Mo., on the one hand, and, on the other, points in the United States, including Alaska but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Sioux City, Iowa; or Norfolk or Omaha, Nebr.

No. MC 30844 (Sub-No. 517), filed September 3, 1974. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, Iowa 50702. Applicant's representative: Truman A. Stockton, The 1650 Grant Street Bldg., Denver, Colo. 80210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile glass*, from Toledo, Ohio, to Denver, Colo., restricted to shipments originating at Libbey-Owens-Ford Company at Toledo, Ohio, and destined to Denver, Colo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Toledo, Ohio.

No. MC 30844 (Sub-No. 518), filed September 3, 1974. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, Iowa 50702. Applicant's representative: Truman A. Stockton, The 1650 Grant Street Building, Denver, Colo. 80210. 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 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): (1) from the plantsite and warehouse facilities of Wilson & Co., Inc. at Cedar Rapids, Iowa, to points in Oklahoma; and (2) from the plantsite and warehouse facilities of Wilson & Co., Inc. at Cherokee, Iowa, to points in Tennessee, restricted to the transportation of traffic originating at the above named origins and destined to the above named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or Oklahoma City, Okla.

No. MC 41432 (Sub-No. 144), filed September 4, 1974. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, P.O. Box 10125, Dallas, Tex. 75207. Applicant's representative: W. P. Furrh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of

unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite and warehouse facility of Federal Mogul Corporation, located at or near Jacksonville, Ala., as an off-route point in connection with carrier's regular-route operations to and from Anniston, Ala.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Anniston or Birmingham, Ala.

No. MC 41432 (Sub-No. 146), filed September 9, 1974. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 2355 Stemmons Freeway, P.O. Box 10125, Dallas, Tex. 75207. Applicant's representative: W. P. Furrh (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, livestock, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsites and warehouse facilities of McGraw-Edison Company and Nibco, Inc., located at or near Nacogdoches, Tex., as an off-route point in connection with carrier's regular route operations to and from Lufkin, Tex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 51146 (Sub-No. 394), filed September 3, 1974. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54306. Applicant's representative: Charles W. Singer, 2440 East Commercial Boulevard, Fort Lauderdale, Fla. 33308. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers, container ends* and *equipment, materials, supplies, and accessories* used in the manufacture and distribution of containers and container ends when moving with containers and container ends, from Millis, Mass., to points in the United States (except Alaska, Hawaii, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52110 (Sub-No. 142), filed September 9, 1974. Applicant: BRADY MOTORFRATE, INC., P.O. Box 1000, Staunton, Va. 24401. Applicant's representative: Francis W. McInerny, 1000 Sixteenth Street, NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the plantsite and warehouse facilities of Western Electric Company located at or near Goddard, Kans., on the one hand, and, on the other, Crawfordville, Evansville, Fort Wayne, Indianapolis, Lafayette, and Richmond, Ind.; and Cincinnati, Columbus, Dayton, Mansfield, and Massillon, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52657 (Sub-No. 721), filed September 3, 1974. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, Ill. 60620. Applicant's representative: S. J. Zangri (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hoists and lift gates, materials, supplies* (except commodities in bulk) *and parts* used in the manufacture, assembly or servicing of hoists and life gates, when moving in mixed shipments and on the same loads with such commodities, (1) between Mt. Vernon, Winesburg, Galion, and Lima, Ohio; Vineland, N.J., and Durant, Okla.; and (2) from Mt. Vernon, Ohio, to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or Columbus, Ohio.

No. MC 65475 (Sub-No. 10), filed September 5, 1974. Applicant: JETCO, INC., 4701 Eisenhower Avenue, Alexandria, Va. 22304. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cranes, crane attachments, accessories and parts,* of such commodities, *materials and supplies* used in the construction thereof, *commodities which because of size or weight require the use of special equipment and related parts, and self-propelled articles* each weighing 15,000 pounds or more, restricted to traffic moving on trailers, between points in Horry County, S.C., on the one hand, and, on the other, points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 65849 (Sub-No. 1), filed August 28, 1974. Applicant: MART MOTOR EXPRESS CO., a corporation, 2611 S. Halsted Street, Chicago, Ill. 60608. Applicant's representative: Thomas G. Woodall, Suite 304, 6400 Goldsboro Road, Washington, D.C. 20034. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, commodities in bulk, and household goods as defined by the Commission), between Portage and Burns Harbor, Ind., on the one hand, and, on the other, points in Cook, Du Page, Kane, Kankakee, Lake, and Will Counties, Ill., restricted to traffic having an immediately prior or subsequent movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 72997 (Sub-No. 24), filed September 4, 1974. Applicant: LIBERTY TRUCKING COMPANY, a corporation, 1401 West Fulton Street, Chicago, Ill. 60607. Applicant's representative: Michael J. Wyngaard, 329 West Wilson Street, Madison, Wis. 53703. 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 or handling), serving Whitewater, Wis., as an off-route point in connection with applicant's authorized regular route operations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Madison or Whitewater, Wis.

No. MC 91811 (Sub-No. 13), filed August 29, 1974. Applicant: MILTON K. MORRIS, INC., P.O. Box 56, Croydon, Pa. 19020. Applicant's representative: Francis P. Desmond, 115 East 5th Street, Chester, Pa. 19013. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buffing, polishing, cleaning, scouring, washing, and bleaching compounds, animal litter, and cooking oil* (except commodities in bulk): (a) from the plantsite and facilities utilized by The Clorox Company at or near Frederick, Md., to points in Pennsylvania, Virginia, West Virginia, Delaware, and the District of Columbia; and (b) from the plantsite and facilities utilized by The Clorox Company at or near Jersey City, N.J., to the plantsite and facilities utilized by The Clorox Company at or near Frederick, Md.; Boston, Mass.; and Charlotte, N.C.; (2) *cleaning compounds* (except commodities in bulk), from Lakewood, N.J., to the plantsite and facilities utilized by The Clorox Company at or near Boston, Mass. and Frederick, Md.; (3) *aerosol products:* (a) from Piscataway, N.J., and Milford, Conn., to the plantsite and facilities utilized by The Clorox Company at or near Boston, Mass.; Frederick, Md.; and Charlotte, N.C.; and (b) from Milford, Conn., to the plantsite and facilities utilized by The Clorox Company at or near Jersey City, N.J.; (4) *materials, equipment and supplies* utilized in the manufacture, sale, and distribution of buffing, polishing, cleaning, scouring, washing, and bleaching compounds (except commodities in bulk and those which by reason or size or weight require the use of special equipment): (a) from points in New Jersey and Delaware, to the plantsite and facilities utilized by The Clorox Company at or near Frederick, Md.; (b) from points in Delaware and Baltimore, Md., to the plantsite and facilities utilized by The Clorox Company at or near Jersey City, N.J.; and (c) from Baltimore, Md., to the plantsite and facilities utilized by The Clorox Company at or near Boston, Mass., and Charlotte, N.C.;

(5) *Charcoal, wood chips, vermiculite, lighter fluid, and fireplace logs,* sawdust and wax impregnated (except commodities in bulk), from the plantsite and facilities utilized by The Clorox Company and its affiliates at Parsons and Ridgeley, W. Va., to points in Connecticut, Delaware, Maryland, Massachusetts, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia; (6) *materials, equipment and supplies* utilized in the manufacture, sale and distribution of charcoal, wood chips, vermiculite, lighter fluid and fireplace logs, sawdust and wax impregnated, from Norfolk, Va., to the plantsite and facilities utilized by The Clorox Company at Parsons, W. Va.; (7) *lighter fluid* (except in bulk), from Paulsboro, N.J., to the plantsite and facilities utilized by The Clorox Company and its affiliates at or near Parsons and Ridgeley, W. Va.; and (8) *foodstuffs* (except in bulk), not frozen, from West Chester and Kennett Square, Pa., to East Hartford, Conn., and New York, N.Y., under a continuing contract or contracts with The Clorox Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 95540 (Sub-No. 912), filed September 3, 1974. Applicant: WATKINS MOTOR LINES, INC., 1940 Monroe Drive, P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Jerome F. Marks (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Synthetic fiber yarn and synthetic fiber, staple, and other than staple,* from the Monsanto Company, plantsite at or near Sand Mountain (Marshall County), Ala., to points in Georgia, North Carolina, South Carolina, Oklahoma, and Texas.

NOTE.—Common control was approved in MC–F–7942 and MC–F–8308. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 95876 (Sub-No. 156), filed August 29, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Stanley C. Olsen, Jr., 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Lumber and lumber products,* and *wood and wood products,* from ports of entry on the International Boundary line between the United States and Canada located in Idaho and Washington, to points in Colorado, Illinois, Iowa, Minnesota, Nebraska, South Dakota, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 97310 (Sub-No. 18), filed September 10, 1974. Applicant: SHARRON MOTOR LINES, INC., 1600 "B" Street, P.O. Box 5636, Meridian, Miss. 39301. Applicant's representative: Herman D. Vick (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *Lamps, with and without globes, pole lamps, and shades,* serving the facilities of the Lawrin Company, at or near Kosciusko, Miss., as an off-route point in connection with carrier's regular routes between Jackson, Miss., and Birmingham and Montgomery, Ala.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Birmingham, Ala.

No. MC 97357 (Sub-No. 53), filed September 6, 1974. Applicant: ALLYN TRANSPORTATION COMPANY, a Corporation, 14011 South Central Avenue, Los Angeles, Calif. 90059. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Processed and unprocessed shale rock,* in bulk, in hopper-type vehicles, between points in Garfield County, Colo., on the one hand, and, on the other, points in Orange County, Calif.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. MC 98499 (Sub-No. 12), filed September 9, 1974. Applicant: WHITE TRUCK LINE, INC., 260 University Avenue SW., Atlanta, Ga., 30315. Applicant's representative: Alan E. Serby, 3379 Peachtree Road, N.E., Suite 375, Atlanta, Ga. 30326. 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), (1) Between Atlanta and Columbus, Ga.: From Atlanta, Ga., over U.S. Highway 29 to La Grange, Ga., thence over Georgia Highway 219 to its junction with Georgia Highway 103, thence over Georgia Highway 103 to Columbus, Ga., and return over the same route, serving all intermediate points (except Newnan, Ga., and those located between Newnan and Atlanta, Ga.) and serving Atlanta, Ga., and its Commercial Zone as off-route points; (2) Between Woodbury, Ga., and Lanett, Ala.: From Woodbury, Ga., over Georgia Highway 18 to its junction with Georgia Highway 109, thence over Georgia Highway 109 to its junction with U.S. Highway 29, thence over U.S. Highway 29 to Lanett, Ala., and return over the same route, serving all intermediate points, and (3) Between Lanett, Ala., and the junction of Georgia Highway 103 and 219 south of Whitesville, Ga.; From Lanett, Ala. over U.S. Highway 29 to West Point, Ga., thence over Georgia Highway 18 to its junction with Georgia Highway 103, thence over Georgia Highway 103 to its junction with Georgia Highway 129 south of Whitesville, Ga., and return over the same route, serving all intermediate points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at La Grange, Ga.

No. MC 98742 (Sub-No. 12); filed July 22, 1974. Applicant: THE ROCKET FREIGHT LINES COMPANY, a Corporation, 2921 Dawson Road, Tulsa, Okla. 94110. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 NW., 58th Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities,* (1) Between Okla.; (5) Between the junction of Oklahoma-Kansas State Line north of Quapaw, Okla., over U.S. Highway 66, serving the termini and all intermediate points; (2) Between the Oklahoma-Kansas State line north of Quapaw, Okla., and Tulsa, Okla., over U.S. Highway 66, serving the termini and all intermediate points; (3) Between the junction of U.S. Highway 66 and U.S. Highway 69, west of Vinita, Okla., and Muskogee, Okla., over U.S. Highway 69, serving the termini and all intermediate points and off-route points of Tullahassee, Porter, Redbird, and Coweta, Okla.; (4) Between Muskogee, Okla. and the Oklahoma-Texas State line south of Colbert, Okla., over U.S. Highway 69 serving the off-route points of Muskogee, McAlester, Atoka, Durant, and Colbert, Okla., (5) Between the junction of Oklahoma Highway 33 and U.S. Highway 69 south of Chouteau, Okla., and Tulsa, Okla., over Oklahoma Highway 33, serving the termini and all intermediate points; (6) Between Pryor, Okla., and Adair, Okla.: From Pryor over Oklahoma Highway 20 to Salina, thence over County Road to Strang, thence over Oklahoma Highway 28 to Spavinaw, thence over Oklahoma Highway 82 to Langley, thence over Oklahoma Highway 28 to junction U.S. Highway 69, thence over U.S. Highway 69 to Adair and return over the same route, serving all intermediate points and the off-route points of Strang, Disney, Ketchum Cleora, Pensacola, Grand River Dam Site, and the Mossman Construction Company Camp; (7) Between Tulsa, Okla., and Blackwell, Okla., serving all intermediate points: From Tulsa over Oklahoma Highway 11 to Pawhuska, thence over U.S. Highway 60 to Ponca City, thence over U.S. Highway 60 to its junction with U.S. Highway 177 south of Blackwell, thence over U.S. Highway 177 to Blackwell and return over the same route. Restriction: No service authorized between Tulsa and Pawhuska, and the intermediate points between Tulsa and Pawhuska, Okla.;

(8) Between Oklahoma City, Okla., and the Oklahoma-Kansas border north of Grainola, Okla.: From Oklahoma City over Interstate Highway 35 to its junction with U.S. Highway 60, thence over U.S. Highway 60 to its junction with U.S. Highway 177, thence over U.S. Highway 177 to Blackwell, Okla, thence over U.S. Highway 177 to its junction with U.S. Highway 60, thence

over U.S. Highway 60 to Ponca City, Okla., thence over U.S. Highway 77 to the Oklahoma-Kansas Border north of Newkirk, Okla., thence over U.S. Highway 77 to its junction with U.S. Highway 60, thence over U.S. Highway 60 to its junction with Oklahoma Highway 18, thence over Oklahoma Highway 18 to the Oklahoma-Kansas Border north of Grainola, Okla., and return over the same route serving the termini and all intermediate points, and the off-route points of Autwine, Kildare, Chilocco, Uncas, Apperson, Burbank, Webb City, Lyman, and Foraker; (9) Between Tulsa, Okla., and Muskogee, Okla.: From Tulsa over U.S. Highway 64 to its junction with Oklahoma Highway 162 (U.S. Highway 62) thence over Oklahoma Highway 162 to Taft, Okla., thence over Oklahoma Highway 162 to its junction with U.S. Highway 64, thence over U.S. Highway 64 to Muskogee, Okla., and return over the same route, serving all intermediate points, except Bixby, Okla., and including the off-route points of Jamesville and Yahola, Okla.; and (10) Between the Oklahoma-Texas State Line south of Colbert, Okla., and Sherman, Texas, over U.S. Highway 75, serving the termini and all intermediate points.

(1) Between Oklahoma City, Okla., and Miami, Okla.: From Oklahoma City, over Interstate Highway 44 to Miami, Okla., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only; (2) Between Oklahoma City, Okla., and Muskogee, Okla.: From Oklahoma City, Okla., over Interstate Highway 40 to Checotah, thence over U.S. Highway 69 to Muskogee, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only; (3) Between Tulsa, Okla., and McAlester, Okla.: From Tulsa over U.S. Highway 75 to Indian Nation Turnpike, thence over Indian Nation Turnpike to McAlester, serving no intermediate points as an alternate route for operating convenience only; (4) Between Blackwell, Okla., and Tulsa, Okla.: From Blackwell over Oklahoma Highway 11 to its junction with Interstate Highway 35, thence over Interstate Highway 35 to its junction with U.S. Highway 64 west of Perry, thence over U.S. Highway 64 to Tulsa, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only; (5) Between Ponca City, Okla., and Tulsa, Okla.: From Ponca City over U.S. Highway 177 to its junction with U.S. Highway 64, thence over U.S. Highway 64 to Tulsa and return over the same route serving no intermediate points, as an alternate route for operating convenience only; and (6) Between junction U.S. Highway 60 and Oklahoma Highway 20 and junction Oklahoma Highway 11 and Oklahoma Highway 20: From junction U.S. Highway 60 and Oklahoma Highway 20, thence over Oklahoma Highway 20 to junction Oklahoma Highway 11 serving no intermediate points, as an alternate route for operating convenience only.

NOTE.—Applicant seeks to convert its Certificate of Registration in MC 98742 and subs thereunder, into a Certificate of Public Convenience and Necessity. If a hearing is deemed necessary, the applicant requests it be held at Tulsa or Oklahoma City, Okla.

No. MC 103926 (Sub-No. 39), filed September 11, 1974. Applicant: W. T. MAYFIELD SONS TRUCKING CO., a Corporation, 1560 Bankhead Highway NW., Mableton, Ga. 30059. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mining machinery and equipment; and related parts, attachments, and supplies* moving in connection therewith, from the plant, warehouse and storage facilities of National Mine Service Company at Ashland and Greenup, Ky., to points in Alabama, Tennessee, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Lexington, Ky., Washington, D.C., or Atlanta, Ga.

No. MC 103926 (Sub-No. 40), filed September 12, 1974. Applicant: W. T. MAYFIELD SONS TRUCKING CO., a Corporation, 1560 Bankhead Highway NW., P.O. Box 947, Mableton, Ga. 30059. Applicant's representative: K. Edward Wolcott, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooling towers*, and *parts, accessories, and supplies* moving in connection therewith, from the plantsite and storage facilities of the E. D. Goodfellow Co., Inc., at Memphis, Tenn., to points in Florida, Georgia, North Carolina, South Carolina, and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., Atlanta, Ga., or Washington, D.C.

No. MC 103993 (Sub-No. 832), filed September 10, 1974. Applicant: MORGAN DRIVEAWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (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 movements, from points in Delaware County, Okla., to 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 Tulsa, Okla.

No. MC 104004 (Sub-No. 196), filed September 3, 1974. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, N.Y. 10017. Applicant's representative: John P. Tynan, 65–12 69th Place, Middle Village, N.Y. 11379. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A & B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Between Cincinnati, Ohio, and Huntington, W. Va.: From Cincinnati over U.S. Highway 52 to Huntington, W. Va., and return over the same route, serving Ironton and Portsmouth, Ohio, as intermediate points, and serving Ashland, Ky., as an off-route point, with no service at the terminal points except as otherwise authorized.

NOTE.—Applicant is presently authorized to render service from Charleston, W. Va., to Cincinnati, Ohio, serving the intermediate points of Huntington, W. Va., and Portsmouth and Ironton, Ohio, and to serve points in West Virginia west of a defined line, including Huntington, W. Va., over irregular routes. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Huntington, W. Va., New York, N.Y., or Washington, D.C.

No. MC 106603 (Sub-No. 137), filed September 9, 1974. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain St. SW., Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products* (except in bulk), from points in Stoddard County, Mo., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Mississippi, New York, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin.

NOTE.—Applicant holds contract carrier authority in MC 46240 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Chicago, Ill.

No. MC 107012 (Sub-No. 207), filed September 3, 1974. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Lincoln Highway & Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Terry G. Fewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household, lawn, and garden appliances*, from the plantsites, warehouses, and distribution centers of Sunbeam Corporation located at or near Manning, Orangeburg, and Santee, S.C., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 107064 (Sub-No. 106), filed September 4, 1974. Applicant: STEERE TANK LINES, INC., 2808 Fairmount St., P.O. Box 2998, Dallas, Tex. 75221. 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: *Liquefied petroleum gases*, in bulk, from points in Texas (except those in Galveston and Harris Counties, Tex.), to points in the United States in and west of New Mexico, Colorado, Wyoming, and Montana.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 107403 (Sub-No. 917), filed August 26, 1974. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Anthority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Adhesives*, in bulk, in tank vehicles, from Columbus, Ohio, to points in California, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Tennessee, Virginia, West Virginia, and Wisconsin, and (2) *linseed oil, latex, and resin*, in bulk, in tank vehicles, from Columbus, Ohio, to points in Georgia, Alabama, Louisiana, Indiana, Illinois, and Michigan.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 967), filed August 26, 1975. Applicant: RUAN TRANSPORT CORPORATION, Third at Keosauqua Way, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting (1) *Denatured alcohol*, in bulk, from Pekin, Ill., to points in Mississippi, Kentucky, North Carolina, Tennessee, Michigan, Iowa, Indiana, New Jersey, Illinois, Missouri, and Pennsylvania; (2) *dry sugar*, in bags, from points in Assumption Parish, La., to points in Illinois, Missouri, and Tennessee, (3) *barite ore*, in bulk, from East St. Louis, Ill., to Potosi, Mo., and (4) *hydrogen*, in bulk, from Whiting, Ind., to Portage, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Des Moines, Iowa, or Chicago, Ill.

No. MC 107515 (Sub-No. 948), filed September 5, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under Section (b)(6) of the Act, when transported in mixed loads with bananas, from New Orleans, La., and Gulfport, Miss., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Utah, Washington, and Wisconsin, restricted to the transportation of traffic having an immediate prior movement by water.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La.

No. MC 108207 (Sub-No. 405), filed September 3, 1974. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz St. P.O. Box 5888. Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confections*, from Memphis, Tenn., and points in its commercial zone, to points in Arkansas, Illinois, Louisiana, Missouri, Oklahoma, Kansas, Texas, Arizona, California, and New Mexico.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn., or Dallas, Tex.

No. MC 108298 (Sub-No. 37), filed August 29, 1974. Applicant: ELLIS TRUCKING COMPANY, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: Eldon E. Bresee (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Cheese and cheese products* (except in bulk), (A) Between Evansville, Ind., and the Albany Cheese Company at or near Leitchfield, Ky.: (1) From Evansville, Ind., over U.S. Highway 41 to junction U.S. Highway 60, thence over U.S. Highway 60 to junction U.S. Highway 231, thence over U.S. Highway 231 to junction U.S. Highway 62, thence over U.S. Highway 62 to the Albany Cheese Company at or near Leitchfield, Ky.; and (2) From Evansville, Ind., over U.S. Highway 41 to junction Audubon Parkway, thence over Audubon Parkway to junction Green River Parkway, thence over Green River Parkway to junction Western Kentucky Parkway, thence over Western Kentucky Parkway to junction Kentucky Highway 259, thence over Kentucky Highway 259 to the Albany Cheese Company at or near Leitchfield, Ky.; and (B) Serving the Albany Cheese Company located at or near Leitchfield, Ky., as an off route point in connection with applicants authorized regular route operations to and from Evansville, Ind.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Evansville, Ind.

No. MC 108339 (Sub-No. 4), filed September 3, 1974. Applicant: MAUREEN Y. WELCH AND HENRY E. WELCH, doing business as, YOUNG TRANSFER, 3128 Morson St., P.O. Box 8228, Charlotte, N.C. 28208. Applicant's representative: Calvin F. Major, 200 West Grace Street, Richmond, Va. 23220. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper scrap and waste*, in bales, boxes, or loose, from points in South Carolina, to Charlotte, N.C.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C., or Richmond, Va.

No. MC 109584 (Sub-No. 158), filed September 10, 1974. Applicant: ARIZONA-PACIFIC TANK LINES, 5773 South Prince Street, Littleton, Colo. 80120. Applicant's representative: Kenneth A. Willhite (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solution*, in bulk, in tank vehicles from Phoenix, Ariz., to points in Rio Grande County, Colo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Los Angeles, Calif.

No. MC 109821 (Sub-No. 38), filed September 9, 1974. Applicant: H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsboro, Pa. 16901. Applicant's representative: Robert DeKroyft, 201 Bloomfield Avenue, Verona, N.J. 07044. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in packages, from Retsof, N.Y., to New York, N.Y., and points in New Jersey, and points in Nassau, Rockland, Suffolk, and Westchester Counties, N.Y.

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 110988 (Sub-No. 316), filed September 4, 1974. Applicant: SCHNEIDER TANK LINES, INC., 200 W. Cecil St., Neenah, Wis. 54956. Applicant's representative: Neil A. Du Jardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Chicago, Ill., and points in its Commercial Zone as defined by the Commission, to points in Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, New York, Arkansas, Louisiana, Mississippi, Alabama, Kentucky, Illinois, Wisconsin, Michigan, Indiana, Ohio, West Virginia, Pennsylvania, and Tennessee (except points in Tennessee on and west of U.S. Highway 27), and New Jersey.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 111545 (Sub-No. 198) (Amendment), filed April 22, 1974, published in the FEDERAL REGISTER issue of May 31, 1974, and republished as amended this issue. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road, Marietta, Ga. 30062. Applicant's representative: Robert E. Born, P.O. Box 6426, Station A, Marietta, Ga. 30062. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fire prevention and sprinkler systems;* and (2) *parts, equipment, materials, and supplies* used in the installation of fire prevention and sprinkler systems, from the plantsite and warehouse facilities of Grinnell Fire Prevention Systems, Inc., located at or near Cleveland, N.C., Dallas, Tex., Canton, Mass., and Long Beach Calif., to points in the United States (except Alaska and Hawaii).

NOTE.—The purpose of this republication is to correctly indicate an origin point at Canton, Mass., in lieu of Canton, Miss., which

was previously published in error. If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 112713 (Sub-No. 171), filed September 9, 1974. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, 10990 Roe Avenue, Shaenee Mission, Kans. 66207. Applicant's representative: David B. Schneider (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 the use of special equipment), serving Lake Mills, Iowa, as an off-route point in connection with carrier's regular route operations from and to Owatonna, Minn.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis-St. Paul, Minn., or Chicago, Ill.

No. MC 112801 (Sub-No. 163), filed September 4, 1974. Applicant: TRANSPORT SERVICE CO., a Corporation, 2 Salt Creek Lane, Hinsdale, Ill. 60521. Applicant's representative: Gene Smith (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Spent or waste chemicals and petroleum products, liquid*, in bulk, in tank vehicles, from points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin to Griffith, Ind.; and (2) *recycled chemicals and petroleum products, liquid*, in bulk, in tank vehicles, from Griffith, Ind., to points in Illinois, Iowa, Kentucky, Michigan, Missouri, Ohio and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113678 (Sub-No. 561), filed September 12, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver) Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849. Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods*, not frozen, from Finderne, Metuchen, and Bound Brook, N.J., to points in Nebraska, Kansas, Colorado, Ohio, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Kentucky, Indiana, Arizona, Nevada, California, Washington, Oregon, Montana, North Dakota, South Dakota, Wyoming, Utah, New Mexico, and Idaho.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either New York, N.Y., Washington, D.C., or Denver, Colo.

No. MC 115093 (Sub-No. 14), filed September 9, 1974. Applicant: MERCURY MOTOR EXPRESS, INC., 2511 North Grady Avenue, P.O. Box 23406, Tampa, Fla. 33622. Applicant's representative: Clayton R. Byrd (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, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Florida, on the one hand, and, on the other, points in and east of Aiken, Lexington, Richland, Fairfield, Chester, and York Counties, S.C., and points in Chatham and Richmond Counties, Ga.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Tampa, Fla., or Columbia, S.C.

No. MC 115594 (Sub-No. 18), filed September 6, 1974. Applicant: HOLLOWAY MOTOR EXPRESS, INC., P.O. Box 2337, East Gadsden, Ala. 35903. Applicant's representative: W. Randall Tye, 1400 Candler Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles and ingredients* used in the manufacture of tires, tubes, and related rubber articles (except commodities in bulk, in tank vehicles), between Gadsden, Ala., on the one hand, and, on the other, Topeka, Kans., Kansas City, Kans., and Kansas City, Mo.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Birmingham, Ala., or Atlanta, Ga.

No. MC 116325 (Sub-No. 66), filed August 19, 1974. Applicant: JENNINGS BOND, doing business as, BOND ENTERPRISES, P.O. Box 8, Lutesville, Mo. 63762. Applicant's representative: Jennings Bond (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets, pallet material, lumber, lumber products, boxes, crates, poles, and posts* (except commodities in bulk) from points in Missouri, to points in Iowa, Illinois, Wisconsin, Ohio, Michigan, Indiana, Minnesota, Kansas, Nebraska, Pennsylvania, North Dakota, South Dakota, Colorado, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 117119 (Sub-No. 513), filed September 9, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and bakery goods*, frozen or non-frozen, in vehicles equipped with mechanical refrigeration, between Richmond, Utah, on the one hand, and, on the other, points in Omaha, Nebraska, New Haven, Connecticut, Dallas, and Houston, Tex., Chicago and Downers Grove, Ill., Springdale, Ark., Sumter, S.C., and Downingtown, Pa., and Salisbury, Md., restricted to traffic originating at and destined to plantsites and storage facilities of Pepperidge Farm, Inc., or Campbell Soup Company at the named points.

NOTE.—Common control was approved in MC–F–11113 and MC–F–11462. Dual operations may also be involved. If a hearing is deemed necessary, applicant requests it be held at either New York City, N.Y., or Salt Lake City, Utah.

No. MC 114761 (Sub-No. 10), filed August 8, 1974. Applicant: GETTER TRUCKING, INCORPORATED, P.O. Box 368, Cut Bank, Mont. 59427. Applicant's representative: John R. Davidson, Suite 805, Midland Bank Building, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, materials, equipment, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of manufactured gas and petroleum, and their products and by-products, between points in Montana and North Dakota on the one hand, and, on the other, points in Pennsylvania, West Virginia, Ohio, Indiana, Michigan, and Illinois.

NOTE.—Applicant states that the requested authority can be tacked with its existing authority in Sub-No. 1 at Montana to provide service between Wyoming on the one hand, and, on the other, points in the destination territory named above, and in Sub-No. 4, at points in Montana and North Dakota, to provide service between points in South Dakota west of the Missouri River and on and north of U.S. Highway 14 on the one hand, and, on the other, the destination area named above. If a hearing is deemed necessary, the applicant requests it be held at Billings, Mont.

No. MC 118142 (Sub-No. 81), filed September 9, 1974. Applicant: M. BRUENGER AND CO., INC., 6250 N. Broadway, Wichita, Kans. 67219. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods;* and (2) *foodstuffs and restaurant materials and supplies* in mixed shipments with foodstuffs, from (1) points in California, to points in Texas; and (2) from Arlington, Tex., to points in Kansas, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.; Kansas City, Mo. or Wichita, Kans.

No. MC 119493 (Sub-No. 128), filed September 9, 1974. Applicant: MONKEM COMPANY, INC., West 20th Street Road, Joplin, Mo. 64801. Applicant's representative: J. J. Knotts, Jr., P.O. Box 1196, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rough gray iron and ductile iron castings*, from Junction City, Kans., to points in the United States (except Alaska and Hawaii); and (2) *materials and supplies* used in the manufacture of commodities in (1) above, from points in the United States (except Alaska and Hawaii) to Junction City, Kans.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 119619 (Sub-No. 74), filed September 4, 1974. Applicant: DISTRIBUTORS SERVICE CO., a corporation, 2000 West 43rd Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites and storage facilities of Equity Meats Corp., Ohio Division, located at or near North Baltimore, Ohio, to points in the United States located on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada; and (2) *meats, fresh and frozen, and materials and supplies* used in the manufacturing, preparation, processing, selling and distribution of the commodities in (1) above, from points in the United States (except Alaska and Hawaii), to the plantsites and storage facilities of Equity Meats Corp., located at North Baltimore, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119875 (Sub-No. 3), filed September 11, 1974. Applicant: WARHUNT TRUCKING CO., INC., R.D. No. 2, Wescoesville, Pa. 18106. Applicant's representative: Herbert R. Nurick, 100 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board, insulating materials, gutters, downspouts, soffits, roofing materials, construction materials, building materials, and related materials, supplies, and accessories incidental thereto*, and when moving in the same vehicle with the abovenamed commodities (except commodities in bulk), from Bardstown, Ky., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, and the District of Columbia; and (2) *composition board*, from East Providence, R.I., to Bardstown, Ky.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Allentown, Pa., or Washington, D.C.

No. MC 119974 (Sub-No. 45), filed August 30, 1974. Applicant: L. C. L. TRANSIT COMPANY, a corporation, P.O. Box 949, Green Bay, Wis. 54305. Applicant's representative: L. F. Abel (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products, dairy by-products* and *materials, supplies, and equipment* used in the commodities above (except in bulk, in tank trucks), from Cresco and Decorah, Iowa, to Mosinee, Wausau, Spencer, Madison, and Reedsburg, Wis.; and (2) *candy and confectionery*, from the facilities of Peter Paul, Inc., at or near Frankfort, Ind., to Kansas City, Mo., and points in Nebraska, restricted to the transportation of traffic originating at the above named origins and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn., or Chicago, Ill.

No. MC 119974 (Sub-No. 46), filed September 3, 1974. Applicant: L. C. L. TRANSIT COMPANY, a corporation, 949 Advance Street, Green Bay, Wis. 54304. Applicant's representative: L. F. Abel, P.O. Box 949, Green Bay, Wis. 54305. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chocolate, chocolate products, cocoa butter, and confectionery coatings* (in bulk, in tank vehicles), from Robinson, Ill., to points in Indiana, Iowa, Michigan, Ohio, Kentucky, Missouri, Minnesota, North Dakota, South Dakota, Kansas, Nebraska, Pennsylvania, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Washington, D.C.

No. MC 121540 (Sub-No. 3), filed April 16, 1974. Applicant: EAST NEBRASKA MOTOR FREIGHT, INC., 605 S. 14th St., Omaha, Nebr. 68508. 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: (1) *Candy, advertising materials, and supplies and materials* used in the manufacture and distribution of candy, between Lincoln, Nebr., on the one hand, and, on the other, Olathe, Kans., Aurora, Colo., and Kansas City, Mo.; (2) *castings, pumps, valves and related advertising and company materials*, between Omaha, Nebr., on the one hand, and, on the other, Joplin, Mo.; Coffeyville, Lyons, and Hutchinson, Kans., Detroit, Mich., Bensonville, Peoria, and Chicago, Ill.; and (3) *general commodities* (except house trailers, mobile homes and prefabricated buildings by truckaway method), (a) between points within the following described area in Nebraska, beginning at the junction of County Road S/66A and Nebraska Highway 41 at or near Sterling, Nebr.; thence over Nebraska Highway 41 to its junction with Nebraska Highway 103 at or near Wilber; thence over Nebraska Highway 103 to its junction with Nebraska Highway 33 at or near Crete; thence over Nebraska Highway 33 to its junction with Nebraska Highway 15 at or near Dorchester; thence over Nebraska Highway 15 to its junction with Nebraska Highway 66 at or near Dwight; thence over Nebraska Highway 66 to its junction with Nebraska Highway 79 at or near Valpariaso; thence over Nebraska Highway 79 to its junction with Nebraska Highway 92; thence over Nebraska Highway 92 to its junction with U.S. Highway 77 at or near Wahoo; thence over U.S. Highway 77 to its junction with Nebraska Highway 63; thence over Nebraska Highway 63 to its junction with Interstate Highway 80; thence over Interstate Highway 80 to its junction with Nebraska Highway 50; thence over Nebraska Highway 50 to its junction with Nebraska Highway 2 at or near Syracuse; thence over Nebraska Highway 2 to its junction with County Road S/66A at or near Palymyra; thence over County Highway S/66A to its junction with Nebraska Highway 41 to the point of beginning and (b) between points within the area described in (a) above, on the one hand, and, on the other, points in Nebraska.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 123407 (Sub-No. 198), filed August 26, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from Flathead County, Mont., to points in North Dakota, South Dakota, Minnesota, Wisconsin, Illinois, Indiana, Michigan, Nebraska, Kansas, Missouri, Iowa, Colorado, Texas, Ohio, Utah, and Kentucky.

NOTE.—Common control may be involved If a hearing is deemed necessary, the applicant requests it be held at Billings, Mont. or Washington, D.C.

No. MC 124078 (Sub-No. 610), filed August 15, 1974. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cement*, (a) from Buffington, Ind., to points in Iowa, Kentucky, Minnesota, Missouri, and Ohio; (b) from Fairborn, Ohio, to points in Illinois, Michigan and Pennsylvania, (c) from Milwaukee, Wis., to points in Iowa, Kentucky, Michigan, Minnesota, Missouri, and Ohio; (d) from Northampton, Pa., to points in New Hampshire, North Carolina, Ohio, and West Virginia; and (e) from Universal, Pa. to points in Ohio (except those points within 175 miles of Universal, Pa.), West Virginia (except those points within 175 miles of Universal, Pa.) and Indiana, Massachusetts, New Jersey, and New York; and (2) *cement*, in bulk, (a) from Lima, Ohio, to points in Illinois, Iowa, Minnesota, Pennsylvania, West Virginia, and Wisconsin; and (b) from Olathe Kans., to points in Iowa, Illinois, and Minnesota.

NOTE.—Common control was approved in MC-F-9737. Applicant holds contract carrier authority in MC-113832 (Sub-No. 68), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124078 (Sub-No. 614), filed September 9, 1974. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cleaning compounds*, dry, in bulk, from Joliet, Ill., to Avenel, N.J.; and (2) *petroleum interface*, in bulk, from Green Bay, Wis., to East Chicago, Ind.; Lemont and Lockport, Ill.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 124154 (Sub-No. 62) (Amendment), filed May 28, 1974, published in the FEDERAL REGISTER issue of July 25, 1974, and republished as amended this issue. Applicant: WINGATE TRUCKING COMPANY, INC., P.O. Box 645, Albany, Ga. 31702. Applicant's representative: W. Guy McKenzie, Jr., P.O. Box 1200, Tallahassee, Fla. 32302. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery and equipment and component parts*, from points in Crisp, Lee, and Dougherty Counties, Ga., to points in the United States (except Alaska and Hawaii); and (2) *agricultural machinery and equipment and component parts and materials* used in the manufacture of agricultural machinery and equipment, from points in the United States (except Alaska and Hawaii), to points in Crisp, Lee, and Dougherty Counties, Ga.

NOTE.—The purpose of this republication is to amend the commodity description in (2) above. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 124170 (Sub-No. 44), filed September 5, 1974. Applicant: FROSTWAYS, INC., 3900 Orleans, Detroit, Mich. 48207. Applicant's representative: William J. Boyd, 29 South LaSalle Street, Suite 330, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities*, from New Orleans, La., to points in Iowa, Minnesota, Wisconsin, Nebraska, North Dakota, South Dakota, Missouri, Kansas, Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia, Virginia, Delaware, Maryland, Pennsylvania, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, Maine, Tennessee, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Boston, Mass. or Washington, D.C.

No. MC 124170 (Sub-No. 45), filed September 5, 1974. Applicant: FROSTWAYS, INC., 3900 Orleans, Detroit, Mich. 48207. Applicant's representative: William J. Boyd, 29 South LaSalle Street, Suite 330, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities*, from Charleston, S.C., to points in Wisconsin, Illinois, Missouri, Tennessee, Kentucky, Indiana, Michigan, Ohio, Pennsylvania, Virginia, West Virginia, Delaware, Maryland, New Jersey, New York, Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, Maine, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Boston, Mass. or Washington, D.C.

No. MC 124328 (Sub-No. 66), filed September 9, 1974. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago, Ill. 60616. Applicant's representative: John G. O'Keefe, O'Hare Plaza, Suite 650, 5725 East River Road, Chicago, Ill. 60631. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline coupons*, between points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with General Services Administration.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124649 (Sub-No. 6), filed September 5, 1974. Applicant: JOSEPH BONANNO, INC., 1528 S. Pennsylvania Ave., Morrisville, Pa. 19067. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, in dump vehicles, (1) from points in New Jersey, to Torrington, Conn.; and (2) from points in Connecticut, to Rahway, N.J., and Philadelphia, Pa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 124947 (Sub-No. 30), filed September 5, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 417, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical transformers, component parts, and accessories*, from Waukesha, Wis., to points in Illinois, Indiana, Michigan, Ohio, Kentucky, Tennessee, Mississippi, Louisiana, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, North Dakota, South Dakota, Nebraska, Kansas, Texas, Montana, Wyoming, Oklahoma, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, California, Oregon, and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Chicago, Ill.

No. MC 124947 (Sub-No. 31), filed September 5, 1974. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 417, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Emergency towers, radio relay stations, and equipment*, between points in Kankakee County, Ill., on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 125035 (Sub-No. 41), filed September 9, 1974. Applicant: RAY E. BROWN TRUCKING, INC., P.O. Box 501, Massillon, Ohio 44646. Applicant's representative: David L. Pemberton, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Steel die shoes, for plastic molds*, from Kenilworth, N.J., to points in Indiana, Illinois, Michigan, Ohio, Pennsylvania, and New York, under contract with National Tool & Manufacturing Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Cleveland, or Columbus, Ohio.

No. MC 125113 (Sub-No. 4), filed September 9, 1974. Applicant: CHRISTMAN TRUCKING CORPORATION, P.O. Box 127, Davis School Road, Washington, Pa. 15301. Applicant's representative: Stephen I. Richman, 325 Washington Trust Bldg., Washington, Pa. 15301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between the Cleveland-Hopkins Airport in Cuyahoga County, Ohio, on the one hand, and, on the other, points in Washington, Westmoreland, Allegheny, Fayette, Greene, Beaver, Butler, Armstrong, Indiana, Lawrence, and Somerset Counties, Pa.; Hancock, Brooke, Ohio, and Marshall Counties, W. Va.; and Belmont, Jefferson, and Columbiana Counties, Ohio, restricted to shipments having a prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 125209 (Sub-No. 2), filed September 10, 1974. Applicant: RAYMOND E. BALLENTINE, doing business as BALLENTINE TRANSPORT, P.O. Box 463, Scottsbluff, Nebr. 69361. Applicant's representative: Russell E. Lovell, P.O. Box 419, Scottsbluff, Nebr. 69361. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cottonseed meal, cottonseed cake, cottonseed crumbles, and cottonseed pellets*, in bulk, and in bags, in straight and mixed shipments, from Lubbock, Sweetwater, and Quanah, Tex., to points in Nebraska, Wyoming, Colorado, South Dakota, and Montana, under contract with Western Feed Sales, Inc., Scottsbluff, Nebr.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Gering, Nebr., Cheyenne, Wyo., or Lincoln, Nebr.

No. MC 126555 (Sub-No. 32), filed September 9, 1974. Applicant: UNIVERSAL TRANSPORT, INC., Box 268, Rapid City, S. Dak. 57701. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant St. Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Minerals*, from points in Pennington, Custer, and Fall River Counties, S. Dak., to points in (a) Arkansas, California, Colorado, Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, Wisconsin; and (b) points of entry on the International Boundary line between the United States and Canada located at or near Sweetgrass, Mont.; Niagara Falls, and Champlain, N.Y., and Detroit, Mich., part (b) restricted to traffic having a subsequent movement in foreign commerce.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Rapid City, S. Dak., or Denver, Colo.

No. MC 127304 (Sub-No. 12), filed August 1, 1974. Applicant: CLEAR WATER TRUCK COMPANY, INC., 9101 N. West Street, Valley Center, Kans. 67147. Applicant's representative: Paul V. Dugan, 2707 W. Douglas, Wichita, Kans. 67213. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat packing house products and by-products*, between Wichita, Kans., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with Dubuque Packing, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., or Kansas City, Mo.

No. MC 127337 (Sub-No. 12), filed September 4, 1974. Applicant: CHET'S TRANSPORT, INC., Charlotte, Maine 04666. Applicant's representative: James E. Wilson, 425 13th Street NW., Suite 1032, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, cartons, wrappers, materials, and supplies* used or useful in the catching, processing, and packaging of fish and fish products (except in bulk), from points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, and Maryland, to ports of entry on the International Boundary line between the United States and Canada, restricted to the transportation of shipments destined to the Provinces of Newfoundland and Nova Scotia, Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.; Portland, Maine; or Portsmouth, N.H.

No. MC 127539 (Sub-No. 36) (Correction), filed May 20, 1974, and published in the FEDERAL REGISTER issue of July 11, 1974, and republished as corrected this issue. Applicant: PARKER REFRIGERATED SERVICE, INC., 3533 East 11th Street, Tacoma, Wash. 98421. Applicant's representative: George R. LaBissoniere, Suite 101, 130 Andover Park East, Seattle, Wash. 98188. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, when moving in vehicles equipped with mechanical refrigeration, from the plant and storage facilities utilized by Lamb-Weson, Inc. in Washington, Oregon and Idaho, to points in Arizona.

NOTE.—The purpose of this republication is to correct the commodity and territorial descriptions. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 128273 (Sub-No. 159), filed September 9, 1974. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coffee*, in containers and packages, from New Orleans, La., to points in Arizona, California, Oregon, Washington, Utah, and Nevada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 128870 (Sub-No. 4), filed September 9, 1974. Applicant: NATIONAL MATERIALS CORPORATION, P.O. Box 187, New Braunfels, Tex. 78130. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, in bulk, in pneumatic unloading trailers, from Marble Falls, Tex., to points in Arkansas, New Mexico, Louisiana, and Oklahoma.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Dallas, or Ft. Worth, Tex.

No. MC 128988 (Sub-No. 52), filed August 30, 1974. Applicant: JO/KEL, INC., 159 South Seventh Avenue, P.O. Box 1249, City of Industry, Calif. 91749. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in and utilized by manufacturers or distributors of electric and electronic products and devices, from points in the United States on and west of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada to the facilities of Westinghouse Electric Corporation located at or near North Huntingdon, Pa., restricted against the transportation of commodities in bulk and commodities which by reason of size or weight require the use of special equipment and further restricted to a transportation service to be performed under a continuing contract or contracts with Westinghouse Electric Corporation of Pittsburgh, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or Los Angeles, Calif.

No. MC 128988 (Sub-No. 53), filed August 30, 1974. Applicant: JO/KEL, INC., 159 South Seventh Avenue, P.O. Box 1249, City of Industry, Calif. 91749. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract 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 and commodities in bulk), from the facilities of Westinghouse Electric Corporation located at or near Chicago, Ill., to points in Arizona, California, Nevada, Oregon, and Washington, restricted against the transportation of commodities which by reason of size or weight require the use of special equipment and further restricted to a transportation service to be performed under a continuing contract or contracts with Westinghouse Electric Corporation of Pittsburgh, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or Los Angeles, Calif.

No. MC 129516 (Sub-No. 30), filed September 9, 1974. Applicant: PATTONS, INC., 2300 Canyon Road, Ellensburg, Wash. 98926. Applicant's representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and frozen potatoes*, from Walla Walla and Pasco, Wash., to ports of entry on the International Boundary line between the United States and Canada located at or near Blaine, Sumas and Oroville, Wash.

NOTE.—Applicant holds contract carrier authority in MC 138820 (Sub-No. 1) pending, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Oreg.

No. MC 129516 (Sub-No. 31), filed September 9, 1974. Applicant: PATIONS, INC., 2300 Canyon Road, Ellensburg, Wash. 98926. Applicant's representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, from ports of entry on the International Boundary line between the United States and Canada located at or near Blaine and Oroville, Wash.; Eastport, Idaho; and Sweetgrass, Mont., to points in Washington, Oregon and Idaho.

NOTE.—Applicant holds contract carrier authority in MC 138820 (Sub-No. 1) pending, therefore dual operations may be involved.

If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash. or Portland, Oreg.

No. MC 129537 (Sub-No. 13), filed September 9, 1974. Applicant: REEVES TRANSPORTATION CO., a corporation, Route 5, Dews Pond Road, Calhoun, Ga. 30701. Applicant's representative: John C. Vogt, Jr., 523 E. Madison Street, Tampa, Fla. 33602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets and rugs*, from points in Floyd, Bartow, Chattooga, Gordon, Whitfield, Murray, Catoosa, Walker, Troup, and Muscogee Counties, Ga., to points in Hernando, Citrus, Highland, Hardee, Osceola, Sumter, Lake, Marion, Alachua, Putnam and Columbia Counties, Fla., and points in Florida in and west of Jefferson County, Fla.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Calhoun, Ga., or Tallahassee, Fla.

No. MC 129719 (Sub-No. 5), filed August 30, 1974. Applicant: BURRELL TRUCKING, INC., One Fifth Street, New Kensington, Pa. 15068. Applicant's representative: Arthur J. Diskin, 806 Frisk Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from the facilities of Cargill, Inc. at Lower Burrell, New Kensington, and Arnold (Westmoreland County), Pa., to points in Pennsylvania, Ohio, West Virginia, Virginia, Maryland, and the District of Columbia, under a continuing contract or contracts with Cargill, Inc.

NOTE.—Applicant states that it can presently serve the above destination states, and that this application involves only the addition of a contracting shipper. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 129897 (Sub-No. 3), filed August 23, 1974. Applicant: M.S.B.P., INC, P.O. Box 904, Council Bluffs, Iowa 51501. Applicant's representative: Gailyn L. Larsen, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hide trimmings and tails*, from points in Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, to Chicago, Ill., and Oak Creek, Wis., and (2) *fish meal and tankage*, from Chicago, Ill., and Oak Creek, Wis., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Omaha or Lincoln, Nebr.

No. MC 133146 (Sub-No. 10), filed August 26, 1974. Applicant: INTERNATIONAL TRANSPORTATION SERVICE, INC., 3300 Northeast Expressway, Suite 1-M, Atlanta, Ga. 30341. Applicant's representative: Richard D. Cooper (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, other than in bulk, in tank vehicles, from Atlanta, Ga., to points in Texas and Missouri, under contract with Monarch Wine Company of Georgia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 133229 (Sub-No. 14), filed September 9, 1974. Applicant: COATS FREIGHTWAYS, INC., 601 32d Avenue, P.O. Box 415, Council Bluffs, Iowa 51501. Applicant's representative: Arlyn L. Westergren, Suite 530 Univac Bldg., 7100 West Center Rd., Omaha, Nebr. 68134. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and storage facilities utilized by Swift Fresh Meats Company at Grand Island, Nebr., to points in Indiana, Ohio, and Michigan.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Omaha, Nebr.

No. MC 133566 (Sub-No. 42), filed August 30, 1974. Applicant: GANGLOFF & DOWNHAM TRUCKING CO., INC., P.O. Box 479, Logansport, Ind. 46947. Applicant's representative: William L. Slover, 1224 17th St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and materials, supplies, equipment, and ingredients*, used in the manufacturing, packaging and distribution of frozen foods (except in bulk), between the plant and warehouse facilities of The Quaker Oats Company, at or near Jackson, Tenn., on the one hand, and, on the other, points in Connecticut, Delaware, Indiana, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia, restricted to traffic originating at or destined to the plant and warehouse facilities of The Quaker Oats Company, at or near Jackson, Tenn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Atlanta, Ga.

No. MC 133681 (Sub-No. 4), filed September 10, 1974. Applicant: BIG CHET & SONS TRUCKING, INC., Woodmont Road, P.O. Box 442, East Fishkill, N.Y. 12524. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, cosmetics and materials and supplies* used in the preparation of toilet preparations and cosmetics, (1) between Holmdel, N.J., and points in that part of the New York, N.Y. Commercial Zone, as defined in the Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of Section 203(b)(8) of the Interstate Commerce Act (the "exempt" zone), on the one hand, and, on the other, Holmdel, N.J., and points in Ocean and Passaic Counties, N.J., under a continuing contract or contracts with Lanvin-Charles of the Ritz, its subsidiaries and divisions of Red Bank, N.J., and Sacoma Cosmetiques, Inc., of New York, N.Y., and (2) between Carlstadt, N.J., and points in that part of the New York, N.Y. Commercial Zone as defined in the Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of Section 203(b)(8) of the Interstate Commerce Act (the "exempt" zone), under a continuing contract or contracts with Eden Co., Inc., of Carlstadt, N.J.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 133939 (Sub-No. 4), filed September 3, 1974. Applicant: IMPERIAL AIR FREIGHT SERVICE, INC., 57 Freeman Street, Newark, N.J. 07105. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Avenue, P.O. Box 11417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives commodities in bulk, and commodities requiring special equipment), between John F. Kennedy International Airport located at Jamaica, N.Y., and LaGuardia Airport, Flushing, N.Y., and Newark, N.J., on the one hand, and, on the other, points in Dutchess, Sullivan, and Ulster Counties, N.Y.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 134401 (Sub-No. 10), filed September 19, 1974. Applicant: SHERWOOD W. HUME, doing business as HUME EQUIPMENT COMPANY, 734 Main Street, East, Milton, Ontario, Canada L9T 2X5. Applicant's representative: James W. Lawson, 1511 K Street, NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction machinery and equipment, self-propelled industrial machinery and equipment, and parts and*

attachments for the foregoing commodities when moving in incidental transportation thereto, between ports of entry on the International Boundary line between the United States and Canada located in Maine, Michigan, Minnesota, New York and Vermont, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Nebraska, New York, North Carolina, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, and Wisconsin, restricted to the transportation of traffic originating at or destined to points in Ontario, Quebec, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland, Canada, and further restricted against the transportation of any single piece of machinery or equipment exceeding 30,000 pounds in weight.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Buffalo, N.Y.

No. MC 134477 (Sub-No. 73), filed August 23, 1974. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Thomas Fischbach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Matches and woodenware*, from Oakland, and Dixfield, Maine and Springfield, Mass., to St. Louis, and Kansas City, Mo.; Memphis, Tenn.; Flint, Mich., and Indianapolis, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y., or Minneapolis, Minn.

No. MC 134922 (Sub-No. 100), filed August 23, 1974. Applicant: B. J. MCADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Don Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, textile products, and leather goods*, from Gassville, Ark., to points in Iowa, Nebraska, Colorado, New Mexico, Arizona, California, Oregon, Washington, Montana, Idaho, Wyoming, South Dakota, North Dakota, and Minnesota.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 134922 (Sub-No. 101), filed August 23, 1974. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Don Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blanks, stamping or unfinished shape metal and aluminum materials*, from Owensboro, Ky., to points in Arizona, New Mexico, and California.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Louisville, Ky. or Little Rock, Ark.

No. MC 134922 (Sub-No. 104), filed September 11, 1974. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Don Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite of Morton Frozen Foods Division located at or near Russellville, Ark., to points in Arizona, California, Indiana, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Richmond, Va., or Little Rock, Ark.

No. MC 135414 (Sub-No. 2), filed August 30, 1974. Applicant: LANGER TRUCK LINE, INC., 2146 North Packer, Springfield, Mo. 65804. Applicant's representative: Turner White, 910 Plaza Towers, Springfield, Mo. 65804. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, articles of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Between Branson, Mo. and the Kansas City, Mo.-Kansas City, Kans. Commercial Zone. From Branson, Mo. over U.S. Highway 65 to Springfield, Mo., thence over Missouri Highway 13 to Clinton, Mo., thence over Missouri Highway 7 to Harrisonville, Mo., thence over U.S. Highway 71 to Kansas City, and return over the same route, serving no intermediate points and serving points in Stone and Taney Counties, Mo. as off-route points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis or Kansas City, Mo.

No. MC 135795 (Sub-No. 3), filed September 6, 1974. Applicant: WILLIAM J. JAMES, doing business as BILL JAMES, P.O. Box 1786, Hereford, Tex. 79045. Applicant's representative: Mert Starnes, 904 Lavaca, Austin, Tex. 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feeds and feed ingredients*, between Olton, Tex., on the one hand, and, on the other, points in Colorado, Kansas, New Mexico, and Oklahoma, under a continuing contract or contracts with The Feed Barn, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas or Lubbock, Tex.

No. MC 136032 (Sub-No. 6), filed August 30, 1974. Applicant: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: K. Edward Wolcott, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drugs and medicines, viz: intravenous solutions; nutritional and anti-coagulant solutions; distilled water, plain or saline in glass or plastic containers; expendable administration sets*, in vehicles equipped with mechanical refrigeration, from Milledgeville, Ga., to points in the United States, on and east of U.S. Highway 85, under contract with McGaw Laboratories, Division of American Hospital Supply Corp.

NOTE.—Applicant holds common carrier authority in MC 133095 Sub 1 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 136474 (Sub-No. 7), filed August 22, 1974. Applicant: ALLIED DELIVERY AND INSTALLATION, INC., 230 Willow Street, P.O. Box 7427, Nashville, Tenn. 37210. Applicant's representative: Robert L. Baker, 618 Hamilton Bank Building, Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by Home Products Distributors*, (1) between Memphis, Nashville, and Jackson, Tenn., on the one hand, on the other, points in Tennessee in and west of Benton, Decatur, Hardin, and Henry Counties, Tenn; (2) between Nashville, Tenn., on the one hand, and, on the other, points in Lewis County, Tenn.; (3) between Elizabethtown, Bowling Green, and Louisville, Ky., on the one hand, and, on the other, points in Kentucky on and west of U.S. Highway 31E extending from the Kentucky-Indiana state line to its intersection with Kentucky State Highway 61, and points in Kentucky on and west of Kentucky State Highway 61 extending from its intersection with U.S. Highway 31E to the Kentucky-Tennessee state line; and (4) between Nashville, Tenn., on the one hand, and, on the other, points in Kentucky on and west of U.S. Highway 31E extending from the Kentucky-Indiana state line to its intersection with Kentucky State Highway 61, and points in Kentucky on and west of Kentucky State Highway 61 extending from its intersection with U.S. Highway 31E to the Kentucky-Tennessee state line (except for points in Allen, Barren, Christian, Logan, Simpson, Todd, Trigg, and Warren Counties, Ky.), restricted to home deliveries.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Washington, D.C.

No. MC 136527 (Sub-No. 1), filed September 5, 1974. Applicant: J. O. BATTLES, INC., Center Road, Bradford, N.H. Applicant's representative: Richard B. Couser, 95 North Main Street, Concord, N.H. 03301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction machinery and equipment and parts; farm machinery and equipment; mining and quarrying machinery and equipment and parts; and saw and pulp mill machinery and equipment and parts*, between points in New Hampshire, on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Concord, N.H., or Boston, Mass.

No. MC 136914 (Sub-No. 4), filed August 30, 1974. Applicant: WALLACE E. BROWN, Route No. 2, Box 130, Grand Junction, Tenn. 38039. Applicant's representative: A. Doyle Cloud, Jr., 5100 Poplar Avenue, Suite 2008 Clark Tower, Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Gallaway, Tenn., to points in Arkansas, Oklahoma, Missouri, Indiana, Alabama, Georgia, Kentucky, Louisiana, Texas, Mississippi, Illinois, Florida, Michigan, Ohio, West Virginia, Virginia, North Carolina, South Carolina, and Kansas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 138404 (Sub-No. 6), filed September 9, 1974. Applicant: DALE FOWLER AND MERLE THRAPP, doing business as D & M TRANSPORT, Sprague-ville, Iowa 52074. Applicant's representative: Dale Fowler, P.O. Box 38, Sprague-ville, Iowa 52074. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel paving joint roadway*, from Maquoketa, Iowa, to points in Illinois, Iowa, Indiana, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Pennsylvania, Texas, West Virginia, Kansas, Oklahoma, Arkansas, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 138438 (Sub-No. 7), filed June 18, 1974. Applicant: D. M. BOWMAN, INC., 15 E. Oak Ridge Avenue, Route 3, Box 26, Hagerstown, Md. 21740. Applicant's representative: Charles E. Creager, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Laurel, Md., to points in Fulton, Franklin, Adams, and Cumberland Counties, Pa., and Morgan, Berkeley, and Jefferson Counties, W. Va.

NOTE.—Applicant holds contract carrier authority in No. MC–17613 and subs thereunder, therefore dual operations may be involved. Applicant states it intends to tack the requested authority with its pending application in No. MC–138438 (Sub.-No. 5) at Martinsburg, W. Va., to provide service from Laurel, Md., to points in Maryland, Virginia, Pennsylvania, Delaware, New Jersey, New York, Connecticut, Massachusetts, and the District of Columbia. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 138758 (Sub-No. 3), filed September 12, 1974. Applicant: NORTHERN GAS, INC., Lyndonville, Vt. 05851. Applicant's representative: John P. Monte, 61 Summer Street, P.O. Box 568, Barre, Vt. 05641. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Propane*, in bulk, from Portsmouth, N.H., to points in Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.; Concord, N.H.; or Boston, Mass.

No. MC 138826 (Sub-No. 2), filed September 9, 1974. Applicant: JERALD HEDRICK, doing business as HEDRICK & SON TRUCKING, R.R. 1, Warren, Ind. 46792. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, (1) from Breese, Valmeyer, and West York, Ill., to points in Indiana, Kentucky, and Missouri; and (2) from Dublin and Jordan, Ind., to points in Illinois, Kentucky, Michigan, and Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind. or Chicago, Ill.

No. MC 138938 (Sub-No. 2), filed September 6, 1974. Applicant: MID AMERICA MOVERS, INC., 225 South Franklin Street, Junction City, Kans. 66441. Applicant's representative: George R. LaBissoniere, Suite 101, 130 Andover Park East, Seattle, Wash. 98188. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods* as defined by the Commission, restricted to the transportation of shipments having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with the packing, crating, and containerization or unpacking, uncrating and decontainerization of such shipments, between points in Washington, Marshall, Clay, Riley, Pottawatomie, Dickinson, Morris, Wabaunsee, Lyon, and Geary Counties, Kans.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Junction City, Kans.

No. MC 139091 (Sub-No. 5), filed September 3, 1974. Applicant: LOGAN MOTOR LINES, INC., Route 2, Box 174–A, Canyon, Tex. 79015. Applicant's representative: Gaylon Larsen, 521 S. 14th St., P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Vacuum bottles, and fillers, lunch and picnic boxes and kits, containers, travel bags, camping equipment, stoppers, plastic articles, jugs, cooling boxes and chests, tents, display racks, and insulating material*, from the plantsite and storage facilities of King-Seeley Thermos Co., at or near Macomb, Illinois, to points in Arkansas, Oklahoma, and Texas, under a continuing contract or contracts with King-Seeley Thermos Co., Macomb, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C. or Omaha, Nebr.

No. MC 139636 (Sub-No. 1), filed September 6, 1974. Applicant: CAN-AM DISTRIBUTORS AND WAREHOUSE, INC., Route 1, Box 108A, Big Cabin, Okla. 74332. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 N.W. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood products and plastic articles*, from the plantsite and warehouse facilities of Forester Manufacturing Co., Inc., located at Wilton, Maine, to points in New Orleans, Louisiana, and Dallas and Houston, Tex.; Kansas City, Kans.; St. Louis, Mo.; Billings, Mont.; Seattle, Wash.; Denver, Colo.; Los Angeles and San Francisco, Calif.; Chicago, Ill.; Minneapolis, Minn.; Columbus, Ohio, and Detroit, Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla. or Tulsa, Okla.

No. MC 139715 (Sub-No. 1) (Correction), filed June 13, 1974 and published in the FEDERAL REGISTER issue of July 25, 1974, and republished as corrected this issue. Applicant: WAYNE HINCHLIFFE, Rt. 1, Box 161, Dayton, Wash. 99328. Applicant's Representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and lumber products*, from points in Umatilla and Morrow Counties, Oreg. and Lewiston, Idaho, to points in Columbia County, Wash.; (2) *machinery*, consisting of bean pickers, farm tractors and pick-up trucks: (a) from points in Walla Walla and Columbia Counties, Wash., to points in Umatilla and Morrow Counties, Oreg.; (c) from points in Franklin County, Wash., to points in Idaho; and (d) from points in Kootenai and Twin Falls Counties, Idaho, to points in Columbia and Walla Walla Counties, Wash.; and (3) *irrigation pipe and irrigation equipment*, between Lewiston, Idaho, and Portland, Oreg., on the one hand, and, on the other, points in Walla Walla County, Wash.

NOTE.—The purpose of this republication is to correct the authority requested in 2 (b), (c) and (d) above. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash. or Portland, Oreg.

No. MC 139897 (Sub-No. 2) filed August 29, 1974. Applicant: ORRAN HOFSTETTER, INC., P.O. Box 237, Orrville, Ohio 44667. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, from the facilities of Valley Camp Coal Company at or near Valley Grove (Ohio County), W.Va., to points in Sandusky and Seneca Counties, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 139937 (Sub-No. 1), filed September 11, 1974. Applicant: JOHNNY D. COBURN AND BILLY BROWN, doing business as COBURN CONSTRUCTION COMPANY, a partnership, P.O. Box 76,

Robinson Creek, Ky. 41560. Applicant's representative: Herbert D. Liebman, P.O. Box 815, Frankfort, Ky. 40601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel pipe*, between the plantsite of J & L Steel Company at or near Aliquippa, Pa. and the plantsite of Armco Steel Company at or near Ambridge, Pa., on the one hand, and, on the other, the plantsite of Branchland Pipe & Supply Company, Inc. at or near Nora, Va., under a continuing contract or contracts with Branchland Pipe and Supply Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Lexington or Frankfort, Ky.

No. MC 139941 (Sub-No. 2), filed September 5, 1974. Applicant: A–C DISTRIBUTING CO., a corporation, 2307 Dover Drive, Springfield, Ill. 62703. Applicant's representative: Douglas G. Brown, 217 South Seventh Street, Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Home care products, automobile care products, cosmetic care products, stainless steel cookware, cutlery, food supplements, literature and sales aids*, (except commodities in bulk), between points in Illinois, restricted to shipments having prior or subsequent interstate movement by motor common carrier, under contract with Amway-Michigan Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 139996 (Sub-No. 2), filed September 10, 1974. Applicant: TOM BIRD TRUCKING, INC., 1140 Susanne, Idaho Falls, Idaho 83401. Applicant's representative: Dennis M. Olsen, 485 "E" Street, Idaho Falls, Idaho 83401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* in tow-away operation, from the plant site and storage facilities of Farmhand, Inc. at or near Greeley, Colo. and Idaho Falls, Idaho, to points in and west of Montana, Wyoming, Colorado, and Arizona, under contract with Farmhand, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Idaho Falls, Idaho or Salt Lake City, Utah.

No. MC 140003 (Sub-No. 1), filed September 9, 1974. Applicant: BALL MOTOR LINE OF APOPKA, INC., North Highway 441, Plymouth, Fla. 32703. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Avenue NW., Suite 600, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic products*, from Leominster, Mass., to points in Delaware, Connecticut, Florida, Georgia, Illinois, Indiana, Maryland, Michigan, New Jersey, New York, North Carolina, Pennsylvania, Ohio, Rhode Island, South Carolina, and Virginia, under a continuing contract with Union Products, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 140011 (Sub-No. 2), filed September 4, 1974. Applicant: A. C. DENNLER, doing business as A. C. DENNLER CO., P.O. Box 10037, Glendale, Calif. 91209. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stereo consoles and component systems*, from Norwich, Conn., and Lowell, Mass., to Akron, Ohio; Pittsburgh, Pa.; Tucker, Ga.; Nashville, Tenn.; Cincinnati, Ohio; Dallas, Tex.; Denver, Colo.; Seattle, Wash.; Kansas City, Mo.; Chicago, Ill.; Buffalo, N.Y.; Birmingham, Ala.; Charlotte, N.C.; Des Moines, Iowa; Tampa, Fla.; Saginaw, Mich.; Miami, Fla.; Indianapolis, Ind.; Greensboro, N.C.; Salt Lake City, Utah; El Paso, Tex.; Detroit, Mich.; Fresno, Calif.; St. Louis, Mo.; Phoenix, Ariz.; Santa Clara, Calif.; Bremerton, Wash.; St. Paul, Minn.; and Los Angeles, Calif., under a continuing contract or contracts with Capehard Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn. or New York, N.Y.

No. MC 140033 (Sub-No. 2), filed August 19, 1974. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, Tex. 75205. Applicant's representative: E. Larry Wells, 4645 N. Central Expressway, Dallas, Tex. 75205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products and agricultural commodities*, which are otherwise exempt under section 203(b)(6) of the Interstate Commerce Act, when transported with dairy products, in straight or mixed loads, from the plantsites, warehouses and storage and production facilities of Associated Milk Products, Inc., located at points in Iowa, Minnesota, and Wisconsin, to points in Pennsylvania, New York, Massachusetts, Connecticut, New Jersey, Rhode Island, and Texas; and (2) *cheese and agricultural commodities*, which are otherwise exempt under Section 203(b)(6) of the Interstate Commerce Act, moving in straight or mixed loads, from points in New Jersey, New York, and Maryland, to the plantsites, warehouses and storage, and production facilities of Associated Milk Producers, Inc., located at points in Iowa, Minnesota, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 140033 (Sub-No. 3), filed August 19, 1974. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, Tex. 75205. Applicant's representative: E. Larry Wells, 4645 N. Central Expressway, Dallas, Tex. 75205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), from the plantsite and storage facilities utilized by American Beef Packers, Inc., at or near Cactus (Moore County), Tex., to points in California, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia, restricted to traffic originating at, and destined to, the named points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 140108 (Sub-No. 1), filed July 26, 1974. Applicant: TWOMBLY GRAIN COMPANY, INC., 408 South Main, Troy, Kans. 66087. Applicant's representative: G. T. Van Bebber, P.O. Box 586, Troy, Kans. 66087. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed and liquid feed ingredients*, between the manufacturing plant of ConAgra, Feed Division, located at or near Troy, Kans., on the one hand, and, on the other, points in Missouri, Nebraska, and Arkansas, under a contract or contracts with ConAgra.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans., Kansas City, Mo., or Kansas City, Kans.

No. MC 140118 (Correction), filed August 19, 1974, published in the FEDERAL REGISTER issue of September 19, 1974, and republished as corrected this issue. Applicant: S.T.L. TRANSPORT, INC., 1000 Jefferson Road, Rochester, N.Y. 14623. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper, paperboard, or pulpboard boxes, pails and trays and cellulose or plastic film, and foil when moving therewith;* and (2) *Materials, supplies, and equipment* used in the manufacture of the products named in (1) above, (1) from Newark, N.Y., to points in New York, New Jersey, Connecticut, Massachusetts, Maryland, Ohio, and Pennsylvania; and (2) from points in New York, New Jersey, Connecticut, Massachusetts, Maryland, Ohio, and Pennsylvania, to points in Newark, N.Y., under continuing contract with Fibreboard Corporation.

NOTE.—The purpose of this republication is to change Docket No. MC 125403 Sub 7 to MC 140118. If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 140121 (Sub-No. 1), filed September 5, 1974. Applicant: NAS TRANSPORTATION CO., a Corporation, 5320

Cook Street, Denver, Colo. 80216. Applicant's representative: Irene Warr, 430 Judge Bldg., Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flattened vehicle bodies, scrap engines and transmissions, and scrap steel*, between points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with National Auto Salvage, Inc., of Denver, Colo.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 140125 (Sub-No. 1), filed August 30, 1974. Applicant: SCHUSTER GRAIN COMPANY, INC., 416 6th Avenue, SW., P.O. Box 606, LeMars, Iowa 51031. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feeds, insecticides, and pesticides* (except liquids in bulk), from the plantsite and warehouse facilities of International Multifoods Corp. at LeMars, Iowa, to points in Minnesota, South Dakota, and Nebraska; (2) *animal and poultry feed ingredients* (except liquids in bulk), from points in Minnesota, South Dakota, and Nebraska, to the plantsite and warehouse facilities of International Multifoods Corp. at LeMars, Iowa; (3) *animal and poultry feeds and animal health products* (except liquids in bulk): (a) from the plantsite and warehouse facilities of ConAgra, Inc., at Sioux City, Iowa, to points in Minnesota, Nebraska, and South Dakota; and (b) from the plantsite and warehouse facilities of ConAgra, Inc., at Omaha, Nebr., to the plantsite and warehouse facilities of ConAgra, Inc., at Sioux City, Iowa;

(4) *Animal and poultry feed ingredients* (except liquids in bulk and feed grade urea), from points in Minnesota, Nebraska, and South Dakota, to the plantsite and warehouse facilities of ConAgra, Inc., at Sioux City, Iowa; (5) *animal feed and animal health products* (except commodities in bulk): from Des Moines, Iowa, to points in Nebraska, South Dakota, and Minnesota; and (b) from Omaha, Nebr., to Des Moines, Iowa; (6) *alfalfa products*: (a) from points in Nebraska and Iowa, to the plantsite and storage facilities of Sioux Alfalfa Meal Company at or near Vermillion and Meckling, S. Dak.; and (b) from the plantsite and storage facilities of Sioux Alfalfa Meal Company at or near Vermillion and Meckling, S. Dak., to points in Nebraska, Iowa, Minnesota, Wisconsin, and Illinois; and (7) *animal and poultry feed, animal and poultry feed ingredients, animal and poultry health products, minerals and mineral block, rodent exterminators, and pesticides* (except liquid commodities in bulk), between the facilities of International Multifoods Corp. at LeMars, Iowa, on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Kansas, Kentucky, Minnesota, Missouri, Nebraska, South Dakota, Wisconsin, and Wyoming.

NOTE.—Applicant states that by this application it is seeking to convert all of the contract carrier permits it holds in No. MC 128201 and subs thereunder to Certificates of Public Convenience and Necessity. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Sioux City, Iowa.

No. MC 140172 (Sub-No. 2), filed September 5, 1974. Applicant: ED DAVENPORT, P.O. Box 907, Brady, Tex. 76825. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, from points in McCulloch County, Tex., to points in Alabama, Arkansas, Georgia, Colorado, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Utah, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Fort Worth or Dallas, Tex.

No. MC 140174, filed August 29, 1974. Applicant: BROOKS TRUCKING, INC., P.O. Box 187, Vanlue, Ohio 45890. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehilce, over irregular routes, transporting: *Reinforced concrete products*, from the plantsite of Beck Concrete Corporation near Carey, Ohio, to points in Indiana, Illinois, Michigan, Kentucky, New York, Pennsylvania, Tennessee, and West Virginia, under a continuing contract or contracts with Beck Concrete Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 140188, filed September 4, 1974. Applicant: GROUND AIR TRANSFER, INC., P.O. Box 8315, Detroit, Mich. 48213. Applicant's representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, Mich. 48080. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, houshold goods, and commodities requiring special equipment), between the Cleveland Hopkins Airport and the Lakefront Airport located at Cleveland, Ohio, on the one hand, and, on the other, Lordstown, Ohio, restricted to traffic having a prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Cleveland, Ohio.

No. MC 140191, filed September 9, 1974. Applicant: TEX-PACK EXPRESS OF DALLAS, a Corporation, 2001 Irving Blvd., Dallas, Tex. 75247. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points within the Houston, Tex., Commercial Zone, as defined in *Houston Tex., Commercial Zone*, 92 M.C.C. 325, restricted to service provided in the transportation of packages and articles weighing in the aggregate more than 100 pounds from one consignor located at one location to one consignee at one location on any one day.

NOTE.—Common control was approved in MC–FC–72144 and MC–FC–72456. If a hearing is deemed necessary, applicant requests it be held at either Dallas or Fort Worth, Tex.

No. MC 140192, filed September 9, 1974. Applicant: TEX-PACK EXPRESS OF HOUSTON, a Corporation, 1203 McKee St., Houston, Tex. 77002. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 18701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in the Houston, Tex., Commercial Zone as defined in *Houston, Tex., Commercial Zone*, 92 M.C.C. 325, restricted to service in the transportation of packages and articles weighing in the aggregate more than 100 pounds from one consignor located at one location to one consignee at one location on any one day.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Houston or Dallas, Tex.

No. MC 140196, filed September 3, 1974. Applicant: ACE CARTAGE CO., a Corporation, 6th & Locust, Chatsworth, Ill. 60921. Applicant's representative: James R. Madler, Terrace Suite 1608, 1255 N. Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coated paper, pulpboard, and pulpboard and fiberboard articles*, between Forrest and Chicago, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 140197, filed September 3, 1974. Applicant: BOULDER TRANSPORTATION CO., INC., 40 Lee Burbank Highway, Revere, Mass. 02151. Applicant's representative: Edward F. Schiff, Suite 602, 1155 15th St. NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline, petroleum, and petroleum products*, in bulk, in tank vehicles, (1) from Boston, Revere, Chelsea, Quincy, Everett, and Braintree, Mass., to points in Rhode Island and New Hampshire; (2) from Providence, E. Providence, and Tiverton, R.I., to points in Massachusetts; and (3) from Portland, Maine, to points in New Hampshire and Massachusetts, under contract with Gibbs Oil Company, and Terminal Oil Company of New Hampshire, restricted to transportation under a continuing contract or contracts with Terminal Oil Company of New Hampshire and Gibbs Oil Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 140198, filed August 1, 1974. Applicant: MARVIN BENDER, doing

business as MARVIN BENDER TRUCKING, Britton, S.D. 57430. Applicant's representative: Marvin Bender (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, cartons, supplies, and equipment* used in the production and manufacturing of Bordon products, from Minneapolis-St. Paul, Minn., to Britton, S. Dak., under a continuing contract or contracts with Horton Industries, Incorporated of Minneapolis, Minn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Britton, S. Dak.

No. MC 140200, filed September 6, 1974. Applicant: PHILIP CHAPMAN CARTAGE LIMITED, 2421 Cawthra Road, Mississauga, Ontario, Canada. Applicant's representative: Robert D. Gunderman, Suite 710 Statler Hilton, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal briquetts, fabricated fireplace logs, charcoal lighter fluid, charcoal grill liner, and wood chips* (except in bulk), from Buffalo and Schenectady, N.Y., to ports of entry on the International Boundary line between the United States and Canada on the St. Lawrence and Niagara Rivers, restricted to traffic in foreign commerce only.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 140201, filed September 9, 1974. Applicant: SONELL, INC., 524 Wyndmoor Avenue, Wyndmoor, Pa. 19118. Applicant's representative: Maxwell A. Howell, 1511 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, scrap paper, and materials and supplies* used in the manufacture of paper, between the plantsites of Weyerhaeuser Company, Inc., located at or near Plymouth and Askin, N.C., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

PASSENGER APPLICATIONS

No. MC 3647 (Sub-No. 458), filed August 26, 1974. Applicant: TRANSPORT OF NEW JERSEY, a Corporation, 180 Boyden Avenue, Maplewood, N.J. 07040. Applicant's representative: John F. Ward (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, and newspapers* in the same vehicle with passengers: (1) Between Glassboro, N.J., and Woodbury, N.J.: From Glassboro over New Jersey Highway 553 to Woodbury, N.J., and return over the same route, serving all intermediate points; (2) Between Glassboro, N.J., and Mantua (Mantua Township), N.J.: From Glassboro, N.J., over New Jersey Highway 553 (Alternate) to junction New Jersey Highway 45 at Mantua (Mantua Township), N.J., and return over the same route, serving all intermediate points; (3) Between Mantua (Mantua Township), N.J., and Deptford Township, N.J.: From the junction of New Jersey Highway 45 and unnumbered highways at Mantua (Mantua Township), N.J., over unnumbered highways via Wenonah, N.J., to junction New Jersey Highway 553 at Deptford Township, N.J., and return over the same route, serving all intermediate points; (4) Between points in Mantua Township, N.J.: (a) From the junction of New Jersey Highway 553 (Alternate) and unnumbered highway at Barnsboro over unnumbered highways via Sewell, N.J., to junction New Jersey Highway 553 east of Sewell, N.J., and return over the same route, serving all intermediate points; and (b) From the junction of New Jersey Highway 553 (Alternate) and unnumbered highway immediately north of Pitman, N.J., over unnumbered highways to junction New Jersey Highway 553 immediately north of Pitman, N.J., and return over the same route, serving all intermediate points; and (5) Between points in Pitman, N.J.: From the junction of New Jersey Highway 553 (Alternate) and unnumbered street over local unnumbered streets to junction New Jersey Highway 553, and return over the same route, serving all intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Camden, N.J., or Philadelphia, Pa.

No. MC 29957 (Sub-No. 93), filed August 29, 1974. Applicant: CONTINENTAL SOUTHERN LINES, INC., P.O. Box 8435, 1785 Highway 80 West, Jackson, Miss. 39204. Applicant's representative: Frank Kegley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same or separate vehicles, and *express and newspapers*, in the same vehicle with passengers: Between Tuscaloosa, and Birmingham, Ala., via Interstate Highway 20, serving all intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Jackson, Miss.

No. MC 109802 (Sub-No. 34), filed August 29, 1974. Applicant: LAKELAND BUS LINES, INC., East Blackwell Street, Dover, N.J. 07801. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express*, in the same vehicle with passengers: (1) Between the junction of New Jersey Highway 10 and U.S. Highway 202 and Peapack, N.J.: From the junction of New Jersey Highway 10 and U.S. Highway 202 at the Parsippany-Troy Hills Township and Morris Plains Boro border, over U.S. Highway 202 to junction New Jersey Highway 512 (Peapack Road), thence over New Jersey Highway 512 to Peapack, N.J., and return over the same route, serving all intermediate points; (2) Between the junction of Interstate Highway 287 and New Jersey Highway 10 at Hanover, N.J., and Gladstone, N.J.: From the junction of Interstate Highway 287 and New Jersey Highway 10 at Hanover Township, N.J., over Interstate Highway 287 to junction U.S. Highway 206 (202), thence over U.S. Highway 206 (202) to junction New Jersey Highway 512, thence over New Jersey Highway 512 to Gladstone, N.J., and return over the same route, serving all intermediate points; and (3) Between Gladstone, N.J., and Peapack, N.J.: From Gladstone, N.J., over New Jersey Highway 512 to Peapack, N.J., and return over the same route, serving all intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 140213, filed September 16, 1974. Applicant: ABERNETHY REALTY, INC., 2618 East Main Street, Lincolnton, N.C. 28092. Applicant's representative: W. A. Abernethy, Jr. (same address as applicant). 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 charter operations, from points in Lincoln and Catawba Counties, N.C., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lincoln County Courthouse, Lincolnton, N.C., or Catawba County Courthouse, Newton, N.C.

No. MC 140214, filed September 9, 1974. Applicant: G. & L. STEVENSON TRANSPORT LIMITED, Box 84, Emeryville, Ontario, Canada. Applicant's representative: Robert D. Gunderman, Suite 710 Statler Hilton, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter operations, from ports of entry on the International Boundary line between the United States and Canada, on the Detroit and St. Clair Rivers, to points in Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, North Carolina, Pennsylvania, Ohio, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, and return, under a continuing contract with Essex County Board of Education.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Buffalo, N.Y.

BROKER APPLICATIONS

No. MC 130264, filed September 3, 1974. Applicant: JOHN N. LIGHTNER, doing business as LIGHTNER BROKERAGE

SERVICE, P.O. Box 1512, Missoula, Mont. 59801. Applicant's representative: John N. Lightner (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker*, at East Missoula, Mont., to sell or offer to sell the transportation of (1) *Commodities*, which because of size or weight require the use of special equipment, (2) *commodities*, which because of size or weight do not require the use of special equipment when moving in the same shipment and on the same bill of lading as (1) above, (3) *self-propelled articles* transported on trailers, (4) *iron and steel articles*, (5) *building and construction equipment, materials, and supplies*, (6) *machinery, equipment, materials, and supplies* incidental to and used in connection with the construction, repairing, or dismantling of pipelines, and (7) *lumber, wood products, and wood poles*, by motor carrier (1) between points in Idaho, Montana, Oregon, and Washington, on the one hand, and, on the other, points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Missoula, Mont., or Spokane, Wash.

No. MC 130265, filed August 28, 1974. Applicant: ELEANOR WOODS, doing business as ON THE SCENE, MILWAUKEE, WIS., 6961 North Crestwood Drive, Milwaukee, Wis. 53209. Applicant's representative: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. 20005. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Milwaukee and Glendale, Wis., and Chicago and Winnetka, Ill., to sell or offer to sell the transportation of *Passengers*, by motor, rail, water, and air carriers, in regular route services, scheduled services, and charter and special operations, in intermodal transportation, as well as transportation independently by any component of the transportation industry, between points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Milwaukee, Wis.

WATER CARRIER APPLICATIONS

No. W 497 (Sub-No. 11), filed September 9, 1974. Applicant: UNITED STATES LINES, INC., One Broadway, New York, N.Y. 10004. Applicant's representative: Stuart R. Breidbart (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *common carrier by water* in the transportation of *Passengers and commodities generally*, between the Atlantic port of Savannah, Ga., and the Pacific coast ports of Los Angeles harbor and San Francisco, Calif., by regular service in the intercoastal trade via the Panama Canal.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or San Francisco or Los Angeles, Calif.

No. W 1281, filed August 30, 1974. Applicant: PARKER TOWING COMPANY, INC., P.O. Box 72, Tuscaloosa, Ala. 35401. Applicant's representative: John P. Carlton, 903 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to engage in operation, in interstate or foreign commerce, as a *common carrier by water* in the transportation of *General commodities* by non-self propelled vessels with the use of separate towing vessels and by towing vessels in the performance of general towage as authorized under Section 309(c) of the Interstate Commerce Act, serving all ports and points on U.S. Army Corps of Engineers Rivers, Alabama (also known as the Black Warrior-Tombigbee Waterway), (a) between Mobile, Ala., Mobile Harbor located at or near Mobile, Ala., and the Port of Mobile located at or near Mobile, Ala., and the Alabama State Docks facilities located at or near Mobile, Ala., on the one hand, and, on the other, Mile 407.8 on the Locust Fork of said U.S. Army Corps of Engineers Project Black Warrior and Tombigbee Rivers, Ala.; (b) between Mobile, Ala., Mobile Harbor located at or near Mobile, Ala., the Port of Mobile located at or near Mobile, Ala., and the Alabama State Docks facilities located at or near Mobile, Ala., on the one hand, and, on the other, Mile 429.6 on the Mulberry Fork of said U.S. Army Corps of Engineers Project Black Warrior and Tombigbee Rivers, Ala.; (c) between Mobile, Ala., Mobile Harbor located at or near Mobile, Ala., the Port of Mobile located at or near Mobile, Ala., and the Alabama State Docks facilities located at or near Mobile, Ala., on the one hand, and, on the other, Mile 430.4 on the Sipsey Fork of said U.S. Army Corps of Engineers Project Black Warrior and Tombigbee Rivers, Ala.; and (2) serving all ports and points on U.S. Army Corps of Engineers Project Alabama River System, Alabama (also known as the Alabama-Coosa Waterway) (a) between Mobile, Ala., Mobile Harbor located at or near Mobile, Ala., the Port of Mobile located at or near Mobile, Ala., and the Alabama State Docks facilities located at or near Mobile, Ala., on the one hand, and, on the other, Wetumpka, Ala.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-22895 Filed 10-2-74;8:45 am]

federal register

THURSDAY, OCTOBER 3, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 193

PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

■

SKILLED NURSING FACILITIES

Health Insurance for the Aged and Disabled; General Administration

Title 20—Employees' Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATON, AND WELFARE

[Regs. 5]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED (1965 .....)

Skilled Nursing Facilities

On May 1, 1974, there was published in the FEDERAL REGISTER (39 FR 15230) a notice of proposed rulemaking which set forth proposed amendments to regulations relating to the conditions of participation for skilled nursing facilities. Included in the proposed amendments were several additional provisions to the Medicare-Medicaid common standards for skilled nursing facilities, which resulted from comments received with respect to the conditions of participation published as proposed rules on July 12, 1973 (38 FR 18620). Because of the substantive nature of these provisions, they were not included in the final regulations published on January 17, 1974 (39 FR 2238), but were published in proposed form on May 1. In addition to the proposed provisions resulting from those comments (a medical director, 7-day registered nurse services, discharge planning, and patients' rights), other provisions designed to clarify or expand upon existing regulations were included in the proposed rulemaking. Interested parties were given the opportunity to submit within 30 days data, views, and arguments on the proposed amendments.

Comments were received from many sources (including representatives of national, State, and local organizations) concerned with skilled nursing services, the quality of patient care, and the rights of these patients. All of the comments received, including earlier public comments and those reported from Senator Frank E. Moss' subcommittee hearings, have been carefully considered.

The following summarizes the changes made in consideration of comments received:

1. *Dietitian (qualified consultant), § 405.1101(f).*—The proposed revision corrected a typographical error in this definition, by adding "or" between clauses (1) and (2) to provide that a dietitian need meet only one of the alternatives in this definition. No adverse comments were received regarding this change. However, an additional change was made for purposes of clarity and consistency. This was to change the phrase "on the publication of this provision" to January 17, 1974, the date the final conditions of participation were published.

2. *Use of outside resources, § 405.1121(i).* This provision is addressed to the situation where a skilled nursing facility ordinarily furnishes a specific service to its patients through an outside resource. Considerable comment was received in opposition to the proposed amendment, which would except an independent laboratory from the requirement that the outside resource bill the facility for covered services rendered directly to the patient. Considering the strong protests, and that Medicaid has had administrative problems with the reimbursement procedure, any reference in § 405.1121(i) to billing procedures has been deleted. Its deletion, however, does not mean that, under Medicare, outside resources furnishing services to inpatients of a facility under an arrangement with the facility may bill the patient for services which constitute provider services. Furthermore, pursuant to section 1861(w) of the Social Security Act, such services furnished under an arrangement must be billed through the provider exclusively. Appropriate revisions to incorporate this principle will be transferred to the pertinent subparts of Regulations No. 5 at a later date.

3. *Patients' rights, § 405.1121(k).* On the basis of numerous comments received, including some 135 letters protesting the separation of married couples in skilled nursing facilities, the following substantive changes were made in the patients' rights provision in consideration of the viewpoints expressed, and the revised phrases are in italics:

(a) Policies and procedures regarding patients' rights are to be available *to the public*, as well as to patients, guardians, and others identified in the proposed regulations;

(b) *Written acknowledgement by the patient* that he has been fully informed of these rights is required;

(c) The patient is fully informed of his medical condition, *by a physician*, unless medically contraindicated (as documented *by a physican* in his medical record);

(d) Reasons for patient transfer or discharge are now delineated to include: *Medical, for the welfare of the patient or others, or for nonpayment for stay (except where prohibited by the program(s)), with such actions documented in the medical record;*

(e) The patient is encouraged to exercise his rights as a patient, *and as a citizen;*

(f) Delegation by the patient to the facility of the right to manage his funds now requires a *quarterly* accounting and specifies *that the delegation be in conformance with State laws;*

(g) Further limitations are placed on the use of restraints (that they be used only if authorized by a physician for a specified and limited period of time; that is, their use must be *necessary to protect the patient* from injury to himself or others);

(h) These regulations provide for the patient to *send* as well as receive mail unopened *unless medically contraindicated as documented by his physician in the medical record;*

(i) The patient retains and uses his personal clothing and possessions, *as space permits, unless to do so would infringe upon rights of other patients, and unless medically contraindicated and documented by his physician in his medical record;*

(j) A new provision has been added which provides that *if married, the patient is assured privacy for visits by his/her spouse, and if both are inpatients, they are permitted to share a room, unless medically contraindicated and documented by the attending physician in the medical record.*

This paragraph (k) also was clarified to reflect that the rights and responsibilities in paragraphs (k) (1) through (4) as they pertain to a patient found by his physician to be medically incapable *of understanding these rights* devolve to such patient's guardian, next of kin, etc.

4. *Seven-day registered nurse services, §§ 405.1124 and 405.1124(c).* As proposed, this revises the requirement for the employment of a regisered nurse to at least the day tour of duty on 7 days a week. For purposes of classification, a cross reference to the waiver provision for this requirement was inserted after the condition of participation. Most comments regarding this provision were supportive and in addition suggested stronger requirements in line with some State requirements.

The requirement for a registered nurse on the day tour of duty is considered to be reasonable and necessary as a Federal standard and does not preclude higher State requirements.

Regarding waivers of this provision, some requests were received that waivers be considered for urban as well as rural skilled nursing facilities. However, section 267 of Pub. L. 92–603, the Social Security Amendments of 1972, provides that waiver of the 7-day registered nurse requirement applies to rural skilled nursing facilities. In addition, § 405.1911(a) regarding waivers was revised to parallel the waiver language for medical direction in skilled nursing facilities in that the facility must make good faith efforts to meet the 7-day registered nursing requirement.

5. *Administration of drugs, § 405.1124(g).* Several comments were received requesting that the phrase "in compliance with State and local laws" be added to this section. This comment was not accepted because it was felt that, in addition to meeting State and local laws as stipulated in § 405.1120, an appropriate Medicare-Medicaid requirement would be that drugs be administered only by physicians, licensed nursing personnel, or other staff who have completed a State-approved program in medication administration. These controls permit only qualified staff to administer medication, while making the best utilization of health manpower.

6. *Staffing for specialized rehabilitative services, § 405.1126(a).* The majority of comments received were in opposition to this proposal because it was interpreted to mean that nonqualified personnel could perform the professional activities of a therapist if under the supervision of a physician qualified in physical medicine. This was not the intent of the revision, however. The regulation has

been revised to clearly reflect that specialized rehabilitative services are provided in accordance with accepted professional practices by qualified therapists or qualified assistants, while other rehabilitative services must be under the supervision of a physician qualified in physical medicine in a facility that has an organized rehabilitative service.

7. *Handrails, § 405.1134(j).* The provision requiring corridors in skilled nursing facilities to be equipped with handrails on each side is adopted as proposed, few opposing comments having been received.

8. *Discharge planning, § 405.1137(h).* This new requirement was modified to reflect comments opposed to the time previously specified for determining each patient's need for discharge planning. This requirement was changed to read "within 7 days after the day of admission" as more suitable to the health care setting of a skilled nursing facility. Criticism indicated that the previous 72-hour time span was more suitable for a hospital setting.

The notice of proposed rulemaking included a provision that would require a skilled nursing facility to furnish a centralized, coordinated discharge planning program to ensure that each patient has a program of needed continuing care both during his stay and after discharge from the facility. The notice proposed that this section be incorporated in connection with utilization review, pursuant to the provisions of section 237(c) of the Social Security Amendments of 1972 (Pub. L. 92–603) which amend section 1861(k) of the Act by adding authority under which the Secretary may require the use in the Medicare program of utilization review procedures established pursuant to the Medicaid program, which he determines are superior in their effectiveness to the utilization review procedures in the Medicare program. The Secretary has determined that Medicaid program requirements for discharge planning published on this date in this edition of the FEDERAL REGISTER are superior, and accordingly this requirement for discharge planning is incorporated as a utilization review requirement of the Medicare program.

9. *Medical direction, proposed as § 405.1138.* This condition has been modified to include an organized medical sta fied to include an organized medical staff, with a member of that staff serving as medical director. Additionally, provision has been added to permit hospital-based skilled nursing facilities to have a member of that staff to serve as medical director. Some concern was expressed that the medical director should not be responsible for surveillance of the environmental health status of the facility, and this comment was accepted. Opposition to the medical director's being responsible for delineation of responsibilities and clinical privileges of attending physicians was expressed; accordingly, the regulation was amended to include the delineation of attending physician responsibilities as part of the skilled nursing facility's bylaws, with approval required by the governing body. Also, a provision was added that medical direction can be provided through arrangement with a group of physicians, a local medical society, a hospital medical staff, or other similar arrangement. Due to concern expressed about a skilled nursing facility's possibly having difficulty in complying, the condition on medical direction now carries the proviso that the facility be allowed 12 full calendar months from effective date of these regulations to comply. The sentence that refers to employee health examinations will be retained as originally published in the FEDERAL REGISTER of January 17, 1974, in § 405.1121(g). Also, for the purpose of cohesion and clarity, the condition on medical direction now appears as § 405.1122. The condition formerly numbered § 405.1122, *Patient care policies,* is now a part of § 405.1121, Governing Body and Management, as standard (l).

Finally, a cross reference to § 405.1911 (b), which contains waiver provision for this requirement, was added to the condition on medical direction.

The amendments as announced under the proposed rule making (39 FR 15230) are adopted, with the noted changes. In addition, some parts of the regulations were redrafted for clarification purposes, in line with the comments received.

(Secs. 1102, 1861, 1871, 49 Stat. 647, as amended, 79 Stat. 313, as amended, 79 Stat. 331, (42 U.S.C. 1302, 1395x, 1395hh))

Effective date. These amendments shall be effective December 2, 1974.

(Catalog of Federal Domestic Assistance Program No. 13.800, Health Insurance for the Aged—Hospital Insurance)

Dated: September 20, 1974.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: September 20, 1974.

FRANK CARLUCCI,
Acting Secretary of Health, Education, and Welfare.

Regulations No. 5 of the Social Security Administration, as amended (20 CFR Part 405), are further amended as set forth below:

1. Paragraph (f) of § 405.1101 is revised to read as follows:

§ 405.1101 Definitions.

As used in this subpart, the following definitions apply:

* * * * *

(f) *Dietitian (qualified consultant).* A person who:

(1) Is eligible for registration by the American Dietetic Association under its requirements in effect on January 17, 1974; or

(2) Has a baccalaureate degree with major studies in food and nutrition, dietetics, or food service management, has 1 year of supervisory experience in the dietetic service of a health care institution, and participates annually in continuing dietetic education.

* * * * *

2. Section 405.1121 is amended by revising paragraph (i), and adding a new paragraph (k). Section 405.1122 is redesignated as paragraph (l) of § 405.1121. As amended § 405.1121 (i), (k), and (l) reads as follows:

§ 405.1121 Condition of participation—governing body and management.

* * * * *

(i) *Standard: Use of outside resources.* If the facility does not employ a qualified professional person to render a specific service to be provided by the facility, it makes arrangements to have such a service provided by an outside resource—a person or agency that will render direct service to patients or act as a consultant to the facility. The responsibilities, functions, and objectives, and the terms of agreement, including financial arrangements and charges, of each such outside resource are delineated in writing and signed by an authorized representative of the facility and the person or agency providing the service. Agreements pertaining to services must specify that the facility assumes professional and administrative responsibility for the services rendered. The outside resource, when acting as a consultant, apprises the administrator of recommendations, plans for implementation, and continuing assessment through dated, signed reports, which are retained by the administrator for followup action and evaluation of performance. (See requirement under each service—§§ 405.1125 through 405.1132.)

* * * * *

(k) *Standard: Patients' rights.* The governing body of the facility establishes written policies regarding the rights and responsibilities of patients and, through the administrator, is responsible for development of, and adherence to, procedures implementing such policies. These policies and procedures are made available to patients, to any guardians, next of kin, sponsoring agency(ies), or representative payees selected pursuant to section 205 (j) of the Social Security Act, and Subpart Q of Part 404 of this chapter, and to the public. The staff of the facility is trained and involved in the implementation of these policies and procedures. These patients' rights policies and procedures ensure that, at least, each patient admitted to the facility:

(1) Is fully informed, as evidenced by the patient's written acknowledgment, prior to or at the time of admission and during stay, of these rights and of all rules and regulations governing patient conduct and responsibilities;

(2) Is fully informed, prior to or at the time of admission and during stay, of services available in the facility, and of related charges including any charges for services not covered under titles XVIII or XIX of the Social Security Act, or not covered by the facility's basic per diem rate;

(3) Is fully informed, by a physician, of his medical condition unless medically contraindicated (as documented, by a physician, in his medical record), and is

afforded the opportunity to participate in the planning of his medical treatment and to refuse to participate in experimental research;

(4) Is transferred or discharged only for medical reasons, or for his welfare or that of other patients, or for nonpayment for his stay (except as prohibited by titles XVIII or XIX of the Social Security Act), and is given reasonable advance notice to ensure orderly transfer or discharge, and such actions are documented in his medical record;

(5) Is encouraged and assisted, throughout his period of stay, to exercise his rights as a patient and as a citizen, and to this end may voice grievances and recommend changes in policies and services to facility staff and/or to outside representatives of his choice, free from restraint, interference, coercion, discrimination, or reprisal;

(6) May manage his personal financial affairs, or is given at least a quarterly accounting of financial transactions made on his behalf should the facility accept his written delegation of this responsibility to the facility for any period of time in conformance with State law;

(7) Is free from mental and physical abuse, and free from chemical and (except in emergencies) physical restraints except as authorized in writing by a physician for a specified and limited period of time, or when necessary to protect the patient from injury to himself or to others;

(8) Is assured confidential treatment of his personal and medical records, and may approve or refuse their release to any individual outside the facility, except, in case of his transfer to another health care institution, or as required by law or third-party payment contract;

(9) Is treated with consideration, respect, and full recognition of his dignity and individuality, including privacy in treatment and in care for his personal needs;

(10) Is not required to perform services for the facility that are not included for therapeutic purposes in his plan of care;

(11) May associate and communicate privately with persons of his choice, and send and receive his personal mail unopened, unless medically contraindicated (as documented by his physician in his medical record);

(12) May meet with, and participate in activities of, social, religious, and community groups at his discretion, unless medically contraindicated (as documented by his physician in his medical record);

(13) May retain and use his personal clothing and possessions as space permits, unless to do so would infringe upon rights of other patients, and unless medically contraindicated (as documented by his physician in his medical record); and

(14) If married, is assured privacy for visits by his/her spouse; if both are inpatients in the facility, they are permitted to share a room, unless medically contraindicated (as documented by the attending physician in the medical record).

All rights and responsibilities specified in paragraphs (k) (1) through (4) of this section—as they pertain to (a) a patient adjudicated incompetent in accordance with State law, (b) a patient who is found, by his physician, to be medically incapable of understanding these rights, or (c) a patient who exhibits a communication barrier—devolve to such patient's guardian, next of kin, sponsoring agency(ies), or representative payee (except when the facility itself is representative payee) selected pursuant to section 205(j) of the Social Security Act and Subpart Q of Part 404 of this chapter.

(l) *Standard: Patient care policies.* The skilled nursing facility has written patient care policies to govern the continuing skilled nursing care and related medical or other services provided.

(1) The facility has policies, which are developed by the medical director or the organized medical staff (see § 405.1122), with the advice of (and with provision for review of such policies from time to time, but at least annually, by) a group of professional personnel including one or more physicians and one or more registered nurses, to govern the skilled nursing care and related medical or other services it provides. The policies, which are available to admitting physicians, sponsoring agencies, patients, and the public, reflect awareness of, and provision for, meeting the total medical and psychosocial needs of patients, including admission, transfer, and discharge planning; and the range of services available to patients, including frequency of physician visits by each category of patients admitted. These policies also include provisions to protect patients' personal and property rights. Medical records and minutes of staff and committee meetings reflect that patient care is being rendered in accordance with the written patient care policies, and that utilization review committee recommendations regarding the policies are reviewed and necessary steps taken to ensure compliance.

(2) The medical director or a registered nurse is designated, in writing, to be responsible for the execution of patient care policies. If the responsibility for day-to-day execution of patient care policies has been delegated to a registered nurse, the medical director serves as the advisory physician from whom she receives medical guidance. (See § 405.1122(b).)

3. A new § 405.1122 is added to read as follows:

§ 405.1122 Condition of participation—medical direction.

The facility retains, effective not later than 12 full calendar months from December 2, 1974, pursuant to a written agreement, a physician, licensed under State law to practice medicine or osteopathy, to serve as medical director on a part-time or full-time basis as is appropriate for the needs of the patients and the facility. If the facility has an organized medical staff, the medical director is designated by the medical staff with approval of the governing body. A medical director may be designated for a single facility or multiple facilities through arrangements with a group of physicians, a local medical society, a hospital medical staff, or through another similar arrangement. The medical director is responsible for the overall coordination of the medical care in the facility to ensure the adequacy and appropriateness of the medical services provided to patients and to maintain surveillance of the health status of employees. (See § 405.1911(b) regarding waiver of the requirement for a medical director.)

(a) *Standard: Coordination of medical care.* Medical direction and coordination of medical care in the facility are provided by a medical director. The medical director is responsible for the development of written bylaws, rules, and regulations which are approved by the governing body and include delineation of the responsibilities of attending physicians. Coordination of medical care includes liaison with attending physicians to ensure their writing orders promptly upon admission of a patient, and periodic evaluation of the adequacy and appropriateness of health professional and supportive staff and services.

(b) *Standard: Responsibilities to the facility.* The medical director is responsible for surveillance of the health status of the facility's employees. Incidents and accidents that occur on the premises are reviewed by the medical director to identify hazards to health and safety. The administrator is given appropriate information to help ensure a safe and sanitary environment for patients and personnel. The medical director is responsible for the execution of patient care policies in accordance with § 405.1121(l).

4. Section 405.1124 is amended by revising the material preceding paragraph (a) and also by revising paragraphs (c) and (g) to read as follows:

§ 405.1124 Condition of participation—nursing services.

The skilled nursing facility provides 24-hour service by licensed nurses, including the services of a registered nurse at least during the day tour of duty 7 days a week. There is an organized nursing service with a sufficient number of qualified nursing personnel to meet the total nursing needs of all patients in the facility. (See § 405.1911(a) regarding waiver of the 7-day registered nurse requirement.)

* * * * *

(c) *Standard: Twenty-four-hour nursing service.* The facility provides 24-hour nursing services which are sufficient to meet total nursing needs and which are in accordance with the patient care policies developed as provided in § 405.1121(l). The policies are designed to ensure that each patient receives treatments, medications, and diet as prescribed, and rehabilitative nursing care as needed; receives proper care to prevent decubitus ulcers and deformities,

and is kept comfortable, clean, well-groomed, and protected from accident, injury, and infection, and encouraged, assisted, and trained in self-care and group activities. Nursing personnel, including at least one registered nurse on the day tour of duty 7 days a week, licensed practical (vocational) nurses, nurse aides, orderlies, and ward clerks, are assigned duties consistent with their education and experience and based on the characteristics of the patient load. Weekly time schedules are maintained and indicate the number and classifications of nursing personnel, including relief personnel, who worked on each unit for each tour of duty.

* * * * *

(g) *Standard: Administration of drugs.* Drugs and biologicals are administered only by physicians, licensed nursing personnel, or by other personnel who have completed a State-approved training program in medication administration. Procedures are established by the pharmaceutical services committee (see § 405.1127(d)) to ensure that drugs to be administered are checked against physicians' orders, that the patient is identified prior to administration of a drug, and that each patient has an individual medication record and that the dose of drug administered to that patient is properly recorded therein by the person who administered the drug. Drugs and biologicals are administered as soon as possible after doses are prepared, and are administered by the same person who prepared the doses for administration, except under single unit dose package distribution systems. (See § 405.1101(h).)

* * * * *

5. Section 405.1126 is amended by revising the material preceding paragraph (a) and also by revising paragraph (a) to read as follows:

§ 405.1126 Condition of participation—specialized rehabilitative services.

In addition to rehabilitative nursing (§ 405.1124(e), the skilled nursing facility provides, or arranges for, under written agreement, specialized rehabilitative services by qualified personnel (i.e., physical therapy, speech pathology and audiology, and occupational therapy) as needed by patients to improve and maintain functioning. These services are provided upon the written order of the patient's attending physician. Safe and adequate space and equipment are available, commensurate with the services offered. If the facility does not offer such services directly, it does not admit nor retain patients in need of this care unless provision is made for such services under arrangement with qualified outside resources under which the facility assumes professional responsibilities for the services rendered. (See § 450.1121(i).)

(a) *Standard: Organization and staffing.* Specialized rehabilitative services are provided, in accordance with accepted professional practices, by qualified therapists or by qualified assistants or other supportive personnel under the supervision of qualified therapists. Other rehabilitative services also may be provided, but must be in a facility where all rehabilitative services are provided through an organized rehabilitative service under the supervision of a physician qualified in physical medicine who determines the goals and limitations of these services and assigns duties appropriate to the training and experience of those providing such services. Written administrative and patient care policies and procedures are developed for rehabilitative services by appropriate therapists and representatives of the medical, administrative, and nursing staffs.

6. Paragraph (j) of § 405.1134 is revised to read as follows:

§ 405.1134 Condition of participation—physical environment.

* * * * *

(j) *Standard: Other environmental considerations.* The facility provides a functional, sanitary, and comfortable environment for patients, personnel, and the public. Provision is made for adequate and comfortable lighting levels in all areas, limitation of sounds at comfort levels, maintaining a comfortable room temperature, procedures to ensure water to all essential areas in the event of loss of normal water supply, and adequate ventilation through windows or mechanical means or a combination of both. Corridors are equipped with firmly secured handrails on each side.

7. Section 405.1137 is amended by adding a new paragraph (h) to read as follows:

§ 405.1137 Condition of participation—utilization review.

* * * * *

(h) *Standard: Discharge planning.* The facility maintains a centralized, coordinated program to ensure that each patient has a planned program of continuing care which meets his postdischarge needs.

(1) The facility has in operation an organized discharge planning program. The utilization review committee, in its evaluation of the current status of each extended duration case, has available to it the results of such discharge planning and information on alternative available community resources to which the patient may be referred.

(2) The administrator delegates responsibility for discharge planning, in writing, to one or more members of the facility's staff, with consultation, if necessary, or arranges for this service to be provided by a health, social, or welfare agency (see § 405.1121(i)).

(3) The facility maintains written discharge planning procedures which describe (i) how the discharge coordinator will function, and his authority and relationships with the facility's staff; (ii) the time period in which each patient's need for discharge planning is determined (preferably within 7 days after the day of admission); (iii) the maximum time period after which a reevaluation of each patient's discharge plan is made; (iv) local resources available to the facility, the patient, and the attending physician to assist in developing and implementing individual discharge plans; and (v) provsions for periodic review and reevaluation of the facility's discharge planning program.

(4) At the time of discharge, the facility provides those responsible for the patient's postdischarge care with an appropriate summary of information about the discharged patient to ensure the optimal continuity of care. The discharge summary includes at least current information relative to diagnoses, rehabilitation potential, a summary of the course of prior treatment, physician orders for the immediate care of the patient, and pertinent social information.

8. A new § 405.1911 is added to read as follows:

§ 405.1911 Special waivers applicable to skilled nursing facilities.

(a) *Waiver of 7-day registered nurse requirement.* To the extent that § 405.1124 requires any skilled nursing facility to engage the services of a registered nurse more than 40 hours a week, the Secretary may waive such requirement for such periods as he deems appropriate if, based upon documented findings of the State agency, he determines that:

(1) Such facility is located in a rural area and the supply of skilled nursing facility services in such area is not sufficient to meet the needs of individual patients therein,

(2) Such facility has at least one full-time registered nurse who is regularly on duty at such facility 40 hours a week, and

(3) Such facility (i) has only patients whose attending physicians have indicated (through physicians' orders or admission notes) that each such patient does not require the services of a registered nurse for a 48-hour period, or (ii) has made arrangements for a registered nurse or a physician to spend such time at the facility as is determined necessary by the patient's attending physician to provide necessary services on days when the regular full-time registered nurse is not on duty.

(4) Such facility has made and continues to make a good faith effort to comply with the more than 40-hour registered nurse requirement, but such compliance is impeded by the unavailability of registered nurses in the area.

(b) *Waiver of medical director requirement.* To the extent that § 405.1122 requires any skilled nursing facility to engage the services of a medical director either part-time or full-time, the Secretary may waive such requirement for such periods as he deems appropriate if, based upon documented findings of the State agency, he determines that:

(1) Such facility is located in an area where the supply of physicians is not sufficient to permit compliance with this requirement without seriously reducing the availability of physician services within the area, and

(2) Such facility has made and continues to make a good faith effort to comply with § 405.1122, but such compliance is impeded by the unavailability of physicians in the area.

[FR Doc.74-22694 Filed 10-2-74;8:45 am]

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS) DEPARTMENT OF HEALTH, EDUCATON, AND WELFARE

PART 250—ADMINISTRATION OF MEDICAL ASSISTANCE PROGRAMS

Subpart A—General Administration

DISCHARGE PLANNING—SKILLED NURSING FACILITIES

Notice of proposed rulemaking was published May 1, 1974 (39 FR 15232), requiring that State plans for medical assistance under title XIX, Social Security Act (Medicaid) include in their utilization review programs a requirement for discharge planning for skilled nursing facility patients who are Medicaid recipients. A parallel requirement for the Medicare program was published at the same time.

The proposal specified that each patient's need for discharge planning must be determined within 72 hours of admission. Comments indicated that this time span was suitable for hospital care but not for care in a skilled nursing facility. Consequently, the final regulations have been modified to require this determination within 7 days after the day of admission. No other changes have been made.

As published on May 1, the proposed regulation would have amended another proposal published January 9, 1974 (39 FR 1500) which set forth a complete revision of 45 CFR 250.20, overall utilization review requirements for the Medicaid program. Since the final regulations resulting from the January 9 proposal are not yet ready for publication, the specific requirement for discharge planning with respect to skilled nursing facility patients is being published as an addition to existing utilization review requirements. It will be incorporated appropriately in the final regulations on the overall utilization review program.

Section 250.20 of Part 250, Chapter II, Title 45, Code of Federal Regulations, is amended as set forth below:

1. Wherever it appears, the phrase "skilled nursing home" is changed to "skilled nursing facility".

2. A new paragraph (a)(3) is added to read as follows:

§ 250.20 Utilization review of care and services.

(a) *State plan requirements.* A State plan for medical assistance under title XIX of the Social Security Act must:

* * * * *

(3) Provide in the case of skilled nursing facilities, whether utilization review activities are performed pursuant to paragraph (a)(1) (i) or (ii) of this section, that the utilization review committee shall review each individual's discharge plan, which plan shall be developed in accordance with the provisions of this paragraph (a)(3) of this section. Such plan shall ensure that each individual has a planned program of postfacility continuing care which takes into account such individual's post discharge needs. (i) The facility shall maintain written discharge planning procedures which describe (*a*) which staff member of the facility or which outside health, social, or welfare agency will have operational responsibility for discharge planning; (*b*) the manner in, and methods by, which such staff member or agency will function, including its authority and its relationship with the facility's staff; (*c*) the time period in which each individual's need for discharge planning will be determined (which period may not be later than seven days after the day of admission); (*d*) the maximum time period after which a reevaluation of each individual's discharge plan will be made; (*e*) the local resources available to the facility, the individual, and the attending physician to assist in developing and implementing individual discharge plans and; (*f*) the provisions for periodic review and reevaluation of the facility's discharge planning program. (ii) At the time of the individual's discharge, the facility shall provide to those persons (if any) responsible for the individual's postdischarge care such information about the discharged individual as will ensure the optimal continuity of care, such as current information relative to diagnoses, prior treatment, rehabilitation potential, physician advice concerning immediate care, and pertinent social information.

* * * * *

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))

Effective date. These regulations shall be effective on December 2, 1974.

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program.)

Dated: August 26, 1974.

JAMES S. DWIGHT, Jr.,
Administrator, Social and Rehabilitation Service.

Approved: September 23, 1974.

CASPER W. WEINBERGER,
Secretary of Health, Education, and Welfare.

[FR Doc.74-22695 Filed 10-2-74;8:45 am]

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